



City of
Ipswich

AGENDA

FINANCE AND GOVERNANCE COMMITTEE

Tuesday, 10 June 2025

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

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

FINANCE AND GOVERNANCE COMMITTEE AGENDA

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FINANCE AND GOVERNANCE COMMITTEE NO. 2025(05)

10 JUNE 2025

AGENDA

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

1. **PROCUREMENT - STRATEGIC CONTRACTING - ASSOCIATED FRAMEWORK DOCUMENTS**

This is a report concerning the adoption of 'Strategic Contracting Procedures' (**SCP**) from 1 July 2025 for Council contracts, as per the requirements of Chapter 6, Part 2 of the *Local Government Regulation 2012*.

RECOMMENDATION

- A. That pursuant to section 198(1) of the *Local Government Regulation 2012*, Council adopt the Procurement Policy contained at Attachment 1 to this report, to take effect from 1 July 2025, which aligns with Council's Strategic Contracting Procedures governance framework.
- B. That pursuant to section 222(1) of the *Local Government Regulation 2012*, Council adopt the Procurement and Contracts Manual, contained at Attachment 3 to this report, to take effect from 1 July 2025, which sets out Council's procedures for carrying out all contracts from 1 July 2025.

CONFIRMATION OF MINUTES

2. **CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE NO. 2025(04) OF 20 MAY 2025**

RECOMMENDATION

That the minutes of the Finance and Governance Committee held on 20 May 2025 be confirmed.

OFFICERS' REPORTS

3. **STRATEGIC REGULATION PROJECT - TARGETED AND WHOLE OF COMMUNITY CONSULTATION**

This is a report providing further detail on the Strategic Regulation Project, specifically, Phase 3 of Step 1 (being the undertaking of targeted community consultation to inform the drafting of the Strategic Regulation Policy), and Phase 3 of Step 3 (being the undertaking of whole community consultation to inform the drafting of the Local Laws).

RECOMMENDATION

- A. That the report be received and contents noted.
 - B. That the Regulatory Advisory Committee provide further advice to the Strategic Regulation Project Team regarding the ongoing requirement for conduct of targeted community consultation at Phase 3 of Step 1 of the Strategic Regulation Project.
-

4. ****PROCUREMENT: MICROSOFT ENTERPRISE AGREEMENT**

This is a report concerning the procurement and recommendation to negotiate and enter into a contractual arrangement with Data#3 Limited (Data#3) for the provision of Councils Microsoft enterprise agreement and Azure subscription services.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. VP457734 for the provision of Microsoft enterprise agreement and Azure subscription services to Data#3 Limited (Supplier).
 - B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$7,000,000 excluding GST over the entire term, being a term of three (3) years, 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, in order to implement Council’s decision.
-

5. 2023-2024 IPSWICH ARTS FOUNDATION TRUST FINANCIAL STATEMENTS AND
MANAGEMENT REPRESENTATION LETTER

This is a report concerning Ipswich City Council's controlled entity, Ipswich Arts Foundation Trust's 2023-2024 annual financial statements.

RECOMMENDATION

- A. That the 2023-2024 Ipswich Arts Foundation Trust annual financial statements as detailed in Attachment 1 be received and the contents noted.
- B. That the 2023-2024 Ipswich Arts Foundation Trust management representation letter as detailed in Attachment 2 be received and the contents noted.

6. **LEASE RENEWAL OVER FREEHOLD LAND AT 102 CHAMPIONS WAY, WILLOWBANK

This is a report concerning the proposed lease renewal over freehold land located at 102 Champions Way, Willowbank, described as part of Lot 1 on SP308694 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 102 Champions Way, Willowbank more particularly described as Lease TC and Lease TD over Lot 1 and Plan SP308694 , because it is for two leases for telecommunication towers.
- B. That Council enter into two leases (TC and TD) (Council reference number 6335) with Amplitel Pty Ltd (Lessee):
 - (i) at a commencing annual rent of \$26,500 per lease area, excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, 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, in order to implement Council's decision.

7. **LEASE RENEWAL OVER FREEHOLD LAND AT 20-32 CAIRNS STREET,
COLLINGWOOD PARK

This is a report concerning the proposed lease renewal over freehold land located at 20-32 Cairns Street, Collingwood Park, described as part of Lot 901 on SP264807 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 20-32 Cairns Street, Collingwood Park more particularly described as part of Lot 901 on SP264807, because it is for a lease for telecommunication towers.
- B. That Council enter into a lease (Council reference number 6334) with Amplitel Pty Ltd (Lessee):
 - (i) at a commencing annual rent of \$26,500 excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, 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, in order to implement Council’s decision.

8. ****LEASE RENEWAL OVER FREEHOLD LAND AT 11 THORNTON STREET, RACEVIEW**

This is a report concerning the proposed lease renewal over freehold land located at 11 Thornton Street, Raceview, described as part of Lot 1 on RP215738 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the Local Government Regulation 2012 (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 11 Thornton Street, Raceview more particularly described as part of Lot 1 on RP215738, because it is for a lease for telecommunication towers.
- B. That Council enter into a lease (Council reference number 6333) with Amplitel Pty Ltd (Lessee):
 - (i) at a commencing annual rent of \$26,500 excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, 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, in order to implement Council’s decision.

9. LEASE AND CONTRACT RENEWAL FOR THE MANAGEMENT AND OPERATION OF THE CAFE/LAGOON AT ROBELLE DOMAIN, 155 SOUTHERN CROSS CIRCUIT, SPRINGFIELD CENTRAL

This is a report concerning the proposed renewal of the management and operation of the Café and Orion Lagoon at Robelle Domain over freehold land located at 155 Southern Cross Circuit, Springfield Central, described as part of Lot 760 on SP204985 and Lot 762 on SP221160 (the Land), between Ipswich City Council (Council) and Australian Crawl Springfield Pty Ltd (ACS).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(iii) of the Regulation applies to the disposal of interest in land at 155 Southern Cross Circuit, Springfield Central more particularly described as part of Lot 760 and Plan SP204985 and Lot 762 and Plan SP221160, for café purposes, because it is for renewal of a lease to the existing lessee.
- B. That Council renew the lease (Council file reference number 6363 with Australian Crawl Springfield Pty Ltd (Lessee):
- (i) at a commencing annual rent of \$18,565 excluding GST, payable to Council, and
 - (ii) for an initial term of two (2) years, with no options for extension.
- C. That Council vary the existing Contractual Arrangement (contract 14-15-108) with Australian Crawl Springfield Pty Ltd to Manage the Orion Lagoon including Lifeguards, Pool Operators and Security Guards in accordance with S226 of the *Local Government Regulations 2012*;
- (i) To extend for a further term of two (2) years, with no options for extension.
- 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. **NEW LEASE OVER FREEHOLD LAND AT 117 REDBANK PLAINS ROAD, BELLBIRD PARK

This is a report concerning the proposed new lease over freehold land located at 117 Redbank Plains Road, Bellbird Park, described as part of Lot 12 on SP841775 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 117 Redbank Plains Road, Bellbird Park more particularly described as part of Lot 12 and Plan RP841775, because it is for a lease for telecommunication towers.
- B. That Council enter into a lease (Council reference number 6159) with Amplitel Pty Ltd (Lessee):
 - (i) at a commencing annual rent of \$26,500 excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, 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, in order to implement Council’s decision.

11. **NEW LEASE OVER FREEHOLD LAND FOR COMMUNITY HOUSING INITIATIVE

This is a report concerning a proposed new lease over freehold land between Ipswich City Council (Council) and Domestic Violence Action Centre Inc. (DVAC).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of interest in land at the properties outlined in Confidential Attachment 1, for community housing for families recovering from domestic and family violence, because Domestic Violence Action Centre Inc. (Lessee) is a community organisation.
- B. That Council enter into a lease (Council file reference number 6338) with the Lessee:
 - (i) at an annual rent of \$1.00 excluding GST, payable to Council if demanded, and
 - (ii) for an initial term of twenty (20) years, 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, in order to implement Council’s decision.

12. 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 6 May 2025 be adopted.
- B. That the delegations to the Chief Executive Officer as detailed in Attachment 3 be amended as detailed in Attachment 2 to the report by the Senior Governance Officer dated 6 May 2025.

13. CONSISTENCY REVIEW: LOCAL LAWS AND NEW PLANNING SCHEME

Council is implementing a new planning scheme (the draft scheme) that will commence on 1 July 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. (Note: this report was provided for information previously to the Regulation Advisory Committee on 5 February 2025 and subsequent Finance and Governance and Ordinary Council meetings in February 2025.)

If this report is now adopted by resolution, and as required by the *Local Government Act 2009*, commencement of the amended laws will occur within one month by publishing a notice in the Queensland Government Gazette and on council's website. With the draft scheme set to commence on 1 July 2025 then commencement of the laws will coincide with that date.

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.
-

NOTICES OF MOTION

MATTERS ARISING

QUESTIONS / GENERAL BUSINESS

Doc ID No: A11305814

ITEM: 2

SUBJECT: PROCUREMENT - STRATEGIC CONTRACTING - ASSOCIATED FRAMEWORK
DOCUMENTS

AUTHOR: MANAGER, PROCUREMENT

DATE: 13 MARCH 2025

EXECUTIVE SUMMARY

This is a report concerning the adoption of 'Strategic Contracting Procedures' (**SCP**) from 1 July 2025 for Council contracts, as per the requirements of Chapter 6, Part 2 of the *Local Government Regulation 2012*.

RECOMMENDATION/S

- A. That pursuant to section 198(1) of the *Local Government Regulation 2012*, Council adopt the Procurement Policy contained at Attachment 1 to this report, to take effect from 1 July 2025, which aligns with Council's Strategic Contracting Procedures governance framework.
- B. That pursuant to section 222(1) of the *Local Government Regulation 2012*, Council adopt the Procurement and Contracts Manual, contained at Attachment 3 to this report, to take effect from 1 July 2025, which sets out Council's procedures for carrying out all contracts from 1 July 2025.

RELATED PARTIES

There are no declarations of conflicts of interest.

All Council Suppliers
All Council Employees

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

On 30 April 2025 Council resolved to apply Chapter 6, Part 2 'Strategic Contracting Procedures' (**SCP**) of the *Local Government Regulation 2012* (**the Regulation**) to its contracts from 1 July 2025.

Prior to the commencement of SCP being applied Council must adopt a Contract Manual and Contracting Plan, as required by Chapter 6, Part 2 of the Regulation.

The purpose of this report is to present the SCP governance framework documents for Council to review, and either adopt or note. The documents contained within this report have been developed in accordance with the *Local Government Act 2009* and the Regulation and have been reviewed by Legal Services to ensure compliance.

The SCP governance framework consists of:

1. a Procurement Policy,
2. a Procurement and Contracts Manual,
3. an Annual Contracting Plan, and
4. where applicable Significant Contracting Plans.

1. The **Procurement Policy** has been transitioned to the new template and updated to support SCP.

A summary of the changes has been attached for ease of review.

2. The **Procurement and Contracts Manual** will replace the current Procurement Procedure, and the Procurement Administrative Directive will be removed from the suite as it is no longer required.

The Regulation states that: a contract manual is a document that sets out the procedures for how the local government is to carry out all contracts. The contract manual must:

- a. apply the sound contracting principles; and
- b. be consistent with, and support, the achievement of the strategic direction stated in the local government's 5-year corporate plan; and
- c. if the local government has adopted a contracting plan—be consistent with the contracting plan; and
- d. include a policy about how the local government is to deal with any non-current assets that have a value of less than the amount mentioned in [section 224\(8\)](#) of the Regulation.

The Procurement and Contracts Manual also contains Council's Buy Ipswich approach. A summary of the changes to this approach has been attached for ease of review.

3. Council have created an **Annual Contracting Plan (ACP)** which details Contracts proposed to be entered into by Council for the 2025/2026 Financial Year in accordance with the two contract types (General and Significant - see listed below). All other contracting activities with an expected value of less than \$500,000

(excluding GST) will be undertaken in accordance with the Procurement and Contracts Manual and are not listed in the ACP.

General

- the expected contract value is greater than or equal to \$500,000 (excluding GST) but less than \$7,000,000 (excluding GST).

Significant

- the expected contract value is more than \$7,000,000 (excluding GST); or
- the contract term proposed is greater than ten years.

The Regulation states that a Contracting Plan must be made and adopted by Council each financial year after the Annual Budget is adopted. The document must state—

- a. the types of contracts that the local government proposes to make in the financial year; and
- b. the principles and strategies for performing the contracts; and
- c. a policy about proposed delegations for the contracts; and
- d. a market assessment for each type of contract; and
- e. the contracts that the local government considers will be significant (a significant contract) having regard to the market assessment; and
- f. a policy about the making of a significant contracting plan under [section 221](#) of the Regulation.

The ACP will be presented on 1 July with the Annual Budget for adoption. A copy is included at Attachment 5 of this report, for noting only.

4. The **Significant Contracting Plan template** has been developed to ensure there is a consistent and compliant approach to Significant Contracts.

The Regulation states that if the contracting plan identifies a significant contract, Council must make a significant contracting plan for that significant contract before it starts. A significant contracting plan is a document stating—

- a. the objectives of the significant contract; and
- b. how the objectives are to be achieved; and
- c. how achievement of the objectives will be measured; and
- d. any alternative ways of achieving the objectives, and why the alternative ways were not adopted; and
- e. proposed contractual arrangements for the activity; and
- f. a risk analysis of the market in which the contract is to happen; and

The objectives must be consistent with the local government's contracting plan.

A copy of the Significant Contract Plan - Template is included at Attachment 6 of this report, for noting only.

The local government may, by resolution, amend a significant contracting plan at any time before the end of the financial year to which the plan relates.

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

- The Procurement Policy has been updated,
- The Procurement Procedure has been amended to form the Procurement and Contracts Manual,
- A new Annual Contracting Plan has been created, and
- The current Procurement Administrative Directive will be removed from the Procurement suite of documents.

RISK MANAGEMENT IMPLICATIONS

The SCP is an approach that identifies potential opportunities, while managing adverse risks as per section 217(2) of the Regulation.

FINANCIAL/RESOURCE IMPLICATIONS

The delivery of the SCP is consistent with the existing budget. The costs and benefits of applying the Strategic Contracting Procedures were reported to Council on 18 February 2025. The strategic approach would cost no more, and likely less than the costs associated with maintaining the existing framework under the Default Contracting Procedures.

COMMUNITY AND OTHER CONSULTATION

Consultation has occurred with the Executive Leadership Team, Procurement Branch, Legal and Governance and selected stakeholders within Council.







CONCLUSION

The shift to SCP under Part 2, Chapter 6 of the Regulation marks a significant milestone for Council in strengthening its procurement capabilities and improving operational efficiency. Establishing a Procurement Policy alongside the Procurement and Contracts Manual is essential to meeting the scheduled commencement on 1 July 2025. The process will conclude with the adoption of the ACP on 1 July, following the approval of the Annual Budget.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Resolve to adopt the Procurements governance documents as per this paper and presented in this paper in order to move to Strategic Contracting Procedures.
(b) What human rights are affected?	<i>No human rights are affected by this decision, this is a procurement process change.</i>
(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.	Procurement Policy (<i>under separate cover</i>) 
2.	Procurement Policy - Comparative Summary (<i>under separate cover</i>) 
3.	Procurement and Contracts Manual (<i>under separate cover</i>) 
4.	Buy Ipswich - Comparative Summary (<i>under separate cover</i>) 
5.	Annual Contracting Plan (FY25-26) (<i>under separate cover</i>) 
6.	Significant Contracting Plan - Template (<i>under separate cover</i>) 

Tanya Houwen

MANAGER, PROCUREMENT

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”

FINANCE AND GOVERNANCE COMMITTEE NO. 2025(04)

20 MAY 2025

MINUTES

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jacob Madsen (Deputy Chairperson) (via audio-link), Deputy Mayor Nicole Jonic (via audio-link), Marnie Doyle, Andrew Antonioli, Jim Madden, David Martin (via audio-link) (Observer) and Councillor Augustine (Observer)

COUNCILLOR'S APOLOGIES:

Mayor Teresa Harding

OFFICERS' ATTENDANCE:

Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), General Manager Planning and Regulatory Services (Brett Davey), General Manager (Asset and Infrastructure Services (Seren McKenzie), Chief Financial Officer (Christina Binoya), Property Services Manager (Alicia Rieck), Senior Property Officer (Tenure) (Kerry Perrett), Treasury Accounting Manager (Paul Mollenhauer), Chief Information Officer (Angela Jackson), Manager Procurement (Tanya Houwen), Manager, Media, Communications and Engagement (Mark Strong) and Theatre Technician (Max Moylan)

LEAVE OF ABSENCE – MAYOR TERESA HARDING

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antonioli:

That a Leave of Absence for the Finance and Governance Committee be granted for Mayor Teresa Harding.

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antonioli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Councillor Marnie Doyle arrived at the meeting at 10.54 am.

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

Councillor Paul Tully (Chairperson) invited Deputy Mayor Nicole Jonic to deliver the Acknowledgement of Country

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Finance and Governance Committee 22 April 2025

QUESTION – Formal Business Plan

Mayor Teresa Harding stated that in the officer's report for Item 8 it talks about the tenure of property policy ordinarily requiring a business plan to be submitted in order to justify a term of five (5) years in length and that Swifts have not provided a formal business plan. Mayor Harding queried why a formal business plan has not been provided.

That the General Manager, Corporate Services provide the Mayor and Councillors with the reason why a formal business plan has not been provided by Swifts.

RESPONSE

The following response to this question was provided to all councillors:

At present the Tenure of Property Policy does not specifically call out the format or the specific content that a business case should address where a lease term of 5 years or greater is requested. It should also be noted that the current request relates to a variation of an existing lease rather than the grant of a new lease.

Swifts have provided explanations of their plans on occasion through the discussions, both prior to the resolution on 8 December 2022 and during more recent discussions. Whilst these have not taken the form of a traditional business case, they have identified their planned future use for the premise and provided some concept designs for the facility they are planning to construct.

Swifts have also flagged concerns regarding the commercial risk present in a competitive market and are particularly apprehensive about any plans for future development being made publicly available.

Based on the above, we are comfortable that the requirements of the Tenure of Property Policy have been met.

CONFIRMATION OF MINUTES

1. CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE
NO. 2025(03) OF 22 APRIL 2025

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Andrew Antonioli:

**That the minutes of the Finance and Governance Committee held on 22 April
2025 be confirmed.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antonioli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. PROPOSED AGREEMENT FOR LEASE - DRESS CIRCLE, BROOKWATER

This is a report concerning a proposed Agreement for Lease in conjunction with future local recreation parks within the Dress Circle development at Brookwater.

"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 Paul Tully:

Seconded by Councillor Jim Madden:

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of interest in land at the Brookwater Dress Circle development, more particularly described as two (2) equivalent local recreation parks, to a community organisation, namely the Body Corporate for the Brookwater Dress Circle Home Owners Club (BDCHOC) Community Titles Scheme.**

- B. That Council enter into an agreement for lease and lease with the Body Corporate for the BDCHOC Community Titles Scheme, Springfield Land Corporation (No.2) Pty Limited and Springfield City Group Pty Limited.**
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the lease agreements for the future parks.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

3. LEASE RENEWAL OVER FREEHOLD LAND AT 7-9 JOHN STREET, ROSEWOOD

This is a report concerning the proposed renewal over freehold land located at 7-9 John Street, Rosewood, described as part of Lot 9 on RP906761 (the Land), between Ipswich City Council (Council) and Robert David Carruthers (RDC).

“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 Councillor Marnie Doyle:

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(iii) of the Regulation applies to the disposal of interest in land at 7-9 John Street, Rosewood more particularly described as part of Lot 9 and Plan RP906761, for solicitor’s office purposes, because it is for renewal of a lease to the existing lessee.**
- B. That Council renew the lease (Council file reference number 6209 with Robert David Carruthers (Lessee):**
- (i) at a commencing annual rent of \$18,500 excluding GST, payable to Council, and**
 - (ii) for an initial term of five (5) years, with no options for extension.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. PROPOSED FEES AND CHARGES TO APPLY FROM 1 JULY 2025

This is a report concerning the annual review of Ipswich City Council's (Council) proposed commercial and cost recovery fees and charges, and the recommended pricing to commence with effect 1 July 2025.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Antoniolli:

That the proposed 2025-2026 Fees and Charges, as detailed in Attachment 1 (excluding the following pages:

pages 19 to 32 Sections 1 to 7.4

pages 34 to 39 Sections 1 to 7.1

pages 40 to 41 Sections 8 to 8.8

page 41 Section 9

page 41 Sections 10 to 10.2

pages 41 to 43 Sections 11 to 11.1.2

Page 114 Sections 1 to 1.3

Pages 115 Section 3

Pages 116 to 117 Sections 3.2 to 3.2.4)

be adopted with an effective date of 1 July 2025.

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. MONTHLY FINANCIAL PERFORMANCE REPORT - APRIL 2025

This is a report concerning Ipswich City Council's (**Council**) financial performance for the period ending 30 April 2025, submitted in accordance with section 204 of the *Local Government Regulation 2012*.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

That the report on Council's financial performance for the period ending 30 April 2025, submitted in accordance with section 204 of the *Local Government Regulation 2012*, be considered and noted by Council.

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

6. PROCUREMENT - INFOR PATHWAY LOCAL GOVERNMENT PLATFORM

This is a report seeking resolution by Council to enter into a contract with Infor Global Solutions (ANZ) Pty Limited for the provision of Infor Pathway, a Local Government Cloud Solution for a period of five (5) years at an estimated cost of \$4,000,000 (ex GST), without inviting quotes.

The exception under section 235(b) of the *Local Government Regulation 2012* applies as the services provided are of a specialised nature and it would be disadvantageous or impractical to invite tenders.

"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 Andrew Antoniolli:

Seconded by Councillor Marnie Doyle:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite tenders for the provision of Infor Pathway.**
- B. That Council enter into a contractual arrangement (Council file reference number 250226-000320) with Infor Global Solutions (ANZ) Pty Limited (ABN 25 003 538 314), at an approximate purchase price of \$4,000,000 excluding GST over the entire term, being a term of five (5) years, 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, in order to implement Council’s decision.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. PROCUREMENT - ONLINE COMMUNITY ENGAGEMENT PLATFORM

This is a report concerning the continuation of a contract (#5079) with Social Pinpoint Pty Ltd (Social Pinpoint), for the provision of the Online Community Engagement Platform in accordance with section 235(b) of the Local Government Regulations, as it is impractical and disadvantageous to invite quotes or tenders for a new platform at this stage.

RECOMMENDATION

Moved by Councillor Paul Tully:

Seconded by Councillor Jim Madden:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes or tenders for the provision of the Community Engagement Platform.**

- B. That Council continue the contractual arrangement with Social Pinpoint Pty Ltd, with an increase in purchase price of approximately \$120,000 excluding GST over the additional term, being options for extension at the discretion of Council (as purchaser) of an additional three (3) X one (1) year terms. The total spend for the platform from 2018 to 2028 will be approximately \$320,000 excluding GST.**
- C. That Council use the next 12 months to explore community engagement platform options that could integrate with Council's new content management system.**

AFFIRMATIVE

Councillors:

Tully

Madsen

Jonic

Doyle

Antoniolli

Madden

NEGATIVE

Councillors:

Nil

The motion was put and carried.

8. PROCUREMENT - ASSET AND WORKS MANAGEMENT SOLUTION

This is a report concerning the procurement and recommendation to negotiate and enter into a contractual arrangement with Brightly Software Australia Pty Ltd for the provision of a cloud-based asset and works management solution (ElevateAWM).

"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 Councillor Marnie Doyle:

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 21476 for the provision of an asset and works management solution to Brightly Software Australia Pty Ltd (Supplier).**
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$4,500,000 excluding GST over the entire term, being an initial term consisting of the implementation period plus four (4) years, with options for extension at the discretion of Council (as purchaser), of an additional three (3) x one (1) year terms.**

- 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

Jonic

Doyle

Antoniolli

Madden

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 10.52 am.

The meeting closed at 11.03 am.

Doc ID No: A11611320

ITEM: 2

SUBJECT: STRATEGIC REGULATION PROJECT - TARGETED AND WHOLE OF COMMUNITY
CONSULTATION

AUTHOR: SENIOR PROJECT OFFICER

DATE: 23 MAY 2025

EXECUTIVE SUMMARY

This is a report providing further detail on the Strategic Regulation Project, specifically, Phase 3 of Step 1 (being the undertaking of targeted community consultation to inform the drafting of the Strategic Regulation Policy), and Phase 3 of Step 3 (being the undertaking of whole community consultation to inform the drafting of the Local Laws).

RECOMMENDATION/S

- A. That the report be received and contents noted.**
- B. That the Regulatory Advisory Committee provide further advice to the Strategic Regulation Project Team regarding the ongoing requirement for conduct of targeted community consultation at Phase 3 of Step 1 of the Strategic Regulation Project.**

RELATED PARTIES

There are no known related parties or conflicts of interest at the time of writing

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

On 22 August 2024 Council adopted a three-step approach for the Strategic Regulation Project as per the below recommendations of the Regulatory Advisory Committee, which were made on 5 August 2024:

- A. That Council adopt the three-step approach as generally outlined in the report.*
- B. That the Mayor and Councillors be given a briefing on the three-step approach as generally outlined in the report.*

The three-step approach that was adopted is provided at Attachment 1 to this report.

The briefing required by recommendation B was held on 19 September 2024.

The Three-Step Approach

The objective of the three-step approach and underlying project plan is to ensure that:

- the outcome of each individual “Step” of the project informs and supports the intended outcomes of the “Steps” that follow it;
- the outcome of each “Phase” of each “Step” informs and underpins the overall outcome of the “Step” they relate to.

Phase 3 of Step 1 (creation of a strategic regulation policy project plan) comprises targeted community consultation, and subsequent analysis of consultation outcomes.

Phase 3 of Step 3 (comprehensive local law review) comprises whole community consultation, and subsequent analysis of consultation outcomes.

The project team understands that the Regulatory Advisory Committee has sought further detail to inform its understanding of:

1. the intent and benefit of the targeted community consultation to be undertaken at Phase 3 of Step 1, and
2. the consultation intended to be carried out at Phase 3 of Step 3.

Step 1 (Strategic Regulation Policy), Phase 3– Targeted Community Consultation

The intent of the targeted community consultation to be carried out for Step 1 is to conduct an assessment of community stakeholder views of the approach that Council should be taking to regulation and enforcement and foster community understanding of and support for Council taking a “risk-based” approach to compliance and enforcement. Consultation is planned to be undertaken with the following groups:

- Ipswich Youth Advisory Council (IYA)
- Yuggara Ugarapul People (YUP)
- Chamber of Commerce Ipswich
- Chamber of Commerce Springfield
- Office of the Small Business Commissioner

Consultation will be undertaken in a survey format via a closed Shape Your Ipswich webpage. The survey will request input of respondent demographics, and will pose the following questions for response:

1. **For yes or no response** - Do you agree that the policy needs to be updated to provide Council's position on its approach to all aspects of regulation, not just how it responds to alleged unlawful activity/non-compliance?
 - 1.1. **For free text response up to 500 characters** – Please provide a brief reason as to why you chose this answer.
2. **For yes or no response** – Do you agree that Council should take a risk-based approach because of all the benefits it will provide the community and council?
 - 2.1. **For free text response up to 500 characters** – Please provide a brief reason as to why you chose this answer.

The targeted community consultation for Step 1 of the Strategic Regulation Project is designed to lay the groundwork for a more informed, inclusive, and effective regulatory framework. Its primary aim is to engage key stakeholders early in the process to:

- Build awareness and understanding of the Council's proposed "risk-based" approach to regulation and enforcement.
- Foster community and stakeholder support for this regulatory direction.
- Gather early insights into stakeholder perspectives on what areas should be regulated and how local laws can better support business and compliance outcomes.
- Shape the design and focus of the broader community consultation planned for Phase 3 of Step 3, ensuring it is responsive to stakeholder needs and expectations.

By proactively involving stakeholders at this early stage, the consultation seeks to enhance the legitimacy, transparency, and human rights compatibility of the Strategic Regulation Policy, while also informing the strategic direction of future engagement efforts.

This phase of consultation is not a mandatory requirement of policy making or in the making of local laws. There are however some potential impacts associated with no undertaking this consultation including:

- Reduced stakeholder legitimacy: Missed opportunity to build early trust and support for the Strategic Regulation Policy.
- Less informed broader consultation: Phase 3 consultation may lack strategic focus and require more effort to educate stakeholders on the "risk-based" approach.
- Missed opportunity to tailor engagement: Without early insights, the Council may miss the chance to refine messaging, consultation methods, or focus areas to better align with stakeholder expectations.

Noting it is not a mandatory requirement, if consultation was not to be undertaken it may reduce the timeline associated with this phase of the project allowing more timely progress to subsequent stage. It should also be noted that further, more broad community consultation will still be undertaken for phase 3 ensuring community input is sought for the making of the local laws.

Step 3 (Local Laws), Phase 3 - Whole Community Consultation

The intent of the whole community consultation planned for Step 3 Phase 3 is to:

- support council to demonstrate that it has complied with the requirement, inferred by s29(6) of the *Local Government Act*, for public consultation to occur before making any local laws (that are not interim or model local laws).
- support streamlined conduct of whole community consultation, timed to occur at Phase 6 of Step 3, regarding the specific local laws that Council will eventually seek to make.
- gauge community sentiment on Council's current suite of local laws
- invite feedback from the community regarding the subject matters that should be regulated by the local laws, and gauge community sentiment regarding how Council should regulate those subject matters (i.e. whether Council should apply a low or high risk approach to their regulation).
- support drafting of a new suite of local laws by ensuring that the laws eventually proposed to be adopted are responsive to community sentiment.

At this point in time the Project Team is not positioned to detail the format of the whole of community consultation to be conducted at Phase 3 of Step 3. The community engagement plan for this phase will be informed by the work planned to be carried out through earlier phases of the project.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

The three-step approach will have policy implications related to developing a new regulation policy and a new suite of laws. The specific implications will not be known until a later date.

RISK MANAGEMENT IMPLICATIONS

Captured broadly in the purpose of the report/background and/or attachments.

FINANCIAL/RESOURCE IMPLICATIONS

NIL known.

COMMUNITY AND OTHER CONSULTATION

A workshop was undertaken with key senior management from across the organisation in March 2025. The outcome of this workshop was that the stakeholders were supportive of moving to a risk-based approach and could see the benefits that this would provide to the community and council.

A briefing was undertaken with Mayor and Councillors in April 2025. No comment was made that they agree/disagree.


CONCLUSION

This is a report providing further detail on the Strategic Regulation Project, specifically, phase 3 of step 1 (being the undertaking of targeted community consultation to inform the drafting of the Strategic Regulation Policy), and phase 3 of step 3 (being the undertaking of whole community consultation to inform the drafting of the local laws). The report seeks to support Council to determine whether there is an ongoing requirement for conduct of targeted community consultation at phase 3 of step 1 of the Strategic Regulation Project.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	A. That this report and its contents be noted. B. That the Regulatory Advisory Committee provides further advice to the Strategic Regulation Project Team regarding the ongoing requirement for conduct of targeted community consultation at Phase 3 of Step 1 of the Strategic Regulation Project.
(b) What human rights are affected?	Nil
(c) How are the human rights limited?	N/A
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	N/A
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Strategic Regulation Project - Summary on a Page 
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Madeline Orwin
SENIOR PROJECT OFFICER

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald
ACTING 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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Strategic Regulation Project – Overall Project Plan Summary

WHY & WHAT

With the need to undertake a comprehensive review of our current local laws comes the opportunity to take a holistic view of regulation and how, as a Council, we can truly strive for the community vision of **a city of opportunity for all**. This is about finding the balance between compliance and furthering our strategic goals. A strategic regulation policy is much needed to set the strategic position of Council before new local laws are finalised. This also provides an opportunity to update our local law-making process to make it more contemporary. This **three step approach** of a **1. policy, 2. process** and **3. review/new laws** will set the foundation for regulation to achieve social, environmental and economic objectives for the city and council.

WHEN

STEP 1 & 2 – Estimated completion Sept 2025

STEP 3 – Estimated completion April 2027

See further info on steps in table below-left

Note: Step 1 (policy) and Step 2 (Process) drafting needs to be finalised to inform the pre-drafting of Step 3

Step 1 – Creation of Strategic Regulation Policy (estimated duration: 7-8 months)



Step 2 – Contemporary Local Law-Making Process (estimated duration: included in step 1)

Step 2 phases will be conducted at the same time as Step 1

Step 3 – Comprehensive Local Law Review (estimated duration: 28 months)



WHO

Key internal and external stakeholder groups for consultation in the project are identified for each phase in the step summaries, as well as identifying when reports go to committees and council meetings for consideration like below.

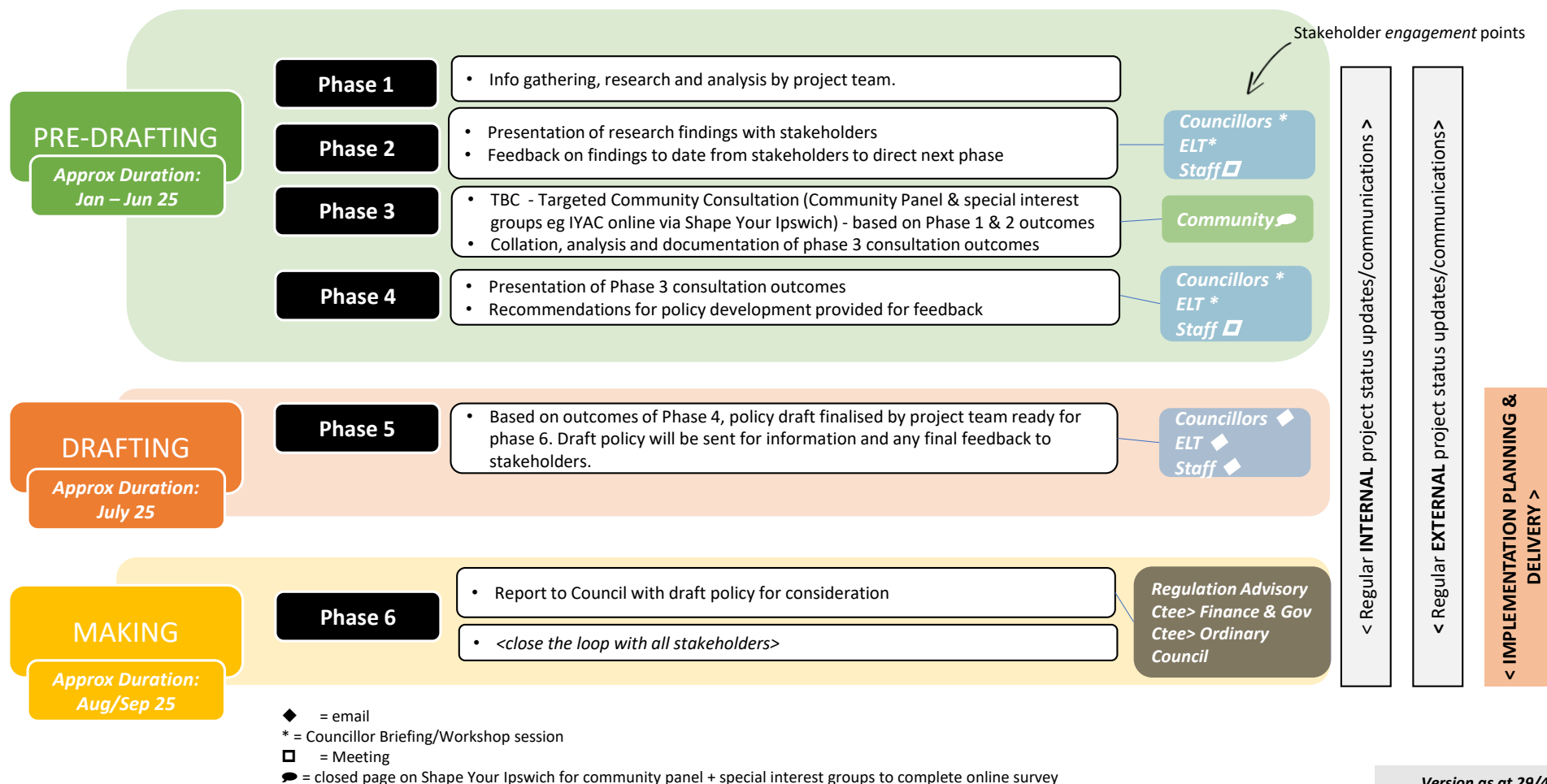
Councillors
ELT
Staff

Community

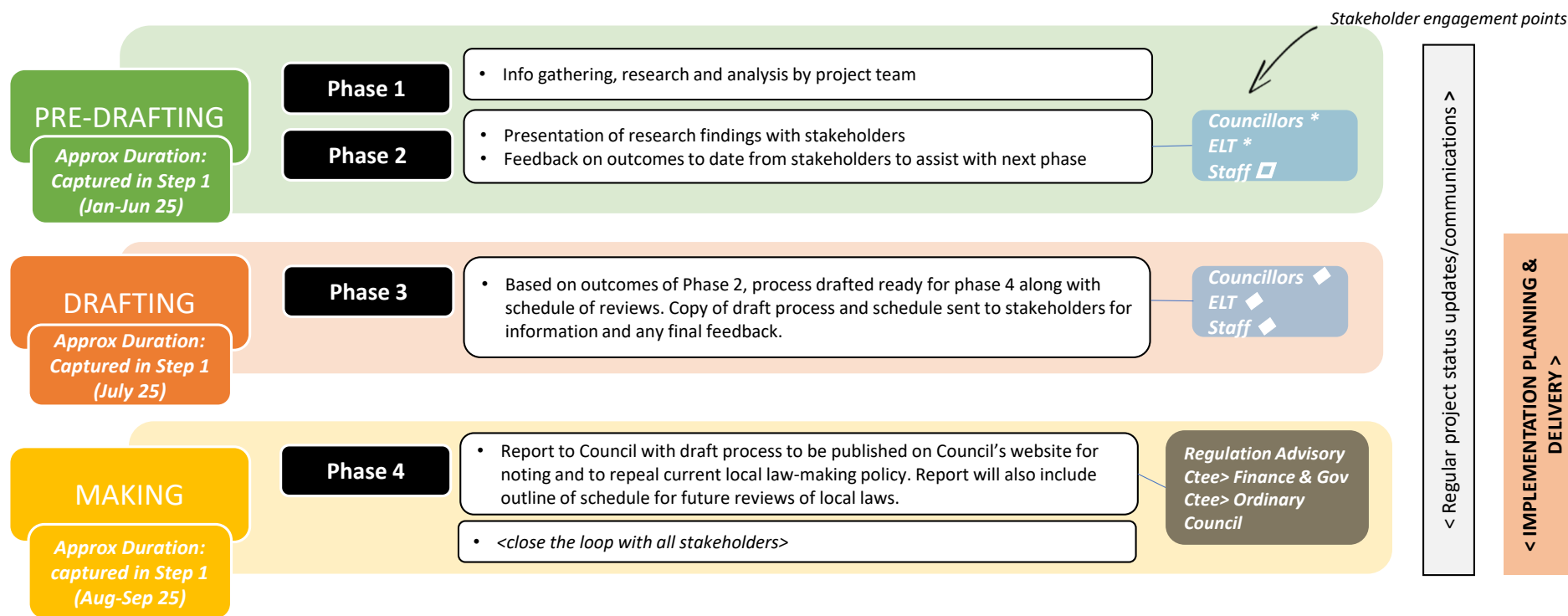
Committees
& Council

Version as at 29/4/25

Step 1 SUMMARY – Creation of Strategic Regulation Policy Project Plan



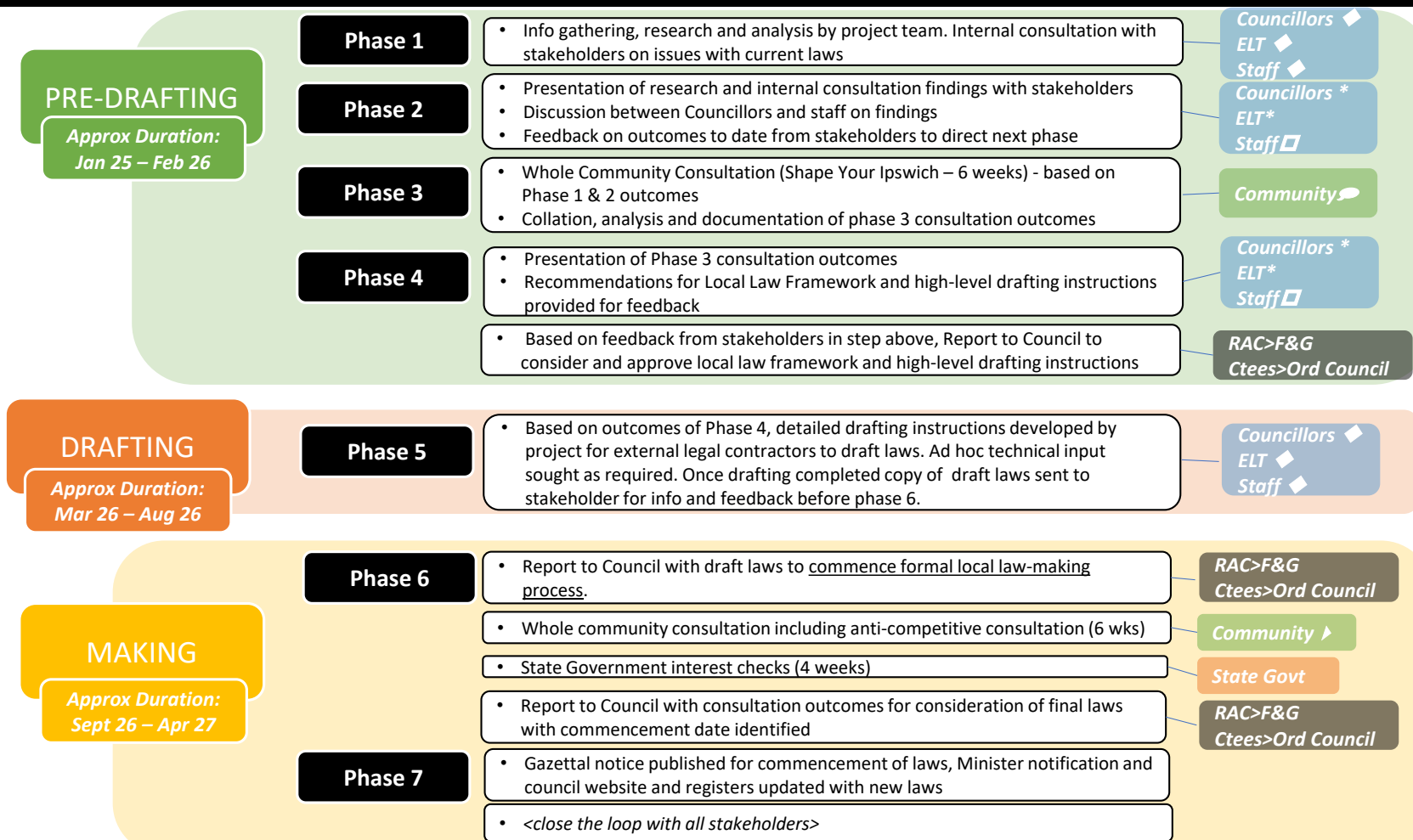
Step 2 SUMMARY – Contemporary Local Law-Making Process Project Plan



- * = Councillor Briefing/Workshop session
- = Meeting
- ♦ = email

Version as at 29/4/25

Step 3 SUMMARY – Comprehensive Local Law Review Project Plan



♦ = electronic survey
* = Councillor Briefing/Workshop session

□ = Meeting
▶ = open Shape Your Ipswich page for whole of community – online survey/feedback

▶ open Shape Your Ipswich page – feedback on draft laws

< Regular INTERNAL project status updates/communications >

< Regular EXTERNAL project status updates/communications >

< IMPLEMENTATION PLANNING & DELIVERY >

Version as at 29/4/25

Strategic Regulation Project – Timeline



Version as at 29/4/25

Doc ID No: A11578807

ITEM: 4

SUBJECT: PROCUREMENT: MICROSOFT ENTERPRISE AGREEMENT

AUTHOR: CATEGORY SPECIALIST

DATE: 19 MAY 2025

EXECUTIVE SUMMARY

This is a report concerning the procurement and recommendation to negotiate and enter into a contractual arrangement with Data#3 Limited (Data#3) for the provision of Councils Microsoft enterprise agreement and Azure subscription services.

RECOMMENDATION

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. VP457734 for the provision of Microsoft enterprise agreement and Azure subscription services to Data#3 Limited (Supplier).**
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$7,000,000 excluding GST over the entire term, being a term of three (3) years, 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, in order to implement Council’s decision.**

RELATED PARTIES

Data#3 Limited (ABN 31 010 545 267)

There were conflicts of interest declared during the tender process, these are outlined in Confidential Attachment 1.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Microsoft’s array of software is the most used software worldwide and is firmly embedded within Council. It is a requirement for staff to complete day-to-day activities with applications utilised such as Teams, SharePoint, Office, Outlook and Azure hosting services.

The current agreement for the supply of these Microsoft services is due to expire 31 July 2025 and Council is required to enter into a new contractual arrangement for the continued supply of this software.

Council initially engaged directly with Microsoft with an individual agreement, however in 2016 after a government reseller arrangement became available for Council to leverage, Council engaged with Data#3 as their licencing partner. Leveraging this government arrangement allowed Council to take advantage of the buying power values these types of agreements offer.

During this partnership Data#3 have consistently shown commitment to providing Council with quality support, as well as working with Council to identify and action cost saving initiatives. This includes the reduction of Council's E5 licencing at the current Year 3 renewal, reducing the licence count and saving Council approximately \$40,000.

Both Local Buy arrangement LB308 ICT Solutions, Products, Services and New Technologies and Whole of Government (WoG) Standing Offer Arrangement (SOA) ICTSS.2201 have been strategically assessed by the ICT and Procurement Branch's and the most advantageous contracting method for Council will be the SOA ICTSS.2201. Council intends to engage directly with Data#3, under s235(f) of the Local Government Regulation, via this SOA.

Council tested the market for the previous engagement in 2022 and Data#3 were selected as the recommended supplier. They continue to provide value for money, value adds and a partnership model that is beneficial to Council, and with the new offering will continue to do so and as such it would be impractical and disadvantageous to Council to source a new licencing partner.

Data#3 presented multiple offers which have been reviewed by the relevant officers and the most value for money option to Council has been selected as noted in Confidential Attachment 1.

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

Microsoft's array of software is firmly embedded within Council. It is a requirement for staff to complete day-to-day activities with applications utilised such as Teams, SharePoint, Office, Outlook and Azure hosting services. The risk to Council if the recommendation within this report is not approved is that that Microsoft will remove Councils access to Microsoft products at the expiry of the existing contract (31 July 2025). As the products are all SaaS,

this can be done remotely and instantaneously, effectively bringing Council to a halt. Therefore, it is necessary that a new contract be negotiated and entered into as soon as possible.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications as this is included in the ICT branch existing budget.

The total value of the contractual arrangement will be approximately \$7,000,000 excluding GST over the entire term of the contract, being 3 years. There are no additional financial implications.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the ICT Branch who support the recommendations within this report.

There was no community consultation undertaken during the preparation of this report or the procurement process.

CONCLUSION

It is recommended that Council enter into a contractual arrangement with Data#3 Limited for the Microsoft Enterprise Agreement and Azure Hosting Service. The software is a requirement for Councils day-to-day activities, the submission meets Councils requirements and represents value for money.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A and B state that Council enter into a contractual arrangement with Data#3 Limited for a term of 3 years for the provision of Microsoft EA Licences and Azure hosting services.
(b) What human rights are affected?	No human rights are affected by this decision. This is because the tenderer is a company (only individuals have human rights). Further, the subject matter of the contract will not impact on human rights of any third parties.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable

(e) Conclusion	The decision is consistent with human rights.
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ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Recommendation to Award
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Katie McIntosh

CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Shyanne Ward

ICT CATEGORY MANAGER

I concur with the recommendations contained in this report.

Tanya Houwen

MANAGER, PROCUREMENT

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: A11588131

ITEM: 5

SUBJECT: 2023-2024 IPSWICH ARTS FOUNDATION TRUST FINANCIAL STATEMENTS AND
MANAGEMENT REPRESENTATION LETTER

AUTHOR: PRINCIPAL FINANCIAL ACCOUNTANT

DATE: 20 MAY 2025

EXECUTIVE SUMMARY

This is a report concerning Ipswich City Council's controlled entity, Ipswich Arts Foundation Trust's 2023-2024 annual financial statements.

RECOMMENDATION/S

- A. That the 2023-2024 Ipswich Arts Foundation Trust annual financial statements as detailed in Attachment 1 be received and the contents noted.**
- B. That the 2023-2024 Ipswich Arts Foundation Trust management representation letter as detailed in Attachment 2 be received and the contents noted.**

RELATED PARTIES

Ipswich Arts Foundation Trust considered the Ipswich City Council for the purpose of related party disclosures.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The 2023-2024 annual financial statements for the Ipswich Arts Foundation Trust (IAFT) are presented for noting by the Council. The annual financial statements for IAFT have been prepared and developed with the support and supervision of council's Finance Branch and have been audited by the Queensland Audit Office (QAO). The Auditor's Independence Declaration is included in the attached annual financial statements. The director of the Trustee of IAFT has signed the annual financial statements. These annual financial statements are presented for completeness as well as for the information of council and the community. Refer to Attachment 1.

Section 213 (b) of the *Local Government Regulation 2012* states "Presentation of auditor-general's observation report

- (1) This section applies if the auditor-general gives the mayor of a local government a copy of the auditor-general's observation report about an audit of the local government's financial statements.
- (2) An auditor-general's observation report, about an audit of a local government's financial statements, is a report about the audit prepared under section 54 of the Auditor-General Act 2009 that includes observations and suggestions made by the auditor-general about anything arising out of the audit.
- (3) The mayor must present a copy of the report at the next ordinary meeting of the local government

QAO has completed the final audit of IAFT for the 2023-2024 financial year. This final audit included the assessment of the design and implementation of internal controls relevant to the financial report, and whether they are operating effectively. The management report confirms there was no identified significant issues since the presentation of the closing report. Refer to Attachment 2.

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

Australian Accounting Standards

POLICY IMPLICATIONS

There are no policy implications related to this report and the attached financial statements are provided for information only.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications related to this report and the attached financial statements are provided for information only.

FINANCIAL/RESOURCE IMPLICATIONS

There is no financial or resource implications related to this report.

COMMUNITY AND OTHER CONSULTATION

Community consultation has not been undertaken in relation to this report. Whilst its content will be of interest to the community, it is matter of statutory financial reporting for relevant controlled entities.





CONCLUSION

The 2023-2024 annual financial statements and management representation letter for the controlled entities listed in this report be noted.

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.	2024 Ipswich Arts Foundation Trust - Annual Financial Statement  
2.	2024 Ipswich Arts Foundation Trust - Final management letter  

Barbara Watson

PRINCIPAL FINANCIAL ACCOUNTANT

I concur with the recommendations contained in this report.

Christina Binoya

ACTING 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 Arts Foundation Trust

ABN : 75 833 582 216

Financial Statements

For the Year Ended 30 June 2024

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

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Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2024

	Note	2024	2023
		\$	\$
Revenue from continuing operations			
Cash donated specifically for artwork acquisitions		-	8,500
Other cash donations		12,254	1,989
Donated artworks		42,490	20,350
Ipswich City Council contributions for operations		85,040	80,000
Other revenue		1,076	1,074
Interest		20,276	2,655
Total revenue from continuing operations		161,136	114,568
Expenses from continuing operations			
Accounting fees		2,000	2,160
Audit fees		7,600	7,200
Donated artworks to Ipswich City Council		109,763	20,350
Legal fees		10,199	-
Other expenses		5,010	3,227
Total expenses from continuing operations		134,572	32,937
TOTAL COMPREHENSIVE INCOME		26,564	81,631

The accompanying notes form part of these financial statements.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2024

	Note	2024 \$	2023 \$
ASSETS			
Current Assets			
Cash and cash equivalents	2	885,289	823,368
Receivables	3	9,578	4,369
Artwork	4	-	32,727
Prepayments		178	156
Total Current Assets		895,045	860,620
TOTAL ASSETS		895,045	860,620
LIABILITIES			
Current Liabilities			
Payables	5	17,061	9,200
Total Current Liabilities		17,061	9,200
TOTAL LIABILITIES		17,061	9,200
NET ASSETS		877,984	851,420
EQUITY			
Settlement capital		10	10
Accumulated surplus		877,974	851,410
TOTAL EQUITY		877,984	851,420

The accompanying notes form part of these financial statements.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2024

	Note	Trust Capital \$	Accumulated surplus \$	Total \$
Balance as at 1 July 2022		10	769,778	769,788
Total comprehensive income for the year		-	81,632	81,632
Balance as at 30 June 2023		10	851,410	851,420
Balance as at 1 July 2023		10	851,410	851,420
Total comprehensive income for the year		-	26,564	26,564
Balance as at 30 June 2024		10	877,974	877,984

The accompanying notes form part of these financial statements.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2024

	Note	2024	2023
		\$	\$
Cash Flows from Operating Activities			
Interest received		16,046	1,921
Ipswich City Council contributions		85,040	80,000
Artworks purchased		(34,546)	(32,727)
Cash donations for artwork		-	8,500
Cash donations general		12,254	1,989
Other receipts from customers		1,076	1,074
Other payments to suppliers		(17,949)	(14,587)
Net Cash Provided by Operating Activities		<u>61,921</u>	<u>46,170</u>
Net Increase (Decrease) in Cash and Cash Equivalents Held		61,921	46,170
Cash and Cash Equivalents at the Beginning of the Financial Year		823,368	777,198
Cash and Cash Equivalents at the End of the Financial Year	2	<u>885,289</u>	<u>823,368</u>

The accompanying notes form part of these financial statements.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

Note 1 Summary of Significant Accounting Policies

(a) The Ipswich Arts Foundation Trust reporting entity

The Ipswich Arts Foundation Trust ("the Trust") was established on 27 February 2003 as:

- (i) a not for profit fund established in Australia for public charitable purposes; and
- (ii) a public fund established and maintained solely for:
 - (a) the purpose of providing money, properties or benefits:
 - to a fund, authority or institution, gifts to which are deductible under Item 2 of the table in subsection 30-15(1) of the *Income Tax Assessment Act 1997*; and
 - for any purpose set out in the item of the table in Subdivision 30-B of the *Income Tax Assessment Act 1997* that covers the fund, authority or institution; or
 - (b) the establishment of such a fund, authority or institution.

The place of business of the Trust is 116 Brisbane Street, Ipswich.

The trustee of the Trust is IA Foundation Limited.

(b) Basis of preparation

(i) General

These financial statements are a general purpose financial report, prepared in accordance with the requirements of Clause 22 of the Trust Deed of Ipswich Arts Foundation Trust, Australian Accounting Standards - Simplified Disclosures, Australian Accounting Interpretations, *Australian Charities and Not-for-profits Commission Act 2012* and *Australian Charities and Not-for-profits Commission Regulations 2022*.

The financial report has been prepared on an accrual and going concern basis. The report has also been prepared under the historical cost convention except where specifically stated. All amounts throughout the financial statements are in Australian dollars and have been rounded to the nearest \$1.00.

(ii) Accounting Policies

Unless otherwise stated, all accounting policies applied are consistent with those of the prior year.

(c) Recognition and measurement

The Trust has been established to receive donations and donated artworks for Ipswich Art Gallery under the *Income Tax Assessment Act 1997*. This scheme entitles donors to receive tax deductions equal to the value of the cash donation of \$2 and upwards.

Cash donations are recognised as revenues upon receipt by the Trust. Interest revenue is recognised as earned on an effective yield basis. Contributions from Ipswich City Council do not have sufficiently specific performance obligations. They are recognised upon receipt by the Trust.

Donated artwork has been recognised as both revenue and assets in the year in which control over the asset is obtained.

The Trust utilises certain Council assets and resources during the normal course of its operations. These include:

- use of Council offices and boardroom.
- use of Council employees to run the operations of the Trust.

These associated consumption costs were borne by the Ipswich City Council and have not been brought to account within this financial report.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

Note 1 Summary of Significant Accounting Policies (continued)

(d) Cash and cash equivalents

Cash and cash equivalents includes cash on hand, all cash and cheques receipted but not banked at the year end, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

(e) Receivables

The collectability of receivables is assessed periodically with provision being made for impairment. All known bad debts were written-off as at 30 June.

(f) Artwork

Purchased and Donated Artwork is received by the trust throughout the financial year. At meetings held by the Trustees, these items are identified and recognised from the period since the last meeting and the members agree to donate these assets to Council. Upon this agreement, documentation is drafted and submitted to Council for acceptance of the trust donated assets as ratified.

(g) Payables

Creditors are recognised upon receipt of the goods or services ordered and are measured at the agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured and are generally settled on 30 day terms.

(h) Taxation

The income of the Trust is exempt from Commonwealth taxation under section 50-5 of the *Income Tax Assessment Act 1997*, except for Fringe Benefits Tax and Goods and Services Tax. Input tax credits receivable and Goods and Services Tax payable from/ to the Australian Taxation Office are recognised and accrued. The net amount of GST recoverable from the ATO and payable to the ATO is shown as an asset or liability.

(i) Trustee remuneration

The trustees of the Trust do not receive remuneration from the Trust for their services.

(j) Issuance of financial statements

The financial statements are authorised for issue by the Trustees at the date of signing the Trustee's Declaration.

(k) Critical accounting estimates and judgements

Donated artworks are subject to acceptable independent valuations, there were no other critical estimates or judgements applied in preparation of the financial report.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

Note 1 Summary of Significant Accounting Policies (continued)

(l) Adoption of Tier 2 Format for Financial Statements

AASB 1053 Application of Tiers of Australian Accounting Standards applies from reporting periods beginning on or after 1 July 2013. AASB 1053 establishes a differential reporting framework for those entities that prepare general purpose financial statements, consisting of two tiers of reporting requirements - Australian Accounting Standards (commonly referred to as "tier 1"), and Australian Accounting Standards - Simplified Disclosures (commonly referred to as "tier 2"). Tier 1 requirements comprise the full range of AASB recognition, measurement, presentation and disclosure requirements that are currently applicable to reporting entities in Australia. The only difference between the tier 1 and tier 2 requirements is that tier 2 requires fewer disclosures than tier 1.

(m) Adoption of New and Revised Accounting Standards

There are no upcoming accounting standards that will have a material impact for the Trust.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

	2024	2023
	\$	\$
Note 2 Cash and Cash Equivalents		
Trust Fund bank account	39,360	24,906
Trust Debit Card bank account	5,941	5,941
Trust Operations bank account	235,846	204,307
Term Deposit less than three months	604,142	588,214
	<u>885,289</u>	<u>823,368</u>
Note 3 Receivables		
GST receivable	4,321	3,342
Interest receivable	5,257	1,027
	<u>9,578</u>	<u>4,369</u>
Note 4 Artwork		
Opening Balance	32,727	-
Additions - purchased and donated	77,036	53,077
Transfers to Ipswich City Council	(109,763)	(20,350)
Closing Balance	<u>-</u>	<u>32,727</u>
<p>Artwork purchased by the Trust, and artworks received by the Trust as donated artworks, are initially recorded as assets of the Trust, and subsequently donated by the Trust to Ipswich City Council. All artworks received as donations by the Trust had been donated to Ipswich City Council prior to 30 June 2024. Artwork purchased by the trust during June 2024 has been donated to Ipswich City Council prior to 30 June 2024.</p>		
Note 5 Payables		
Accrued accounting and audit fees*	16,800	9,200
PO Box Lease Renewal	261	-
	<u>17,061</u>	<u>9,200</u>

* Total audit fees quoted by the Queensland Audit Office relating to the 2023-24 financial statements are \$7,600 (2022-23: \$7,200).

Note 6 Contingent Liabilities and Contingent Assets

The Trust has not been engaged in any litigation or claim, has not provided any guarantees and is not aware of any other contingent liabilities.

The Ipswich City Council has provided the Trustees indemnification in line with the terms of the Trust Deed.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

Note 7 Trustees

The names of each person/entity holding the position of Trustee of Ipswich Arts Foundation Trust during the financial year.

	Start Date	Cease Date
IA Foundation Limited	11/06/2021	N/A

No meeting fees are paid to the Corporate Trustee.

Note 8 Related Party Transactions

Transactions between The Trust and related parties were at an arm's length basis under normal commercial terms.

Ultimate Controlling Entity

Ipswich City Council is the ultimate controlling entity. The Trust operates on the premises owned by the Council for which no consideration is paid.

The following amounts (excluding GST if applicable) were paid to related entities for services or resources provided during the year ending 30 June 2023 and 30 June 2024:

	2024	2023
	\$	\$
Donated artworks to Ipswich City Council	109,763	20,350
Accounting support payable to Ipswich City Council	2,000	2,000
	<u>111,763</u>	<u>22,350</u>

The following amounts (excluding GST if applicable) were received from related entities for services during the year ending 30 June 2023 and 30 June 2024:

Ipswich City Council contributions for operations	85,040	80,000
Cash donations from IA Foundation Limited Director(s)	10,000	2,000
Donated artwork from IA Foundation Limited Director(s)	35,950	20,350
	<u>130,990</u>	<u>102,350</u>

There were no events occurring after balance date to the date of this report, that would have a material impact on the financial report. Accordingly, the financial report has been prepared on a going concern basis.

Ipswich Arts Foundation Trust
Financial Report for the year ended 30 June 2024

TRUSTEE'S DECLARATION

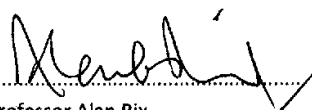
The Directors of the Trustee of Ipswich Arts Foundation Trust declare that this general purpose financial report and notes thereto have been prepared in accordance with Clause 22 of the Deed of Ipswich Arts Foundation Trust dated 27 February 2003, Australian Accounting Standards - Simplified Disclosures, *Australian Charities and Not-for-profits Commission Act 2012* and Australian Charities and Not-for-profits Commission Regulations 2022.

In the opinion of the Directors of the Trustee:

- 1 The financial statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Ipswich Arts Foundation Trust for the financial year ended 30 June 2024 and of the financial position of the Trust at the end of that year.
- 2 There are reasonable grounds to believe that the Trust will be able to pay its debts as and when they become due and payable.
- 3 The financial statements and notes satisfy the requirements of the *Australian Charities and Not-for-profits Commission Act 2012* signed in accordance with the subsection 60.15 of the Australian Charities and Not-for-profits Commission Regulations 2022.

This declaration is made in accordance with a resolution of the Trustee.

Chairperson of the Board, Ipswich Arts Foundation Trust


Professor Alan Rix

Date

13 May 2025



INDEPENDENT AUDITOR'S REPORT

To the Trustee of Ipswich Arts Foundation Trust

Report on the audit of the financial report

Opinion

I have audited the accompanying financial report of Ipswich Arts Foundation Trust.

The financial report comprises the statement of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes to the financial statements including material accounting policy information, and the trustee's declaration.

In my opinion, the financial report:

- a) gives a true and fair view of the trust's financial position as at 30 June 2024, and its financial performance and cash flows for the year then ended
- b) complies with the Deed of Ipswich Arts Foundation Trust dated 27 February 2003 and Australian Accounting Standards – Simplified Disclosures.

Basis for opinion

I conducted my audit in accordance with the *Auditor-General Auditing Standards*, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report.

I am independent of the trust in accordance with the auditor independence requirements of the *Australian Charities and Not-for-profits Commission Act 2012* and with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code and the *Auditor-General Auditing Standards*.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the trustee for the financial report

The trustee is responsible for the preparation of the financial report that gives a true and fair view in accordance with the Deed of the Ipswich Arts Foundation Trust dated 27 February 2003 and Australian Accounting Standards – Simplified Disclosures, and for such internal control as the trustee determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

The trustee is also responsible for assessing the trust's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the trust or to cease operations, or has no realistic alternative but to do so.



Auditor's responsibilities for the audit of the financial report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of my responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at:

https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf

A handwritten signature in blue ink, appearing to read "Sri Narasimhan".

19 May 2025

Sri Narasimhan
as delegate of the Auditor-General

Queensland Audit Office
Brisbane



Ipswich Arts Foundation Trust

19 May 2025

SENSITIVE



Professor A Rix
Director
IA Foundation Limited

Dear Professor Rix

Final management report for Ipswich Arts Foundation Trust

We have completed our 2024 financial audit for Ipswich Arts Foundation Trust. I have issued an unmodified audit opinion on your financial statements.

Please note that under section 213B of the Local Government Regulation 2012, you should provide a copy of the audited financial statements to Ipswich City Council so that the mayor can present them at the council's next ordinary meeting and have them published on the council's website.

The purpose of this report is to provide you on audit matters and other important information related to the audited financial statements.

Reporting on issues identified after the closing report

I can confirm that we have not identified significant issues since the presentation of our closing report to you.

Report to parliament

Each year, we report the results of all financial audits and significant issues to parliament.

We intend to include the results of our audit of Ipswich Arts Foundation Trust in our report to parliament.

Audit fee

The final audit fee for this year is \$8,800, exclusive of GST. This fee is higher than the \$7,600 estimated in our external audit plan. We have discussed the key factors contributing to the fee variation with your Director-Ipswich Art Gallery. In summary, these matters were related to a delay in providing supporting documentation to finalise our audit.

We would like to thank you and your staff for your engagement in the audit this year and look forward to working with your team again next year.

If you have any questions about this report or would like to discuss any matters regarding our services and engagement, please do not hesitate to contact me on 3149 6208 or Megan Manuel on 3149 6122.

Yours sincerely

Sri Narasimhan
Engagement Leader

cc. Ms S Cooper, Chief Executive Officer, Ipswich City Council
Ms C Sourgnès, Director, Ipswich Art Gallery



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PO Box 15396, City East Qld 4002



Doc ID No: A11399726

ITEM: 6

SUBJECT: LEASE RENEWAL OVER FREEHOLD LAND AT 102 CHAMPIONS WAY,
WILLOWBANK

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 27 MARCH 2025

EXECUTIVE SUMMARY

This is a report concerning the proposed lease renewal over freehold land located at 102 Champions Way, Willowbank, described as part of Lot 1 on SP308694 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 102 Champions Way, Willowbank more particularly described as Lease TC and Lease TD over Lot 1 and Plan SP308694 , because it is for two leases for telecommunication towers.**
- B. That Council enter into two leases (TC and TD) (Council reference number 6335) with Amplitel Pty Ltd (Lessee):**
- (i) at a commencing annual rent of \$26,500 per lease area, excluding GST, payable to Council; and**
 - (ii) for a term of ten (10) years, 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, in order to implement Council’s decision.**

RELATED PARTIES

Amplitel Pty Ltd

- There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Amplitel is Australia's leading provider of mobile tower infrastructure. Established in 2021 as an independent entity following Telstra's divestment of a 49% non-controlling stake in its towers business, Amplitel now manages a portfolio exceeding 8,000 towers, masts, and related structures nationwide. These assets support wireless communication for mobile network operators, government bodies, and private organizations.

The company employs advanced technologies, including Digital Twin and AI-driven analytics, to enhance infrastructure efficiency and connectivity solutions. While Telstra retains a 51% ownership stake, Amplitel operates independently to deliver state-of-the-art infrastructure that meets the growing demands of Australia's wireless communications sector.

Amplitel Pty Ltd has submitted a proposal to renew its lease over the subject land. Under Section 236(1)(c)(vi) of the *Local Government Regulation 2012*, an exception exists to the requirement for leasehold interest in land to be disposed of through tender or auction. This exception applies specifically to leases for telecommunication towers. However, Council is required to resolve whether this exception applies to the proposed lease renewal. Additionally, the Council may only approve the disposal if the consideration is equal to or exceeds the market value of the leasehold interest in the land.

To determine an appropriate rental value, Council obtained a written rental assessment from an independent registered Valuer. Through negotiations with Amplitel, Property Services established standard terms and conditions for telecommunications leases, agreeing on a commencing annual rent of \$26,500 per lease area (excluding GST) for the land. Property Services has determined that the agreed rent, along with the proposed indexation rate, reflects current market conditions.

It is noted that the indexation rate has been a point of contention in negotiations with various telecommunications providers at similar sites across the local government area. This matter continues to require careful management to ensure fair and consistent outcomes.

Lease Terms	Existing	Proposed
Period:	10 Years	10 Years
Commencement Date:	01/07/2017	01/07/2027
Expiry Date:	30/06/2027	30/06/2037
Options:	Nil	Nil
Commencing Rent:	\$22,500 (excluding GST) for both lease areas	\$26,500 (excluding GST) per lease area
Existing Rent:	\$31,659 (excluding GST)	-
Annual Increase:	5%	3%
Permitted Use:	Telecommunications Purposes	Telecommunication Purposes

LEGAL IMPLICATIONS

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

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

The lease terms proposed align with the Council's approved Tenure for Telecommunications Infrastructure policy (the 'Policy'). Options have not been included, as a lease term exceeding 10 years, including renewal options, over a portion of land would require a reconfiguration of the lot.

RISK MANAGEMENT IMPLICATIONS

Risks Associated with Issuing a Lease to Amplitel:

1. Operational Risks:

- Disruption to Council operations or nearby land use due to maintenance or infrastructure upgrades.
- Long-term commitments may limit flexibility in land use planning.

Risks of Alternative Recommendations:

1. Complex Negotiations:

- Alternative recommendations may require extensive negotiations, leading to prolonged uncertainty and administrative burden.

2. Missed Opportunities:

- Rejecting Amplitel's proposal in favour of alternatives may result in missed opportunities for rental income and infrastructure improvements.

Risks of Not Approving the Lease to Amplitel:

1. Loss of Connectivity:

- Failure to approve the lease may hinder telecommunications infrastructure development, affecting local connectivity and services.

2. Legal Challenges:

- Amplitel may pursue legal action under the *Telecommunications Act 1997* (Cth), which grants carriers certain rights to access land for infrastructure purposes.

3. Financial Implications:

- Loss of potential rental income from the lease agreement.
- Costs associated with managing disputes or alternative arrangements.

4. Reputational Risks:

- Negative perception of the Council's decision, particularly if it is seen as obstructing infrastructure development.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications for Council, as the telecommunications provider assumes responsibility for all wear and tear, renewal, upgrades, maintenance, and operating expenses associated with the telecommunications tower and its ancillary equipment.

COMMUNITY AND OTHER CONSULTATION

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

- (a) Property Services completed property due diligence
 - a. Various searches and assessments were completed to ensure comprehensive understanding of the land and its constraints
 - b. The land contains identified cultural heritage site points, including artefacts of significance, see attached Cultural Heritage Report.
 - i. The identified artefact scatter is located away from the two locations of the existing telecommunications towers.
- (b) Development Planning Branch were consulted and agree with the proposal in this report.
 - a. There are no concerns regarding the lease renewal.
- (c) City Design Branch was consulted.
 - a. No comment, no change to the existing use or involving additional works.
- (d) Sport and Recreation was consulted. No response received.
- (e) Infrastructure Strategy were consulted.
 - a. No comment, as its not included in the trunk open space portfolio.
- (f) Asset Management was consulted and agree with the proposal in this report.
- (g) Works and Field Services was consulted. No response received.
- (h) Environment and Sustainability was consulted and agree with the proposal in this report with the following comments.

- a. Implement best-practice management of drainage and soil to prevent erosion, including tunnel erosion, and remediate any erosion caused by infrastructure, fencing, or access.







CONCLUSION

It is recommended that Council apply the exception under the *Local Government Regulation 2012* to proceed with a lease agreement for a telecommunications tower without undertaking a tender or auction process. The lease renewal between Council and Amplitel for a portion of 102 Champions Way, Willowbank, will clearly define the respective liabilities and responsibilities of both parties.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A outlines Council will apply an exemption to dispose of a leasehold interest for the purpose of a telecommunications tower. Recommendation B outlines the terms that Council is applying to the disposal of leasehold interest. Recommendation C is a process under the requirements of the <i>Local Government Act 2009</i> .
(b) What human rights are affected?	There is no potential to affect human rights in the proposed decision as the disposal is to a company and not a person.
(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.	Lease Plan  
2.	Property Plan  
3.	Title Search  
	CONFIDENTIAL
4.	Confidential Report
5.	Valuation Report

Kerry Perrett
SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Alicia Rieck
PROPERTY SERVICES MANAGER

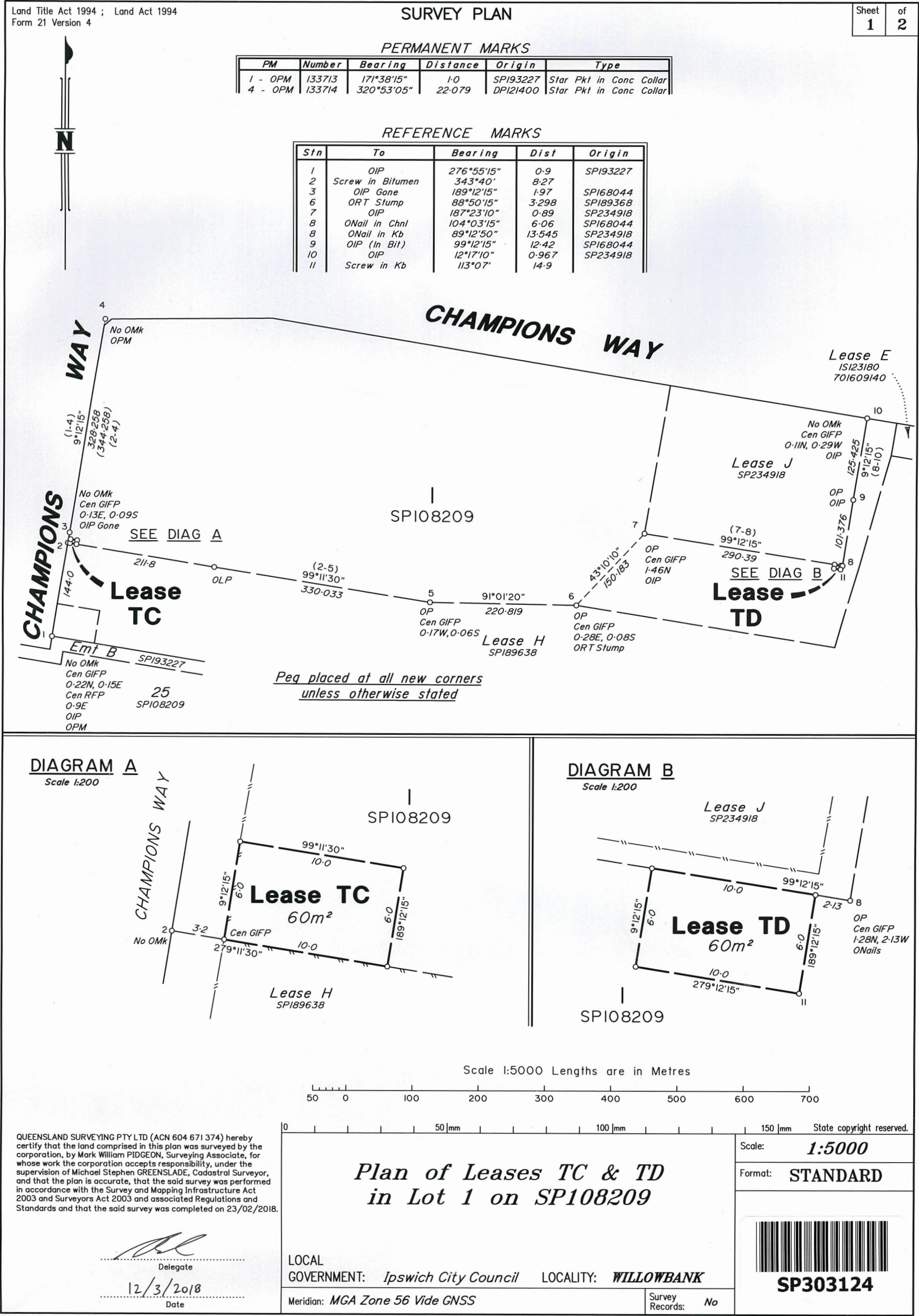
I concur with the recommendations contained in this report.

Allison Ferres-MacDonald
ACTING 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”



Land Title Act 1994 ; Land Act 1994
Form 21B Version 1

(Deeding No.)

1. Certificate of Registered Owners or Lessees.
I/We IPSMCH CITY COUNCIL

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

* ~~as lessees of this land agree to this plan.~~

Signature of * Registered Owners * ~~lessees~~
IPSMCH CITY COUNCIL
Signed by Andreu Francis Antonielli, mayor, on 2 may 2018
in accordance with section 236 of the
Local Government Act 2009

2. Planning Body Approval.

*
hereby approves this plan in accordance with the :
%

* Rule out whichever is inapplicable

3. Plans with Community Management Statement :
CMS Number :
Name :

4. References :
Dept File :
Local Govt :
Surveyor : 31901-008


5. Lodged by

6. (include address, phone number, reference, and Lodger Code)

Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
50257558	Lot 1 on SP106209			Leases TC & TD

7. Orig Grant Allocation :

Lots	Orig

8. Passed & Endorsed :
By : QUEENSLAND SURVEYING PTY LTD
Date : 12/3/2018
Signed : 
Designation : Delegate

9. Building Format Plans only.
I certify that :
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.
* Part of the building shown on this plan encroaches onto adjoining * lots and road

Codified Surveyor/Director * Date
* delete words not required

10. Lodgement Fees :

Survey Deposit	\$
Lodgement	\$
..... New Titles	\$
Photocopy	\$
Postage	\$
TOTAL	\$

11. Insert Plan Number
SP303124

Leases TC & TD do not affect any other Lease registered against CT50257558
Dated 15/2/2018

Property Plan



PROPERTY DETAILS

Address: 102 Champions Way Willowbank Qld 4306
Owner: Ipswich City Council Program 30
Lot Plan: 1SP308694
Area: 839300m²

MAP DETAILS

Scale:

1:17,312

Km 0.3 0.5 0.8



LEGEND



Selected Property

23

House Number / Boundary



Easement

PROPERTY DETAILS			
Published Date: 28/03/2025			
Address:	102 Champions Way Willowbank Qld 4306	Suburb:	Willowbank
LotPlan:	1SP308694	Postcode:	4306
Area:	839300m ²	Division:	Division 1
Tenure:	Tenure: FH Description: FREEHOLD		
RATING DETAILS			
PPN:	176433	Assessment :	191721
Owner:	Ipswich City Council Program 30	Mail Address:	Ipswich City Council Program 30 Ipswich City Council PO Box 191 IPSWICH QLD 4305
Land Use:	Code: 0159 Description: Vacant Land Council Owned	Rates:	Code: 750 - State Govt Emergency & Fire Levy - Group 1E
Dogs:	No Registered Dog		
WORK AREA DETAILS			
Census:	SA1: 31002128225 SA2: 31002128 SA3: 31002 SA4: 310 Mesh Block: 30355621000 Block Category: Primary Production	Historic Flood:	1974 Affected: False 2011 Affected: False 2022 Affected: false
IE Work Area:	District 3 - Western Team	PRS Planning Team Area:	Development - West Team
PRS Engineering Teams Areas:	Team Name: West Technical Officer : Adrian Bulley Team Name: West - Delivery Team B Technical Officer : Amit Giri	PRS Regulatory Work Area:	Area 1: PRS Compliance - Development 4 Area 2: PRS Compliance - Local Laws Investigation 2 Area 3: PRS Compliance - Animal Management 4 Area 4: PRS Compliance - Littering and Dumping 1
Waste Work Area:	Zone 4	Catchment:	Catchment: Bremer River Subcatchment: Warrill Creek
PLANNING & DEVELOPMENT DETAILS			
Zones:	RBIA01 - Regional Business and Industry Investigat	Development Constraints:	OV2 Mineral Development Licenses OV6 Highway Buffer & Regional Transport Corridor OV7A Building Height Restriction Area 90m OV7A Outer Horizontal Surface RL 176.5 OV7B 8km Operational Airspace Buffer - Wildlife Attraction Restriction Area OV8 Ipswich Motorsport Precinct Primary Buffer Area
Divisions buffered 50m:	Division 1		

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 27/03/2025 14:17

Title Reference: 51179207

Date Created: 02/04/2019

Previous Title: 50257558

REGISTERED OWNER

Dealing No: 719330451 27/03/2019

IPSWICH CITY COUNCIL

ESTATE AND LAND

Estate in Fee Simple

LOT 1 SURVEY PLAN 308694
Local Government: IPSWICH

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 11075063 (POR 253)
2. LEASE No 715818574 06/06/2014 at 11:36
WILLOWBANK RACEWAY INCORPORATED
LEASE H ON SP189638
TERM: 01/01/2014 TO 31/12/2043 OPTION 30 YEARS
Lodged at 11:36 on 06/06/2014 Recorded at 14:17 on 11/06/2014
3. LEASE No 718868375 13/07/2018 at 10:09
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
OF LEASE TC AND TD ON SP303124
TERM: 01/07/2017 TO 30/06/2027 OPTION NIL
Lodged at 10:09 on 13/07/2018 Recorded at 13:59 on 20/07/2018
4. TRANSFER No 722517590 02/06/2023 at 15:11
LEASE: 718868375
AMPLITEL PTY LTD A.C.N. 648 133 073
Lodged at 15:11 on 02/06/2023 Recorded at 10:52 on 21/07/2023
5. LEASE No 719035813 10/10/2018 at 10:59
THE STATE OF QUEENSLAND
(REPRESENTED BY PUBLIC SAFETY BUSINESS AGENCY)
OF LEASE E ON SP304366
TERM: 01/07/2017 TO 30/06/2027 OPTION NIL
Lodged at 10:59 on 10/10/2018 Recorded at 13:19 on 11/10/2018
6. LEASE No 720353716 27/10/2020 at 11:22
OPTUS MOBILE PTY LIMITED A.C.N. 054 365 696
OF LEASE P ON SP315406
TERM: 01/07/2020 TO 30/06/2027 OPTION NIL
Lodged at 11:22 on 27/10/2020 Recorded at 09:45 on 29/10/2020
7. LEASE No 723066713 14/02/2024 at 16:00
IPSWICH KART CLUB INCORPORATED
OF LEASE J ON SP234918
TERM: 01/09/2023 TO 31/08/2033 OPTION 10 YEARS
Lodged at 16:00 on 14/02/2024 Recorded at 09:30 on 19/02/2024

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2025]

Page 1/2

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 27/03/2025 14:17

Title Reference: 51179207

Date Created: 02/04/2019

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Doc ID No: A11410252

ITEM: 7

SUBJECT: LEASE RENEWAL OVER FREEHOLD LAND AT 20-32 CAIRNS STREET,
COLLINGWOOD PARK

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 28 MARCH 2025

EXECUTIVE SUMMARY

This is a report concerning the proposed lease renewal over freehold land located at 20-32 Cairns Street, Collingwood Park, described as part of Lot 901 on SP264807 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 20-32 Cairns Street, Collingwood Park more particularly described as part of Lot 901 on SP264807, because it is for a lease for telecommunication towers.
- B. That Council enter into a lease (Council reference number 6334) with Amplitel Pty Ltd (Lessee):
- (i) at a commencing annual rent of \$26,500 excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, 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, in order to implement Council’s decision.

RELATED PARTIES

Amplitel Pty Ltd

- There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Amplitel is Australia's leading provider of mobile tower infrastructure. Established in 2021 as an independent entity following Telstra's divestment of a 49% non-controlling stake in its towers business, Amplitel now manages a portfolio exceeding 8,000 towers, masts, and related structures nationwide. These assets support wireless communication for mobile network operators, government bodies, and private organizations.

The company employs advanced technologies, including Digital Twin and AI-driven analytics, to enhance infrastructure efficiency and connectivity solutions. While Telstra retains a 51% ownership stake, Amplitel operates independently to deliver state-of-the-art infrastructure that meets the growing demands of Australia's wireless communications sector.

Amplitel Pty Ltd has submitted a proposal to renew its lease over the subject land. Under Section 236(1)(c)(vi) of the *Local Government Regulation 2012*, an exception exists to the requirement for leasehold interest in land to be disposed of through tender or auction. This exception applies specifically to leases for telecommunication towers. However, Council is required to resolve whether this exception applies to the proposed lease renewal. Additionally, the Council may only approve the disposal if the consideration is equal to or exceeds the market value of the leasehold interest in the land.

To determine an appropriate rental value, Council obtained a written rental assessment from an independent registered Valuer. Through negotiations with Amplitel, Property Services established standard terms and conditions for telecommunications leases, agreeing on a commencing annual rent of \$26,500 (excluding GST) for the land. Property Services has determined that the agreed rent, along with the proposed indexation rate, reflects current market conditions.

It is noted that the indexation rate has been a point of contention in negotiations with various telecommunications providers at similar sites across the local government area. This matter continues to require careful management to ensure fair and consistent outcomes.

Lease Terms	Existing	Proposed
Period:	10 Years	10 Years
Commencement Date:	01/04/2017	01/04/2027
Expiry Date:	31/03/2027	31/03/2037
Options:	Nil	Nil
Commencing Rent:	\$22,500 (excluding GST)	\$26,500 (excluding GST)
Existing Rent:	\$33,242.75 (excluding GST)	-
Annual Increase:	5%	3%
Permitted Use:	Telecommunications Purposes	Telecommunications Purposes

LEGAL IMPLICATIONS

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

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

The lease terms proposed align with the Council's approved Tenure for Telecommunications Infrastructure policy (the 'Policy'). Options have not been included, as a lease term exceeding 10 years, including renewal options, over a portion of land would require a reconfiguration of the lot.

RISK MANAGEMENT IMPLICATIONS

Risks Associated with Issuing a Lease to Amplitel:

1. Operational Risks:

- Disruption to Council operations or nearby land use due to maintenance or infrastructure upgrades.
- Long-term commitments may limit flexibility in land use planning.

Risks of Alternative Recommendations:

1. Complex Negotiations:

- Alternative recommendations may require extensive negotiations, leading to prolonged uncertainty and administrative burden.

2. Missed Opportunities:

- Rejecting Amplitel's proposal in favour of alternatives may result in missed opportunities for rental income and infrastructure improvements.

Risks of Not Approving the Lease to Amplitel:

1. Loss of Connectivity:

- Failure to approve the lease may hinder telecommunications infrastructure development, affecting local connectivity and services.

2. Legal Challenges:

- Amplitel may pursue legal action under the *Telecommunications Act 1997 (Cth)*, which grants carriers certain rights to access land for infrastructure purposes.

3. Financial Implications:

- Loss of potential rental income from the lease agreement.
- Costs associated with managing disputes or alternative arrangements.

4. Reputational Risks:

- Negative perception of the Council's decision, particularly if it is seen as obstructing infrastructure development.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications for Council, as the telecommunications provider assumes responsibility for all wear and tear, renewal, upgrades, maintenance, and operating expenses associated with the telecommunications tower and its ancillary equipment.

COMMUNITY AND OTHER CONSULTATION

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

- (a) Property Services completed property due diligence
 - a. Various searches and assessments were completed to ensure comprehensive understanding of the land and its constraints
 - b. The land contains two (2) easements for drainage purposes
 - c. The land contains five (5) vegetation notices under the *Vegetation Management Act 1999* pertaining to development approvals for vegetation clearing and the Property Map of Assessable Vegetation
- (b) Development Planning Branch were consulted and agree with the proposal in this report.
 - a. There are no concerns regarding the lease renewal.
- (c) City Design Branch was consulted and agree with the proposal in this report.
 - a. The site benefits from an approval (2871/2015/MCU) for the Telecommunications Tower.
 - b. The site is anticipated to be zoned Conservation under the new Ipswich City Plan 2025.
 - c. The continuation of the use is protected by section 260 of the *Planning Act 2016*.
- (d) Sport and Recreation was consulted and agree with the proposal in this report.
 - a. There are no concerns or expected impacts.
- (e) Infrastructure Strategy were consulted.
 - a. No comments on trunk open space, as location and access were resolved at the development approval.

(f) Asset Management was consulted and agree with the proposal in this report.

(g) Works and Field Services was consulted. No response received.






CONCLUSION

It is recommended that Council apply the exception under the *Local Government Regulation 2012* It is recommended that Council apply the exception under the *Local Government Regulation 2012* to proceed with a lease agreement for a telecommunications tower without undertaking a tender or auction process. The lease renewal between Council and Amplitel for a portion of 20-32 Cairns Street, Collingwood Park, will clearly define the respective liabilities and responsibilities of both parties.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A outlines Council will apply an exemption to dispose of a leasehold interest for the purposes of a telecommunication tower. Recommendation B outlines the terms that Council is applying to the disposal of leasehold interest. Recommendation C is a process under the requirements of the <i>Local Government Act 2009</i> .
(b) What human rights are affected?	There is no potential to affect human rights in the proposed decision as the disposal is to a company and not a person.
(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.	Lease Plan  
2.	Property Plan  
3.	Title Search  
	CONFIDENTIAL
4.	Confidential Report
5.	Valuation 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.

Allison Ferres-MacDonald
ACTING MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

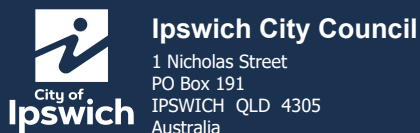
Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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



Item 7 / Attachment 1.

<p>718868353</p> <p>\$402.00</p> <p>13/07/2018 10:06</p> <p>BE 403</p>		<p>WARNING : Folded or Mutilated Plans will not be accepted.</p> <p>Plans may be rolled.</p> <p>Information may not be placed in the outer margins.</p>																									
<p>5. Lodged by <i>Australian Government solicitor 67A</i></p>		<p>(Include address, phone number, reference, and Lodger Code)</p>																									
<p>1. Certificate of Registered Owners or Lessees.</p> <p>I/We <u>IPSWICH CITY COUNCIL TRUSTEE</u></p> <p><u>UNDER INSTRUMENT 715666588</u></p> <p>.....</p> <p>.....</p> <p>(Names in full)</p> <p>* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.</p> <p>as Lessees of this land agree to this plan.</p> <p><i>[Signature]</i></p> <p>Signature of * Registered Owners * Lessees</p> <p><u>IPSWICH CITY COUNCIL</u></p> <p>Signed by Andrew Francis Antoniolli, Mayor, on</p> <p>in accordance with Section 23b of the 2nd of May 2018</p> <p>Local Government Act 2009</p> <p>.....</p> <p>.....</p> <p>* Rule out whichever is inapplicable</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">6. Existing</th> <th colspan="3">Created</th> </tr> <tr> <th>Title Reference</th> <th>Description</th> <th>New Lots</th> <th>Road</th> <th>Secondary Interests</th> </tr> <tr> <td>50943249</td> <td>Lot 901 on SP264807</td> <td></td> <td></td> <td>Lease B</td> </tr> </table>		6. Existing		Created			Title Reference	Description	New Lots	Road	Secondary Interests	50943249	Lot 901 on SP264807			Lease B									
6. Existing		Created																									
Title Reference	Description	New Lots	Road	Secondary Interests																							
50943249	Lot 901 on SP264807			Lease B																							
<p>2. Planning Body Approval.</p> <p>*</p> <p>hereby approves this plan in accordance with the :</p> <p>%</p> <p>.....</p> <p>.....</p> <p>Dated this day of</p> <p>.....</p> <p>.....</p> <p>* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or # Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Orig</td> <td colspan="2">Lots</td> </tr> <tr> <td colspan="4">7. Orig Grant Allocation :</td> </tr> <tr> <td colspan="4">8. Map Reference : 9442-13114</td> </tr> <tr> <td colspan="4">9. Parish : GOODNA</td> </tr> <tr> <td colspan="4">10. County : STANLEY</td> </tr> <tr> <td colspan="4">11. Passed & Endorsed : By: Paul William Keating Date: <i>[Signature]</i> Signed: <i>[Signature]</i> Designation: Cadastral Surveyor</td> </tr> </table>		Orig		Lots		7. Orig Grant Allocation :				8. Map Reference : 9442-13114				9. Parish : GOODNA				10. County : STANLEY				11. Passed & Endorsed : By: Paul William Keating Date: <i>[Signature]</i> Signed: <i>[Signature]</i> Designation: Cadastral Surveyor			
Orig		Lots																									
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11. Passed & Endorsed : By: Paul William Keating Date: <i>[Signature]</i> Signed: <i>[Signature]</i> Designation: Cadastral Surveyor																											
<p>3. Plans with Community Management Statement :</p> <p>CMS Number :</p> <p>Name :</p>		<p>4. References :</p> <p>Dept File :</p> <p>Local Govt :</p> <p>Surveyor : 243779</p>																									
<p>12. Building Format Plans only.</p> <p>I certify that :</p> <p>* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;</p> <p>* Part of the building shown on this plan encroaches onto adjoining lots and road</p> <p>Cadastral Surveyor/Director * Date delete words not required</p>		<p>13. Lodgement Fees :</p> <table style="width: 100%;"> <tr> <td>Survey Deposit</td> <td>\$</td> </tr> <tr> <td>Lodgement</td> <td>\$</td> </tr> <tr> <td>..... New Titles</td> <td>\$</td> </tr> <tr> <td>Photocopy</td> <td>\$</td> </tr> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>TOTAL</td> <td>\$</td> </tr> </table>		Survey Deposit	\$	Lodgement	\$ New Titles	\$	Photocopy	\$	Postage	\$	TOTAL	\$												
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Lodgement	\$																										
..... New Titles	\$																										
Photocopy	\$																										
Postage	\$																										
TOTAL	\$																										
<p>14. Insert Plan Number</p> <p>SP280379</p>		<p>14. Insert Plan Number</p> <p>SP280379</p>																									



Telephone (07) 3810 6666
Fax (07) 3810 6731
Email council@ipswich.qld.gov.au
Web www.ipswich.qld.gov.au
Business Hours 8:00am - 4:30pm (Mon - Fri)

Property Plan



PROPERTY DETAILS

Address: 20-32 Cairns Street Collingwood Park Qld 4301
Owner: Ipswich City Council Program 30
Lot Plan: 901SP264807
Area: 76870m²

MAP DETAILS

Scale: 1:3,846
Metres 50 100 150



LEGEND

Selected Property

23 House Number / Boundary

Easement

Item 7 / Attachment 2.

PROPERTY DETAILS			
Published Date: 28/03/2025			
Address:	20-32 Cairns Street Collingwood Park Qld 4301	Suburb:	Collingwood Park
LotPlan:	901SP264807	Postcode:	4301
Area:	76870m ²	Division:	Division 3
Tenure:	Tenure: FH Description: FREEHOLD		
RATING DETAILS			
PPN:	158500	Assessment :	175487
Owner:	Ipswich City Council Program 30	Mail Address:	Ipswich City Council Program 30 Ipswich City Council PO Box 191 IPSWICH QLD 4305
Land Use:	Code: 0459 Description: Vac Land > .4047Ha (Cnl)	Rates:	Code: 700 - State Govt Emergency & Fire Levy - Group 1
Dogs:	No Registered Dog		
WORK AREA DETAILS			
Census:	SA1: 31004129917 SA2: 31004129 SA3: 31004 SA4: 310 Mesh Block: 30348080000 Block Category: Parkland	Historic Flood:	1974 Affected: False 2011 Affected: False 2022 Affected: false
IE Work Area:	District 2 - Eastern Team 6A	PRS Planning Team Area:	Development - East Team
PRS Engineering Teams Areas:	Team Name: East Technical Officer : Adrian Bulley Team Name: East - Delivery Team A Technical Officer : Mitchell Weatherhead	PRS Regulatory Work Area:	Area 1: PRS Compliance - Development 2 Area 2: PRS Compliance - Local Laws Investigation 7 Area 3: PRS Compliance - Animal Management 1 Area 4: PRS Compliance - Littering and Dumping 2
Waste Work Area:	Zone 1	Catchment:	Catchment: Brisbane River Subcatchment: Six Mile Creek
PLANNING & DEVELOPMENT DETAILS			
Zones:	REC - Recreation	Development Constraints:	OV11 High Pressure Gas Pipeline Buffer Area OV3 Area Affected by Underground Mining OV3 Mining Constrained Area OV4 Slope 15 Percent to 20 Percent OV4 Slope 20 Percent to 25 Percent OV4 Slope > 25 Percent OV7A Building Height Restriction Area 45m OV7A Building Height Restriction Area 90m OV7A Outer Horizontal Surface RL 176.5 OV7B 13km Existing Committed Urban Townships Buffer
Divisions buffered 50m:	Division 3		

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 13/02/2025 16:17

Title Reference: 50943249

Date Created: 24/03/2014

Previous Title: 50764677
50764678

REGISTERED OWNER

Dealing No: 715666588 20/03/2014

IPSWICH CITY COUNCIL TRUSTEE
UNDER INSTRUMENT 715666588

ESTATE AND LAND

Estate in Fee Simple

LOT 901 SURVEY PLAN 264807
Local Government: IPSWICH

For depth restrictions refer to Plan SP 264807

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 19515149 (POR 69)
Deed of Grant No. 19515151 (POR 70)
2. EASEMENT IN GROSS No 715666581 20/03/2014 at 13:09
burdening the land
IPSWICH CITY COUNCIL
over
EASEMENTS F AND G ON SP264807
Lodged at 13:09 on 20/03/2014 Recorded at 11:29 on 24/03/2014
3. LEASE No 718868356 13/07/2018 at 10:07
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
LEASE B ON SP280379
TERM: 01/04/2017 TO 31/03/2027 OPTION NIL
Lodged at 10:07 on 13/07/2018 Recorded at 14:11 on 18/07/2018
4. TRANSFER No 722820252 18/10/2023 at 15:42
LEASE: 718868356
AMPLITEL PTY LTD A.C.N. 648 133 073
Lodged at 15:42 on 18/10/2023 Recorded at 11:27 on 24/10/2023

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
711976194	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	09/10/2008 14:24	CUR	IH-GEN -00
713396287	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	06/08/2010 14:18	CUR	IH-GEN -00
713396293	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	06/08/2010 14:18	CUR	IH-GEN -00
714156588	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	10/11/2011 13:57	CUR	IH-GEN -00
714178319	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	24/11/2011 08:36	CUR	IH-GEN -00

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Page 1/2

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 13/02/2025 16:17

Title Reference: 50943249

Date Created: 24/03/2014

UNREGISTERED DEALINGS - NIL

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Doc ID No: A11410379

ITEM: 8

SUBJECT: LEASE RENEWAL OVER FREEHOLD LAND AT 11 THORNTON STREET, RACEVIEW

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 28 MARCH 2025

EXECUTIVE SUMMARY

This is a report concerning the proposed lease renewal over freehold land located at 11 Thornton Street, Raceview, described as part of Lot 1 on RP215738 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the Local Government Regulation 2012 (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 11 Thornton Street, Raceview more particularly described as part of Lot 1 on RP215738, because it is for a lease for telecommunication towers.
- B. That Council enter into a lease (Council reference number 6333) with Amplitel Pty Ltd (Lessee):
- (i) at a commencing annual rent of \$26,500 excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, 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, in order to implement Council’s decision.

RELATED PARTIES

- Amplitel Pty Ltd
- There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Amplitel is Australia's leading provider of mobile tower infrastructure. Established in 2021 as an independent entity following Telstra's divestment of a 49% non-controlling stake in its

towers business, Amplitel now manages a portfolio exceeding 8,000 towers, masts, and related structures nationwide. These assets support wireless communication for mobile network operators, government bodies, and private organizations.

The company employs advanced technologies, including Digital Twin and AI-driven analytics, to enhance infrastructure efficiency and connectivity solutions. While Telstra retains a 51% ownership stake, Amplitel operates independently to deliver state-of-the-art infrastructure that meets the growing demands of Australia's wireless communications sector.

Amplitel Pty Ltd has submitted a proposal to renew its lease over the subject land. Under Section 236(1)(c)(vi) of the *Local Government Regulation 2012*, an exception exists to the requirement for leasehold interest in land to be disposed of through tender or auction. This exception applies specifically to leases for telecommunication towers. However, Council is required to resolve whether this exception applies to the proposed lease renewal. Additionally, the Council may only approve the disposal if the consideration is equal to or exceeds the market value of the leasehold interest in the land.

To determine an appropriate rental value, Council obtained a written rental assessment from an independent registered Valuer. Through negotiations with Amplitel, Property Services established standard terms and conditions for telecommunications leases, agreeing on a commencing annual rent of \$26,500 (excluding GST) for the land. Property Services has determined that the agreed rent, along with the proposed indexation rate, reflects current market conditions.

It is noted that the indexation rate has been a point of contention in negotiations with various telecommunications providers at similar sites across the local government area. This matter continues to require careful management to ensure fair and consistent outcomes.

Lease Terms	Existing	Proposed
Period:	10 Years	10 Years
Commencement Date:	01/04/2017	01/04/2027
Expiry Date:	31/03/2027	31/03/2037
Options:	Nil	Nil
Commencing Rent:	\$22,500 (excluding GST)	\$26,500 (excluding GST)
Existing Rent:	\$28,501 (excluding GST)	-
Annual Increase:	3%	3%
Permitted Use:	Telecommunications Purposes	Telecommunications Purposes

LEGAL IMPLICATIONS

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

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

The lease terms proposed align with the Council's approved Tenure for Telecommunications Infrastructure policy (the 'Policy'). Options have not been included, as a lease term exceeding 10 years, including renewal options, over a portion of land would require a reconfiguration of the lot.

RISK MANAGEMENT IMPLICATIONS

Risks Associated with Issuing a Lease to Amplitel:

1. Operational Risks:

- Disruption to Council operations or nearby land use due to maintenance or infrastructure upgrades.
- Long-term commitments may limit flexibility in land use planning.

Risks of Alternative Recommendations:

1. Complex Negotiations:

- Alternative recommendations may require extensive negotiations, leading to prolonged uncertainty and administrative burden.

2. Missed Opportunities:

- Rejecting Amplitel's proposal in favour of alternatives may result in missed opportunities for rental income and infrastructure improvements.

Risks of Not Approving the Lease to Amplitel:

1. Loss of Connectivity:

- Failure to approve the lease may hinder telecommunications infrastructure development, affecting local connectivity and services.

2. Legal Challenges:

- Amplitel may pursue legal action under the *Telecommunications Act 1997 (Cth)*, which grants carriers certain rights to access land for infrastructure purposes.

3. Financial Implications:

- Loss of potential rental income from the lease agreement.
- Costs associated with managing disputes or alternative arrangements.

4. Reputational Risks:

- Negative perception of the Council's decision, particularly if it is seen as obstructing infrastructure development.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications for Council, as the telecommunications provider assumes responsibility for all wear and tear, renewal, upgrades, maintenance, and operating expenses associated with the telecommunications tower and its ancillary equipment.

COMMUNITY AND OTHER CONSULTATION

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

- (a) Property Services completed property due diligence
 - a. Various searches and assessments were completed to ensure comprehensive understanding of the land and its constraints
 - b. The land contains one (1) easement for sewerage purpose
- (b) Development Planning Branch were consulted and agree with the proposal in this report.
 - a. There are no concerns regarding the lease renewal.
- (c) City Design Branch were consulted and agree with the proposal in this report.
 - a. The site's proposed zoning as Special Purpose – Public Utilities under the Ipswich City Plan 2025 aligns with the tower's ongoing use, which remains lawful under s260 of the *Planning Act 2016*.
- (d) Sport and Recreation was consulted and agree with the proposal in this report.
 - a. There are no concerns or expected impacts.
- (e) Infrastructure Strategy were consulted on this report.
 - a. No comments from the trunk open space standpoint, as it is not within the Infrastructure Strategies portfolio
- (f) Asset Management was consulted and agree with the proposal in this report.
- (g) Works and Field Services was consulted.
 - a. No response received.






CONCLUSION

It is recommended that Council apply the exception under the *Local Government Regulation 2012* to proceed with a lease agreement for a telecommunications tower without undertaking a tender or auction process. The lease renewal between Council and Amplitel for a portion of 11 Thornton Street, Raceview, will clearly define the respective liabilities and responsibilities of both parties.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A outlines Council will apply an exemption to dispose of a leasehold interest for the purposes of a telecommunication tower. Recommendation B outlines the terms that Council is applying to the disposal of leasehold interest. Recommendation C is a process under the requirements of the <i>Local Government Act 2009</i> .
(b) What human rights are affected?	There is no potential to affect human rights in the proposed decision as the disposal is to a company and not a person.
(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.	Lease Plan  
2.	Property Plan  
3.	Title Search  
	CONFIDENTIAL
4.	Confidential Report
5.	Valuation 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.

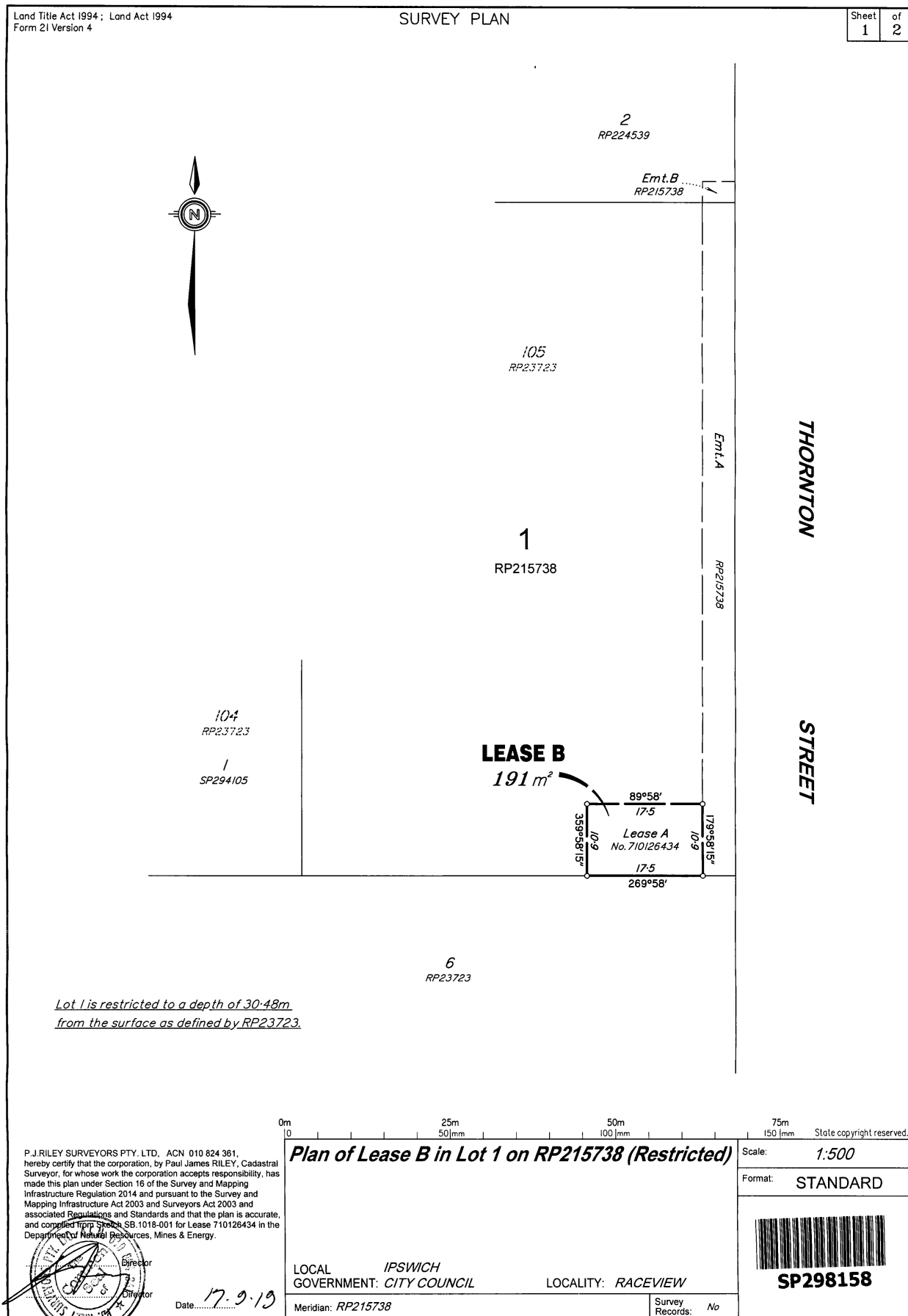
Allison Ferres-MacDonald
ACTING MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

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”

SP298158 V0 REGISTERED Recorded Date 11/11/2019 10:33 Page 1 of 2 Not To Scale



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\$411.00
11/11/2019 10:33

Sheet 2	of 2
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067A

2381 PR190392 DRAWN - Stanfield's



Property Plan






PROPERTY DETAILS

Address: 11 Thornton Street Raceview Qld 4305
Owner: Ipswich City Council Program 31
Lot Plan: 1RP215738
Area: 6689m²

MAP DETAILS

Scale: 1:1,180
Metres 20 40



LEGEND

 Selected Property
 23 House Number / Boundary
 Easement

PROPERTY DETAILS			
Published Date: 28/03/2025			
Address:	11 Thornton Street Raceview Qld 4305	Suburb:	Raceview
LotPlan:	1RP215738	Postcode:	4305
Area:	6689m ²	Division:	Division 1
Tenure:	Tenure: FH Description: FREEHOLD		
RATING DETAILS			
PPN:	93826	Assessment :	56930
Owner:	Ipswich City Council Program 31	Mail Address:	Ipswich City Council Program 31 Ipswich City Council PO Box 191 IPSWICH QLD 4305
Land Use:	Code: 9900 Description: Community Protection Cen	Rates:	Code: 8855 - Waste Charges - Wheelie Bin Council Code: 702 - State Govt Emergency & Fire Levy - Group 3
Dogs:	No Registered Dog		
WORK AREA DETAILS			
Census:	SA1: 31003129309 SA2: 31003129 SA3: 31003 SA4: 310 Mesh Block: 30345290000 Block Category: Education	Historic Flood:	1974 Affected: False 2011 Affected: False 2022 Affected: false
IE Work Area:	District 3 - Southern Team	PRS Planning Team Area:	Development - West Team
PRS Engineering Teams Areas:	Team Name: West Technical Officer : Adrian Bulley Team Name: West - Delivery Team B Technical Officer : Amit Giri	PRS Regulatory Work Area:	Area 1: PRS Compliance - Development 4 Area 2: PRS Compliance - Local Laws Investigation 10 Area 3: PRS Compliance - Animal Management 5 Area 4: PRS Compliance - Littering and Dumping 1
Waste Work Area:	Zone 2	Catchment:	Catchment: Bremer River Subcatchment: Bundamba Creek
PLANNING & DEVELOPMENT DETAILS			
Zones:	SA07 - Special Opportunity	Development Constraints:	OV7A Building Height Restriction Area 90m OV7A Transitional Surface OV7B 8km Existing Committed Urban Townships Buffer
Divisions buffered 50m:	Division 1		

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 13/02/2025 16:03

Title Reference: 17106181

Date Created: 01/02/1988

Previous Title: 16844094

REGISTERED OWNER

Dealing No: 713902746 14/06/2011

IPSWICH CITY COUNCIL

ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 215738
Local Government: IPSWICH

For depth restrictions refer to Plan RP 215738

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 19565023 (POR 2V)
2. EASEMENT IN GROSS No 602328314 (J313601G) 09/12/1987
BURDENING THE LAND
TO COUNCIL OF THE CITY OF IPSWICH
OVER EASEMENT A ON RP215738
Lodged at 00:00 on 09/12/1987 Recorded at 00:00 on 01/02/1988
3. LEASE No 719726574 11/11/2019 at 10:35
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
OF LEASE B ON SP298158
TERM: 01/04/2017 TO 31/03/2027 OPTION NIL
Lodged at 10:35 on 11/11/2019 Recorded at 11:19 on 15/11/2019
4. TRANSFER No 722823685 20/10/2023 at 09:51
LEASE: 719726574
AMPLITEL PTY LTD A.C.N. 648 133 073
Lodged at 09:51 on 20/10/2023 Recorded at 11:54 on 30/10/2023

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Doc ID No: A11485759

ITEM: 9

SUBJECT: LEASE AND CONTRACT RENEWAL FOR THE MANAGEMENT AND OPERATION OF THE CAFE/LAGOON AT ROBELLE DOMAIN, 155 SOUTHERN CROSS CIRCUIT, SPRINGFIELD CENTRAL

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 15 APRIL 2025

EXECUTIVE SUMMARY

This is a report concerning the proposed renewal of the management and operation of the Café and Orion Lagoon at Robelle Domain over freehold land located at 155 Southern Cross Circuit, Springfield Central, described as part of Lot 760 on SP204985 and Lot 762 on SP221160 (the Land), between Ipswich City Council (Council) and Australian Crawl Springfield Pty Ltd (ACS).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(iii) of the Regulation applies to the disposal of interest in land at 155 Southern Cross Circuit, Springfield Central more particularly described as part of Lot 760 and Plan SP204985 and Lot 762 and Plan SP221160, for café purposes, because it is for renewal of a lease to the existing lessee.
- B. That Council renew the lease (Council file reference number 6363 with Australian Crawl Springfield Pty Ltd (Lessee):
 - (i) at a commencing annual rent of \$18,565 excluding GST, payable to Council, and
 - (ii) for an initial term of two (2) years, with no options for extension.
- C. That Council vary the existing Contractual Arrangement (contract 14-15-108) with Australian Crawl Springfield Pty Ltd to Manage the Orion Lagoon including Lifeguards, Pool Operators and Security Guards in accordance with S226 of the *Local Government Regulations 2012*;
 - (i) To extend for a further term of two (2) years, with no options for extension.
- 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

- Australian Crawl Springfield Pty Ltd
- There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Orion Lagoon is a well-established aquatic facility featuring interconnected pools designed to accommodate various age groups with shaded areas, picnic spaces, and an on-site café. The facility operates under seasonal hours, with lifeguard supervision and stringent safety regulations in place. Robelle Domain has undergone significant development, guided by a master plan aimed at integrating green spaces within the urban landscape.

ACS has successfully managed and operated both the café and the lagoon since the facility's opening in 2015, following a competitive tender process in which they were the successful applicant.

The current contract for the operation and management of Orion Lagoon, along with the lease of the café, is set to expire on 4 September 2025. It is recommended that the existing lessee, ACS, be offered a further two-year lease and contract extension while a tender process is undertaken for separable portions related to management and operation, including lifeguard services, pool operations, security services, and the café lease.

Should Council proceed with initiating the tender process for the management and operation of the café and lagoon in the coming months, and the ACS is unsuccessful, this will allow them sufficient time to make arrangements for their existing workforce of over 80 employees.

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

POLICY IMPLICATIONS

The lease terms proposed align with the Council's approved Tenure over Council Property policy (the 'Policy').

RISK MANAGEMENT IMPLICATIONS

Risks of Alternative Recommendations

- **Disruption to Current Operations** – Transitioning management immediately could create service gaps, impacting visitor experience.
- **Limited Preparation Time for Tender** – Rushed tendering may result in fewer applicants or incomplete evaluations of alternative operators.
- **Stakeholder Concerns** – ACS, having operated since 2015, may contest an abrupt transition, leading to potential reputational or legal disputes.

Risks of Not Approving the Two-Year Term

- **Uncertain Operational Stability** – Without an interim solution, Council may need to manage operations directly, requiring additional resources.
- **Potential Service Disruptions** – Delays in appointing a new operator could affect safety, facility maintenance, and visitor experience.
- **Loss of Established Community Engagement** – ACS has a history with the lagoon and café, and an abrupt end may impact public perception of Council's decision-making.

FINANCIAL/RESOURCE IMPLICATIONS

The tender will be developed around the adopted operational parameters for the four (4) services required.

Operational Parameters

Service	Period	Hours
Lagoon Open	1 September– 31 March	Summer 5am – 9pm
	1 April – 31 August	Winter 7am – 5pm
Lifeguards	1 September – 31 March	5am – 9 pm
	1 April – 31 August	7am – 5pm
Operators and maintenance for Lagoon area and Splash Park (Zero Depth Water Play Area)	Daily as required for water quality, cleanness & plant room (not limited to)	As negotiated

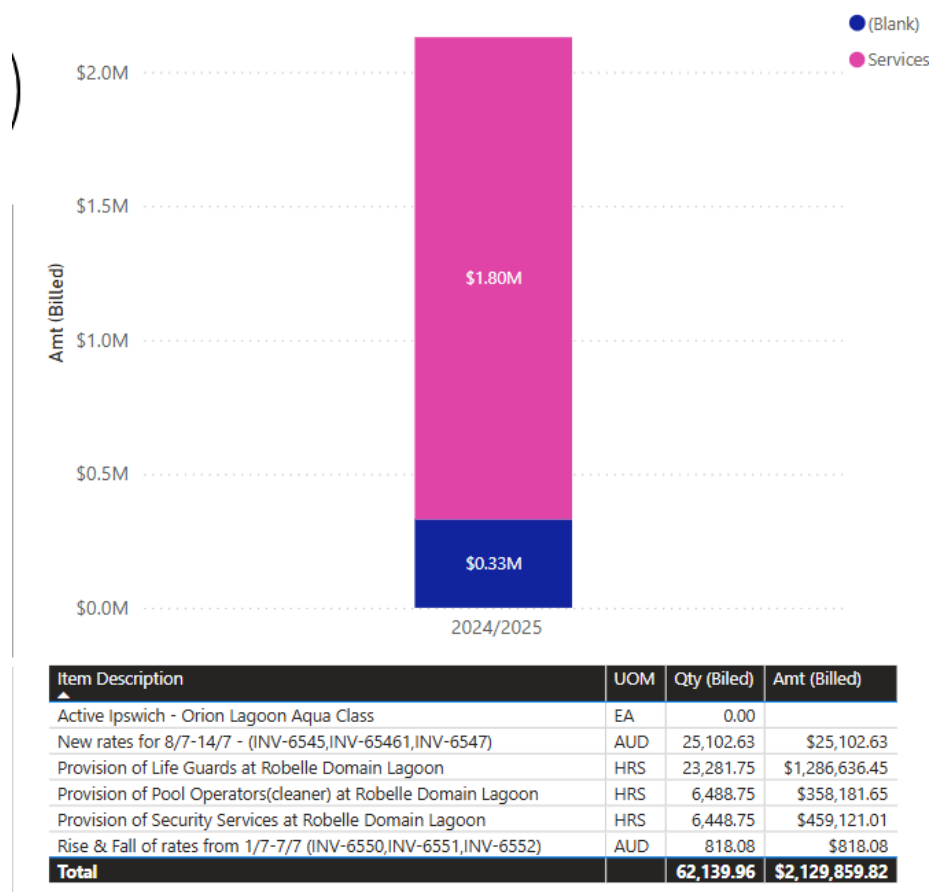
Security	1 January – 31 December	24 hours a day 7 days per week
Kiosk	1 October – 30 April	8am – 6pm
	1 May – 30 September	9am – 4pm

It is projected that a budget of \$1.461 million will be necessary to ensure the efficient management and operation of the Orion Lagoon over the course of a full fiscal year. The estimated annual operational expenses, determined in accordance with the established parameters, are outlined below.

Annual Operation Expenses

Service	Lifeguards	Operators	Security	Overheads	Total Costs
Months of Operation	12 months per year	12 months per year	12 months per year		
Staffed Hours	Summer 16 hours/Winter 8 hours	Summer 16 hours/Winter 8 hours	24 hours per day		
Staff Per Day	Summer up to 6/Winter up to 4	1 every day	Summer/Winter 1 every day, increase during weekends/ public holidays		
Cost Per Year	\$1,350,000	\$360,000	\$500,000	\$200,000	\$2,210,000

*figures are estimated as subject to CPI & Fair Work increases unknown



COMMUNITY AND OTHER CONSULTATION

The following internal branches have been consulted with 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. Lot 760 contains fourteen (14) easements;
 - i. Thirteen (13) easements for access
 - ii. One (1) easement for underground electricity
 - c. Lot 762 contains twenty two (22) easements;
 - i. Seven (7) easements for drainage
 - ii. Seven (7) easements for access
 - iii. Six (6) easements for drainage and access
 - iv. Two (2) easement for electricity supply and incidental works

(b) Works and Field Services were consulted and agree with the proposal in this report.

(c) Procurement were consulted and agree with the proposal in this report.





CONCLUSION

It is recommended that Council apply the exception under the Local Government Regulation 2012 to proceed with the renewal of a lease agreement and contract for the management and operation of the café and Orion Lagoon to ACS for a further 2 years to facilitate a tender process.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A outlines Council will apply an exemption to dispose of a leasehold interest for the purposes of a Café. Recommendation B identifies the lessee and terms to renew the lease. Recommendation C outlines the Contract for the Lagoon. Recommendation D delegates negotiation of the Lease and Contract to the CEO.
(b) What human rights are affected?	Protection from torture and cruel, inhuman or degrading treatment (section 17) 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?	The proposed decision to enter the lease will potentially interfere to restrict with the rights identified above because the lessee will have the power to eject persons in particular circumstances.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Yes. Ejecting a person in particular circumstances is a reasonable approach to ensure health and safety. Less restrictive means would be warnings, etc, but it is anticipated that these would be utilised prior to any ejection.
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Lease Plan ↓ 
2.	Property Plan ↓ 
3.	Title Search - Lot 760 ↓ 
4.	Title Search - Lot 762 ↓ 

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.

Allison Ferres-MacDonald

ACTING MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Matt Smith

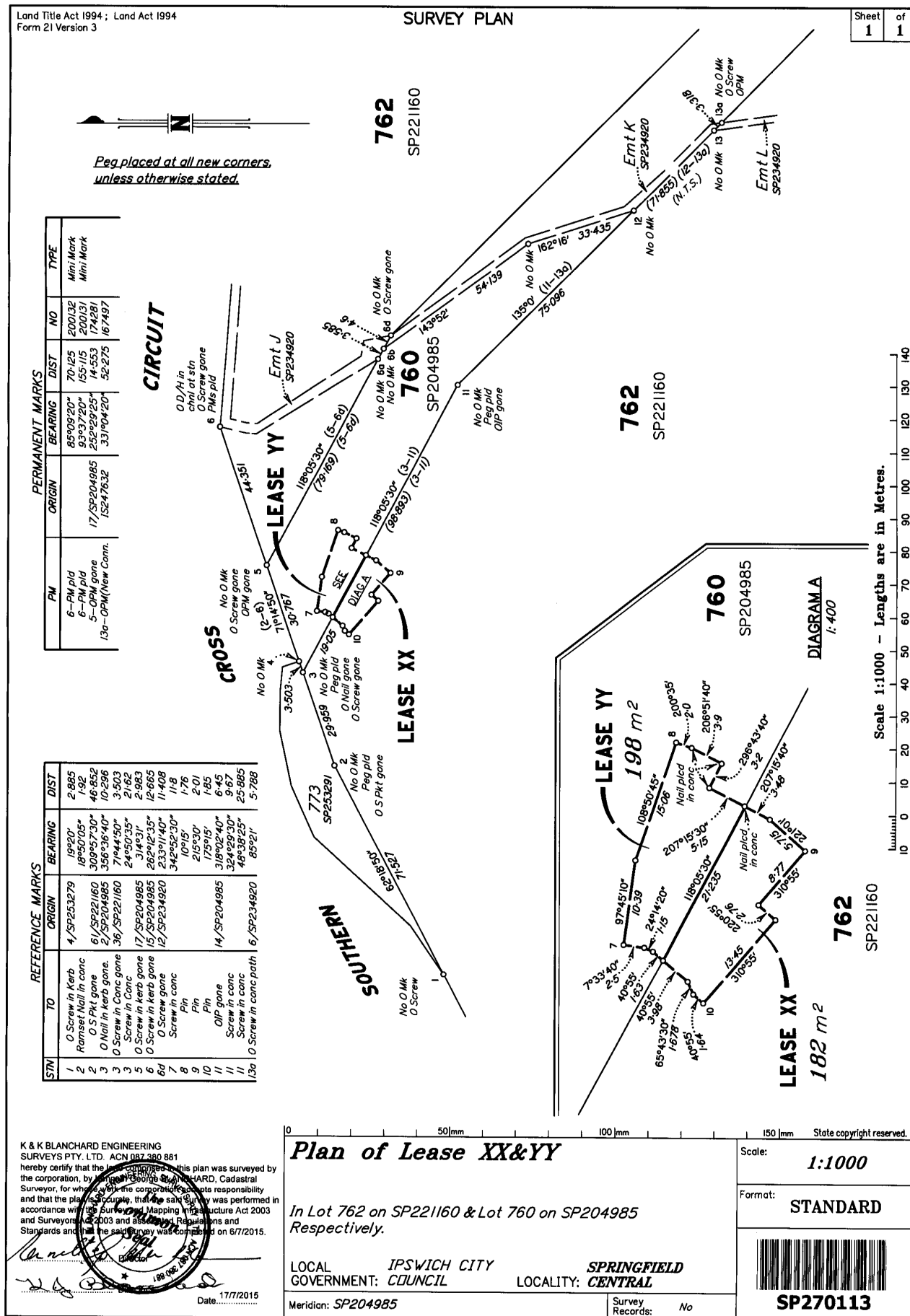
GENERAL MANAGER (CORPORATE SERVICES)

I concur with the recommendations contained in this report.

Seren McKenzie

GENERAL MANAGER (ASSET AND INFRASTRUCTURE SERVICES)

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





Ipswich City Council

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Web

www.ipswich.qld.gov.au

Business Hours

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

Property Plan



PROPERTY DETAILS

Address: 155 Southern Cross Circuit
Springfield Central Qld 4300

Lot Plan: 762SP221160

Owner: Ipswich City Council Program 30

Area: 232395m²

MAP DETAILS

Scale:

1:11,854

Km 0.2 0.4



LEGEND



Selected Property

23

House Number / Boundary



Easement

PROPERTY DETAILS			
Published Date: 16/04/2025			
Address:	155 Southern Cross Circuit Springfield Central Qld 4300	Suburb:	Springfield Central
LotPlan:	762SP221160	Postcode:	4300
Area:	232395m ²	Division:	Division 2
Tenure:	Tenure: FH Description: FREEHOLD		
RATING DETAILS			
PPN:	146619	Assessment :	167195
Owner:	Ipswich City Council Program 30	Mail Address:	Ipswich City Council Program 30 Ipswich City Council PO Box 191 IPSWICH QLD 4305
Land Use:	Code: 5759 Description: Park/Garden Council	Rates:	Code: 701 - State Govt Emergency & Fire Levy - Group 2
Dogs:	No Registered Dog		
WORK AREA DETAILS			
Census:	SA1: 31004130417 SA2: 31004130 SA3: 31004 SA4: 310 Mesh Block: 30562392500 Block Category: Residential	Historic Flood:	1974 Affected: False 2011 Affected: False 2022 Affected: true
IE Work Area:	District 2 - Eastern Team 5	PRS Planning Team Area:	Development - East Team
PRS Engineering Teams Areas:	Team Name: East Technical Officer : Adrian Bulley Team Name: East - Delivery Team A Technical Officer : Mitchell Weatherhead	PRS Regulatory Work Area:	Area 1: PRS Compliance - Development 1 Area 2: PRS Compliance - Local Laws Investigation 9 Area 3: PRS Compliance - Animal Management 2 Area 4: PRS Compliance - Littering and Dumping 2
Waste Work Area:	Zone 1	Catchment:	Catchment: Brisbane River Subcatchment: Mountain Creek
PLANNING & DEVELOPMENT DETAILS			
Zones:	SFTC - SF Town Centre	Development Constraints:	
Divisions buffered 50m:	Division 2		

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 16/04/2025 09:38

Title Reference: 50703374

Date Created: 29/01/2008

Previous Title: 50671239

REGISTERED OWNER

Dealing No: 711250221 06/12/2007

IPSWICH CITY COUNCIL

ESTATE AND LAND

Estate in Fee Simple

LOT 760 SURVEY PLAN 204985
Local Government: IPSWICH

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 19515020 (POR 2)
2. EASEMENT No 712646822 06/08/2009 at 12:06
benefiting the land over
EASEMENT A ON SP195305
Lodged at 12:06 on 06/08/2009 Recorded at 10:55 on 11/08/2009
3. EASEMENT No 712646824 06/08/2009 at 12:07
benefiting the land over
EASEMENT B ON SP195305
Lodged at 12:07 on 06/08/2009 Recorded at 10:55 on 11/08/2009
4. EASEMENT No 712646826 06/08/2009 at 12:07
benefiting the land over
EASEMENT M ON SP195305
Lodged at 12:07 on 06/08/2009 Recorded at 10:55 on 11/08/2009
5. EASEMENT No 712646835 06/08/2009 at 12:09
benefiting the land over
EASEMENTS C,G,N AND S ON SP195306
Lodged at 12:09 on 06/08/2009 Recorded at 11:17 on 11/08/2009
6. EASEMENT IN GROSS No 713865814 23/05/2011 at 11:04
burdening the land
ENERGEX LIMITED A.C.N. 078 849 055
over
EASEMENT K ON SP234920
Lodged at 11:04 on 23/05/2011 Recorded at 09:18 on 24/05/2011
7. EASEMENT No 714183831 28/11/2011 at 09:03
benefiting the land over
EASEMENT P ON SP246494
Lodged at 09:03 on 28/11/2011 Recorded at 09:40 on 23/12/2011

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 16/04/2025 09:38

Title Reference: 50703374

Date Created: 29/01/2008

EASEMENTS, ENCUMBRANCES AND INTERESTS

8. EASEMENT No 714183901 28/11/2011 at 09:35
benefiting the land over
LOT 520 ON SP246503
Lodged at 09:35 on 28/11/2011 Recorded at 16:29 on 11/01/2012
9. EASEMENT No 714183919 28/11/2011 at 09:42
benefiting the land over
EASEMENT U ON SP246504
Lodged at 09:42 on 28/11/2011 Recorded at 17:04 on 11/01/2012
10. EASEMENT No 714183941 28/11/2011 at 09:44
benefiting the land over
EASEMENT R ON SP246505
Lodged at 09:44 on 28/11/2011 Recorded at 17:28 on 11/01/2012
11. LEASE No 716975821 23/12/2015 at 09:49
AUSTRALIAN CRAWL SPRINGFIELD PTY LTD A.C.N. 603 113 337
OF LEASE YY ON SP270113
TERM: 05/09/2015 TO 04/09/2020 OPTION 5 YEARS
Lodged at 09:49 on 23/12/2015 Recorded at 13:24 on 08/03/2016
12. AMENDMENT OF LEASE No 721611101 11/04/2022 at 13:35
LEASE: 716975821
TERM: 05/09/2015 TO 04/09/2025 OPTION NIL
Lodged at 13:35 on 11/04/2022 Recorded at 12:41 on 19/04/2022
13. EASEMENT No 718187754 02/08/2017 at 10:14
benefiting the land over
EASEMENT AF ON SP291351
Lodged at 10:14 on 02/08/2017 Recorded at 11:12 on 23/10/2017
14. EASEMENT No 718339560 18/10/2017 at 09:57
benefiting the land over
LOT 819 ON SP291351
Lodged at 09:57 on 18/10/2017 Recorded at 11:12 on 23/10/2017

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 16/04/2025 09:40

Title Reference: 50776755

Date Created: 21/07/2009

Previous Title: 50671240
50703375
50723236

REGISTERED OWNER

Dealing No: 712592838 14/07/2009

IPSWICH CITY COUNCIL

ESTATE AND LAND

Estate in Fee Simple

LOT 762 SURVEY PLAN 221160
Local Government: IPSWICH

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 19515019 (POR 1)
Deed of Grant No. 19515020 (POR 2)
Deed of Grant No. 19515062 (POR 3)
2. EASEMENT IN GROSS No 710583218 15/05/2007 at 11:10
burdening the land
IPSWICH CITY COUNCIL
over
EASEMENTS B, C, D, E AND I ON SP195284
Lodged at 11:10 on 15/05/2007 Recorded at 10:43 on 29/06/2007
3. EASEMENT IN GROSS No 710583235 15/05/2007 at 11:11
burdening the land
IPSWICH CITY COUNCIL
over
EASEMENT N ON SP195289
Lodged at 11:11 on 15/05/2007 Recorded at 11:36 on 29/06/2007
4. EASEMENT IN GROSS No 710589026 16/05/2007 at 11:50
burdening the land
IPSWICH CITY COUNCIL
over
EASEMENTS V AND W AND Z ON SP195327
Lodged at 11:50 on 16/05/2007 Recorded at 12:12 on 19/07/2007
5. EASEMENT IN GROSS No 710589038 16/05/2007 at 11:52
burdening the land
IPSWICH CITY COUNCIL
over
EASEMENTS R AND S AND T ON SP195328
Lodged at 11:52 on 16/05/2007 Recorded at 12:17 on 19/07/2007

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 16/04/2025 09:40

Title Reference: 50776755

Date Created: 21/07/2009

EASEMENTS, ENCUMBRANCES AND INTERESTS

6. EASEMENT IN GROSS No 712100974 10/12/2008 at 16:26
burdening the land
IPSWICH CITY COUNCIL
over
EASEMENT O ON SP205037
Lodged at 16:26 on 10/12/2008 Recorded at 08:29 on 16/12/2008
7. EASEMENT IN GROSS No 713865817 23/05/2011 at 11:04
burdening the land
ENERGEX LIMITED A.C.N. 078 849 055
over
EASEMENTS J & L ON SP234920
Lodged at 11:04 on 23/05/2011 Recorded at 09:18 on 24/05/2011
8. EASEMENT No 714183831 28/11/2011 at 09:03
benefiting the land over
EASEMENT P ON SP246494
Lodged at 09:03 on 28/11/2011 Recorded at 09:40 on 23/12/2011
9. EASEMENT No 714183901 28/11/2011 at 09:35
benefiting the land over
LOT 520 ON SP246503
Lodged at 09:35 on 28/11/2011 Recorded at 16:29 on 11/01/2012
10. EASEMENT No 714183919 28/11/2011 at 09:42
benefiting the land over
EASEMENT U ON SP246504
Lodged at 09:42 on 28/11/2011 Recorded at 17:04 on 11/01/2012
11. EASEMENT No 714183941 28/11/2011 at 09:44
benefiting the land over
EASEMENT R ON SP246505
Lodged at 09:44 on 28/11/2011 Recorded at 17:28 on 11/01/2012
12. EASEMENT No 714857511 21/12/2012 at 11:44
benefiting the land over
EASEMENT B ON SP251881
Lodged at 11:44 on 21/12/2012 Recorded at 11:17 on 07/01/2013
13. LEASE No 716975821 23/12/2015 at 09:49
AUSTRALIAN CRAWL SPRINGFIELD PTY LTD A.C.N. 603 113 337
OF LEASE XX ON SP270113
TERM: 05/09/2015 TO 04/09/2020 OPTION 5 YEARS
Lodged at 09:49 on 23/12/2015 Recorded at 13:24 on 08/03/2016
14. AMENDMENT OF LEASE No 721611101 11/04/2022 at 13:35
LEASE: 716975821
TERM: 05/09/2015 TO 04/09/2025 OPTION NIL
Lodged at 13:35 on 11/04/2022 Recorded at 12:41 on 19/04/2022

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 16/04/2025 09:40

Title Reference: 50776755

Date Created: 21/07/2009

EASEMENTS, ENCUMBRANCES AND INTERESTS

15. EASEMENT No 718187754 02/08/2017 at 10:14
benefiting the land over
EASEMENT AF ON SP291351
Lodged at 10:14 on 02/08/2017 Recorded at 11:12 on 23/10/2017
16. EASEMENT No 718339560 18/10/2017 at 09:57
benefiting the land over
LOT 819 ON SP291351
Lodged at 09:57 on 18/10/2017 Recorded at 11:12 on 23/10/2017

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
714235090	NOTC INT RES	22/12/2011 15:19	CUR	BE-RECV -00
ACQUISITION OF LAND ACT 1967				
UNREGISTERED DEALINGS - NIL				

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Doc ID No: A11410482

ITEM: 10

SUBJECT: NEW LEASE OVER FREEHOLD LAND AT 117 REDBANK PLAINS ROAD, BELLBIRD PARK

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 28 MARCH 2025

EXECUTIVE SUMMARY

This is a report concerning the proposed new lease over freehold land located at 117 Redbank Plains Road, Bellbird Park, described as part of Lot 12 on SP841775 (the Land), between Ipswich City Council (Council) and Amplitel Pty Ltd (Amplitel).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of interest in land at 117 Redbank Plains Road, Bellbird Park more particularly described as part of Lot 12 and Plan RP841775, because it is for a lease for telecommunication towers.
- B. That Council enter into a lease (Council reference number 6159) with Amplitel Pty Ltd (Lessee):
- (i) at a commencing annual rent of \$26,500 excluding GST, payable to Council; and
 - (ii) for a term of ten (10) years, 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, in order to implement Council’s decision.

RELATED PARTIES

- Amplitel Pty Ltd
- There was no declaration of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Amplitel is Australia's leading provider of mobile tower infrastructure. Established in 2021 as an independent entity following Telstra's divestment of a 49% non-controlling stake in its towers business, Amplitel now manages a portfolio exceeding 8,000 towers, masts, and related structures nationwide. These assets support wireless communication for mobile network operators, government bodies, and private organizations.

The company employs advanced technologies, including Digital Twin and AI-driven analytics, to enhance infrastructure efficiency and connectivity solutions. While Telstra retains a 51% ownership stake, Amplitel operates independently to deliver state-of-the-art infrastructure that meets the growing demands of Australia's wireless communications sector.

Amplitel Pty Ltd has submitted a proposal to renew its lease over the subject land. Under Section 236(1)(c)(vi) of the *Local Government Regulation 2012*, an exception exists to the requirement for leasehold interest in land to be disposed of through tender or auction. This exception applies specifically to leases for telecommunication towers. However, Council is required to resolve whether this exception applies to the proposed lease renewal. Additionally, the Council may only approve the disposal if the consideration is equal to or exceeds the market value of the leasehold interest in the land.

To determine an appropriate rental value, Council obtained a written rental assessment from an independent registered Valuer. Through negotiations with Amplitel, Property Services established standard terms and conditions for telecommunications leases, agreeing on a commencing annual rent of \$26,500 (excluding GST) for the land. Property Services has determined that the agreed rent, along with the proposed indexation rate, reflects current market conditions.

It is noted that the indexation rate has been a point of contention in negotiations with various telecommunications providers at similar sites across the local government area. This matter continues to require careful management to ensure fair and consistent outcomes.

Lease Terms	Proposed
Period:	10 Years
Commencement Date:	01/09/2025
Expiry Date:	31/08/2035
Options:	Nil
Commencing Rent:	\$26,500 (excluding GST)
Existing Rent:	-
Annual Increase:	3%
Permitted Use:	Telecommunications Purposes

LEGAL IMPLICATIONS

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

Land Title Act 1994

Local Government Act 2009

Local Government Regulation 2012

POLICY IMPLICATIONS

The lease terms proposed align with the Council's approved Tenure for Telecommunications Infrastructure policy (the 'Policy'). Options have not been included, as a lease term exceeding 10 years, including renewal options, over a portion of land would require a reconfiguration of the lot.

RISK MANAGEMENT IMPLICATIONS

Risks Associated with Issuing a Lease to Amplitel:

1. Operational Risks:

- Disruption to Council operations or nearby land use due to maintenance or infrastructure upgrades.
- Long-term commitments may limit flexibility in land use planning.

Risks of Alternative Recommendations:

1. Complex Negotiations:

- Alternative recommendations may require extensive negotiations, leading to prolonged uncertainty and administrative burden.

2. Missed Opportunities:

- Rejecting Amplitel's proposal in favour of alternatives may result in missed opportunities for rental income and infrastructure improvements.

Risks of Not Approving the Lease to Amplitel:

1. Loss of Connectivity:

- Failure to approve the lease may hinder telecommunications infrastructure development, affecting local connectivity and services.

2. Legal Challenges:

- Amplitel may pursue legal action under the *Telecommunications Act 1997 (Cth)*, which grants carriers certain rights to access land for infrastructure purposes.

3. Financial Implications:

- Loss of potential rental income from the lease agreement.
- Costs associated with managing disputes or alternative arrangements.

4. Reputational Risks:

- Negative perception of the Council's decision, particularly if it is seen as obstructing infrastructure development.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications for Council, as the telecommunications provider assumes responsibility for all wear and tear, renewal, upgrades, maintenance, and operating expenses associated with the telecommunications tower and its ancillary equipment.

COMMUNITY AND OTHER CONSULTATION

Amplitel Pty Ltd completed community consultation to inform residents of the proposed development and seek feedback. The following notification activities were conducted:

- **Community Notification** – On 3rd February 2025, a 13-page letter and information package were issued to 36 residences, providing details of the proposal, including preliminary drawings, an EME Report, and a 5G Fact Sheet. Distribution was undertaken in accordance with the attached map (to be provided separately due to file size).
- **Public Signage** – Two (2) signs were installed on 3rd February 2025 at the Redbank Plains Road and Eagle Street frontages, outlining the proposal and providing contact details for inquiries or feedback.
- **Feedback Invitation** – Residents were invited to submit feedback by 24th February 2025.
- **Community Response** – No phone inquiries were received, and one (1) objection was lodged, which was been responded to.

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) City Design Branch were consulted with the proposal in this report.
 - a. The site is zoned recreation and open space and will trigger a code assessable development application under the Draft Ipswich Plan 2024 (draft planning scheme, expected to be adopted in early 2025).
- (c) Development Planning Branch were consulted with the proposal in this report.
 - a. Under the Ipswich Plan 2024, the site is zoned Recreation and Open Space. A Telecommunications Facility within this zoning qualifies as Accepted

Development Subject to Requirements (ADSR), meaning no approval is needed if ADSR benchmarks in Table 9.3.3.3.1 of the Telecommunications and Utilities Code are met. Failure to meet these benchmarks requires a code assessable development material change of use approval.

- (d) Infrastructure Strategy Branch were consulted and agree with the proposal in this report.
 - a. Special Conditions for works on Council land
 - b. Electrical and Telstra fibre to remain within fenced area (direct street access), avoiding perimeter placement.
 - c. Trenching must stay outside Tree Protection Zones.
 - d. Applicant to install slide rail for maintenance access per ICC Standard Drawing SP.85
- (e) Sport and Recreation were consulted and agree with the proposal in this report.
- (f) ICT Infrastructure were consulted. No comment provided.
- (g) Asset Management were consulted and agree with the proposal in this report.
 - a. No objection, it avoids local park assets and will be set on the petrol station side away from residential areas.

CONCLUSION






It is recommended that Council apply the exception under the *Local Government Regulation 2012*. It is recommended that Council apply the exception under the *Local Government Regulation 2012* to proceed with a lease agreement for a telecommunications tower without undertaking a tender or auction process. The new lease between Council and Amplitel for a portion of 117 Redbank Plains Road, Bellbird Park, will clearly define the respective liabilities and responsibilities of both parties.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A outlines Council will apply an exemption to dispose of a leasehold interest for the purposes of a telecommunication tower. Recommendation B outlines the terms that Council is applying to the disposal of leasehold interest. Recommendation C is a process under the requirements of the <i>Local Government Act 2009</i> .
(b) What human rights are affected?	There is no potential to affect human rights in the proposed decision as the disposal is to a company and not a person.
(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.	Locality Plan (<i>under separate cover</i>) 
2.	Property Plan (<i>under separate cover</i>) 
3.	Title Search (<i>under separate cover</i>) 
4.	ICC Standard Drawing SP.85 (<i>under separate cover</i>) 
5.	Community Consultation (<i>under separate cover</i>) 
	CONFIDENTIAL
6.	Confidential Report (<i>under separate cover</i>)
7.	Valuation Report (<i>under separate cover</i>)

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.

Allison Ferres-MacDonald

ACTING 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: A11560184

ITEM: 11

SUBJECT: NEW LEASE OVER FREEHOLD LAND FOR COMMUNITY HOUSING INITIATIVE

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 12 MAY 2025

EXECUTIVE SUMMARY

This is a report concerning a proposed new lease over freehold land between Ipswich City Council (Council) and Domestic Violence Action Centre Inc. (DVAC).

RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of interest in land at the properties outlined in Confidential Attachment 1, for community housing for families recovering from domestic and family violence, because Domestic Violence Action Centre Inc. (Lessee) is a community organisation.
- B. That Council enter into a lease (Council file reference number 6338) with the Lessee:
- (i) at an annual rent of \$1.00 excluding GST, payable to Council if demanded, and
 - (ii) for an initial term of twenty (20) years, 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, in order to implement Council’s decision.

RELATED PARTIES

- Domestic Violence Action Centre Inc.
- A perceived conflict of interest (COI) was declared as the Community and Sport Manager serves on the Domestic and Family Integrated Response Working Team and has collaborated with DVAC on key initiatives.
 - The COI is being appropriately managed by the Manager of Community and Cultural Services in accordance with Council's COI Policy and Procedure.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

See attached Confidential Report.

It is proposed that Council enter a lease on the below terms;

Terms	Proposed
Term:	20 Years
Commencement Date:	1 July 2025
Expiry Date:	30 June 2045
Options:	Nil
Rent:	\$1.00, if demanded

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

Land Title Act 1994

POLICY IMPLICATIONS

The proposed lease term is consistent with the Council's policy for Tenure Over Council Property, except for the term extending beyond five years. A 20-year lease for transitional housing dedicated to victims of domestic and family violence ensures long-term stability, allowing the Domestic Violence Action Centre (DVAC) to provide consistent housing support. It enables sustainable planning, encouraging infrastructure investment and facilitating government and stakeholder confidence. The lease strengthens the local response to domestic violence, offering survivors a secure and stable environment while ensuring DVAC can implement lasting programs and attract funding. This long-term commitment enhances community impact and reinforces essential services for vulnerable individuals.

RISK MANAGEMENT IMPLICATIONS

Risks Associated with the Recommendation

- **Operational Risks** – If DVAC experiences funding challenges or operational difficulties, the long-term lease could become a liability.
- **Community Expectations** – The project must maintain high standards of safety and service delivery to meet community expectations.
- **Long Term Viability** - Evaluate the long-term viability of the development to prevent Council from assuming asset responsibility.

- **Future Consideration** - Consider direct land sale to reduce administrative management of lease obligations.

Risks of Alternative Recommendations:

- **Reduced Stability for DVAC** – A shorter lease may hinder DVAC's ability to secure funding and provide long-term housing solutions.
- **Missed Opportunity for Social Impact** – Using the land for other purposes may not address the urgent need for transitional housing for domestic violence survivors.
- **Potential Delays** – Exploring alternative uses for the land could result in extended decision-making and project delays.

Risks of Not Approving the Recommendations:

- **Loss of Safe Housing for Survivors** – Without access to this land, DVAC may struggle to provide secure housing for victims of domestic and family violence.
- **Community Backlash** – Given the high demand for domestic violence support services, rejecting the lease could lead to criticism from advocacy groups and the public.
- **Failure to Meet Housing Action Plan Goals** – The Local Housing Action Plan (LHAP) prioritises crisis and transitional housing, and rejecting the lease may hinder progress on these objectives.

FINANCIAL/RESOURCE IMPLICATIONS

- Council will cover costs for tenure establishment as outlined in Schedule 1 – Rental Category – Freehold Land under the Tenure Over Council Property Policy.
- DVAC may need development approval before occupying the properties, with fee concessions available for eligible not-for-profit organisations.
- The Lessee (DVAC) will be responsible for maintenance, repairs, and rehabilitation of built structures. Council will provide a ground lease only, with no funding for capital or operational expenses.
- Future consideration may be given to a direct land sale to the organisation.

COMMUNITY AND OTHER CONSULTATION

- (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. Two land parcels contain two (2) easements for drainage purposes.
 - c. One land parcel contains one (1) easement for drainage purposes.
- (b) An internal working group has been established, comprising the following:
 - Strategic Planning Manager
 - Principal Policy Lead – New Ipswich Planning Scheme
 - Principal Sport, Recreation, and Community Facilities Planner
 - Property Services Manager

- Community and Sport Manager
- (c) Additionally, consultation has been conducted with:
- Manager City Design
 - Manager Community and Cultural Services
 - Senior Project Manager (Corporate Services), Legal and Governance Branch
 - Acting Manager, Development Planning
 - City Architect
- (d) External consultation has been undertaken with:
- DVAC CEO, Amie Carrington

CONCLUSION

It is recommended that Council applies the exception under the *Local Government Regulation 2012* to proceed with a lease agreement to DVAC for a term of 20 years over the parcels of land identified in the attached Confidential Report.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A & B states that Council enter into a Lease with Domestic Violence Action Centre Inc. for the provision of community housing.
(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 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?	The proposed decision to enter the lease will potentially interfere to restrict with the rights identified above because the lessee will have the power to eject persons in particular circumstances
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Yes. Ejecting a person in particular circumstances is a reasonable approach to ensure health and safety. Less restrictive means would be warnings, etc, but it is anticipated that these would be utilised prior to any ejection
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Confidential Report
2.	Proposed Modular Houses
3.	Property Plan
4.	Property Plan
5.	Property Plan
6.	Title Search
7.	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.

Allison Ferres-MacDonald

ACTING 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: A11541387

ITEM: 12

SUBJECT: AMENDMENTS TO CEO DELEGATIONS DUE TO LEGISLATIVE UPDATES

AUTHOR: SENIOR GOVERNANCE OFFICER

DATE: 6 MAY 2025

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 6 May 2025 be adopted.**
- B. That the delegations to the Chief Executive Officer as detailed in Attachment 3 be amended as detailed in Attachment 2 to the report by the Senior Governance Officer dated 6 May 2025.**

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 changes to existing legislation which may necessitate amendments to the Council 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 the Senior Governance Officer and Legal Services Section.

Recent updates to legislation have resulted in:

- New powers under the *Animal Management (Cats and Dogs) Act 2008*, *Environmental Protection Act 1995*, *Nature Conservation (Protected Areas Management) Regulation 2024*, *Plumbing and Drainage Regulation 2019*, *Public Records Act 2023* and *Soil Conservation Act 1986*. The powers are outlined in Attachment 1.

- Amendments to powers under the *Information Privacy Act 2009* and *Public Records Act 2023*. The amendments to these powers are shown in track changes in Attachment 2 and a clean version of the powers is shown in Attachment 3.

The *Public Records Act 2023* is a new Act with the *Public Records Act 2002* being repealed. However, the powers within the *Public Records Act 2023* are substantially the same as the powers from the *Public Records Act 2002*. Rather than repeal all the powers from the *Public Records Act 2002* and create new powers for the *Public Records Act 2023* the powers have been amended and retitled to align with the sections of the new Act. The register for the *Public Records Act 2023* prepared by King and Co and provided by LGAQ was cross-referenced against the current delegations to the CEO and the legislation.

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 because 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 because 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 some powers requiring amendment.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendation A requests approval of new Delegations to the CEO. Recommendation B requests approval for amendment to be made to current CEO delegations.
(b) What human rights are affected?	No human rights are affected by this decision.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not Applicable
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Amendments to CEO Delegations - New Delegations ↓ 
2.	Amendments to CEO Delegations - Amended Delegations (track) ↓ 
3.	Amendments to CEO Delegations - Amended Delegations (clean) ↓ 

Alisha Campbell
SENIOR GOVERNANCE OFFICER

I concur with the recommendations contained in this report.

Michelle Pearl
TEAM LEADER (GOVERNANCE SERVICES)

I concur with the recommendations contained in this report.

Mellenie Wheeler
ACTING CORPORATE GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald
ACTING 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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Animal Management Act (Cats and Dogs) 2008

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257	Local Government	Del-2408	Animal Management Act (Cats and Dogs) 2008 - s 103E Power to destroy a surrendered prohibited dog.	P1000 Chief Executive Officer		Nil

Environmental Protection Act 1995

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257	Local Government	Del-2409	Environmental Protection Act 1995 – s579E(1) Power, as a relevant entity to enter an information sharing agreement with the chief executive.	P1000 Chief Executive Officer		Nil

Nature Conservation (Protected Areas Management) Regulation 2024

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257	Local Government	Del-2410	Nature Conservation (Protected Areas Management) Regulation 2024 – s15(2)(b) Power, as trustee of a conservation park listed in schedule 1, column 1, of the Nature Conservation (Protected Areas Management) Regulation 2024 to exercise the powers of the chief executive stated in schedule 1, column 3 for that park.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2411	Nature Conservation (Protected Areas Management) Regulation 2024 – 17(2) Power, as trustee of a conservation park listed in schedule 1, column 1, of the Nature Conservation (Protected Areas Management) Regulation 2024 to use a fee charged for a service provided in the park for	P1000 Chief Executive Officer		Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
			giving effect to the management principles for the park			

Plumbing and Drainage Regulation 2019

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257	Local Government	Del-2412	Plumbing and Drainage Regulation 2019 – s35(2) Power, as the holder of a transitional treatment plant approval, to apply for a further transitional treatment plant approval.	P1000 Chief Executive Officer		Nil

Public Records Act 2023

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
	Local Government	Del-2413	Public Records Act 2023 – s26(3)(d) Power to make a submission about the archivist’s proposed action under subsection 26(2) of the Public Records Act 2023.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2414	Public Records Act 2023 – s31(3) Power to agree with the archivist on the day, as stated in the restricted access notice, that the restricted access period starts.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2415	Public Records Act 2023 – s36 Power to apply to the archivist for access to a restricted record.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2416	Public Records Act 2023 – s38(2) and (5) Power, where the archivist gives notice for a restricted record asking whether an applicant may access the record, to give a notice:- (a) approving the applicant accessing the restricted record	P1000 Chief Executive Officer		Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
			with or without reasonable conditions; or (b) refusing the applicant accessing the restricted record; and (c) where necessary, advise the archivist about why it has done so.			
Local Government Act 2009 s 257	Local Government	Del-2417	Public Records Act 2023 – s38(5) Power to refer a dispute about access to the restricted record, or whether the conditions for access are reasonable, to the committee.	P1000 Chief Executive Officer		Nil

Soil Conservation Act 1986

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257	Local Government	Del-2418	Soil Conservation Act 1986 – s8(1)(a) Power as an occupier or owner of land to agree to the chief executive conducting experiments and demonstrations pertaining to soil conservation on the land.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2419	Soil Conservation Act 1986 – s10(1) Power as an owner of land to make application to the chief executive for approval of a property plan for soil conservation for an area of land.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2420	Soil Conservation Act 1986 – s10(5) Power as an owner of land to advise the chief executive that there is no objection to the property plan.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2421	Soil Conservation Act 1986 – s11(3)	P1000 Chief Executive Officer		Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
			Power to comply with a run-off coordination notice			
Local Government Act 2009 s 257	Local Government	Del-2422	Soil Conservation Act 1986 – s12(1) Power as an owner of subject or affected land to apply to the chief executive for amendment to an approved property plan.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2423	Soil Conservation Act 1986 – s13(2) Power as an owner of land to agree to the revocation of the approved property plan.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2424	Soil Conservation Act 1986 – s13(3) Power as an owner of land to advise the chief executive that there is no objection to the revocation of the approved property plan.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2425	Soil Conservation Act 1986 – s17(3) Power as an owner or occupier within a project area to comply with a soil conservation order.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2426	Soil Conservation Act 1986 – s18(1) Power as a statutory authority to enter into an agreement with the chief executive for:- (a) the sharing of the cost of construction or maintenance of the works; and (b) the acceptance by the statutory authority of the responsibility for the construction or maintenance of the works.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2427	Soil Conservation Act 1986 – s19(1) Power as an owner of land to request amendment to the approved project plan.	P1000 Chief Executive Officer		Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257	Local Government	Del-2428	Soil Conservation Act 1986 – s20(1) Power as an owner of land to request that the approved project plan be revoked.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2429	Soil Conservation Act 1986 – s21(1) and (2) Power to lodge an objection pursuant to the provisions of the Act, lodge an alternative plan or suggest an alternative course of action.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2430	Soil Conservation Act 1986 – s21(3) Power to apply to the chief executive for an extension of time in which to lodge an alternative plan or suggest an alternative course of action	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2431	Soil Conservation Act 1986 – s22(1) Power to appeal a determination by the chief executive to the Land Court.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2432	Soil Conservation Act 1986 – s24 Power as an owner to enter into a cost-sharing arrangement with respect to the cost of works to be undertaken to ensure the successful implementation of an approved plan.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2433	Soil Conservation Act 1986 – s30(1) Power to apply to the chief executive for compensation.	P1000 Chief Executive Officer		Nil
Local Government Act 2009 s 257	Local Government	Del-2434	Soil Conservation Act 1986 – s30(2) Power to refer the claim for compensation to the Land Court.	P1000 Chief Executive Officer		Nil



Information Privacy Act 2009

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257 s 35 (4)	Local Government	Del-0694	Information Privacy Act 2009 - s 35(4) Power, as an agency, to take all reasonable steps to ensure that the contracted service provider is required to comply with Chapter 2 , part 1, or 2 and part 3 of the Information Privacy Act 2009, as if it were the agency, in relation to the discharge of its obligations under the arrangement.	P1000 Chief Executive Officer	28/07/2020	Nil

Public Records Act ~~2002~~2023

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257 s 7(4) 14	Local Government	Del-1373	Public Records Act 20022023 - s 7(4)14 Power, as public authority, to make and keep full and accurate records of its actions or decisions and the matters that inform or contextualise the actions for decisions of the authority activities.	P1000 Chief Executive Officer	22/08/2024	Nil
Local Government Act 2009 s 257 s 8(4) 15(1)	Local Government	Del-1374	Public Records Act 20022023 - s 8(4)15(1) Powers, as a public authority, relating to ensuring the safe custody keeping and preservation of records in the public authority's possession it controls.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 8(2) 15(2)	Local Government	Del-1375	Public Records Act 202302 - s 15(3)8(2) Power, as a public authority, to enter into an arrangement with another person entity for the person entity to have custody provide safe keeping of a record of the public authority.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 4 21	Local Government	Del-1376	Public Records Act 20022023 - s 421	P1000 Chief Executive Officer	28/07/2020	Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
			Powers, as a public authority, relating to public records which are more than 25 years old to notify the archivist about particular records.			
Local Government Act 2009 s 257 s 44 25	Local Government	Del-1377	Public Records Act 2002-2023 - s 44 25 Power, as a public authority, to give to the archivist a public record that is 25 years old or less custody of a public record of permanent value.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 44(2) 19	Local Government	Del-1378	Public Records Act 2002-2023 - s 44(2) 19 Power, as a public authority, to take all reasonable action to ensure a public record remains able to be produced or made available steps to ensure a public records maintains its integrity and remains able to be produced or made available.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 28 46	Local Government	Del-1379	Public Records Act 2002-2023 - s 28 46 Power, as a public authority, to give written notice to the State archivist of a restricted access period for a public record.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 48 37	Local Government	Del-1380	Public Records Act 2002-2023 - s 48 37 Power, as a public authority, to give to the State archivist a written notice under section 38(2) 48(2)(b) of the Public Records Act 20 23 02.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 49(2) 32(2)	Local Government	Del-1381	Public Records Act 2002-2023 - s 49(2) 32(2) Power, as a public authority, to give to the archivist a new notice to change changing the restricted access notice matters sated under section 28(1) of the Public Records Act 2023.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 49(4) 32(4)	Local Government	Del-1382	Public Records Act 2002-2023 - s 49(4) 32(4)	P1000 Chief Executive Officer	28/07/2020	Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
			Power, as a public authority, to refer a dispute to the committee for resolution.			
Local Government Act 2009 s 257 s 2041	Local Government	Del-1383	Public Records Act 2002-2023 - s 2041 Power, as an applicant, to access a public record.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 26(1) 20(1)	Local Government	Del-1384	Public Records Act 2002-2023 - s 26(1)20(1) Power, as a public authority, to apply for or consent to the disposal of public records or classes of public records.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 2848	Local Government	Del-1385	Public Records Act 2002-2023 - s 2848 Power, as a public authority, to make an arrangement with the archivist regarding the storage of public records.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 3961	Local Government	Del-1386	Public Records Act 2002-2023 - s 3961 Powers, as a public authority, relating to an application for review of archivist's decision about disposal.	P1000 Chief Executive Officer	28/07/2020	Nil
Not applicable	State Government Delegated Power	Del-2342	Public Records Act 2002-2023 - s 7(2)11(2) Powers, as an executive officer of a public authority, relating to ensuring that the public authority complies with its responsibilities under section 7-14 of the Public Records Act 20 23 02.	P1000 Chief Executive Officer	3/05/2013	Nil



Information Privacy Act 2009

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257 s 35	Local Government	Del-0694	Information Privacy Act 2009 - s 35 Power, as an agency, to take all reasonable steps to ensure that the contracted service provider is required to comply with Chapter 2, part 1, or 2 and part 3 of the Information Privacy Act 2009, as if it were the agency, in relation to the discharge of its obligations under the arrangement.	P1000 Chief Executive Officer	28/07/2020	Nil

Public Records Act 2023

Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257 s 14	Local Government	Del-1373	Public Records Act 2023 - s 14 Power, as public authority, to make and keep full and accurate records of its actions or decisions and the matters that inform or contextualise the actions for decisions of the authority.	P1000 Chief Executive Officer	22/08/2024	Nil
Local Government Act 2009 s 257 s 15(1)	Local Government	Del-1374	Public Records Act 2023 - s 15(1) Powers, as a public authority, relating to ensuring the safe keeping and preservation of records it controls.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 15(2)	Local Government	Del-1375	Public Records Act 2023 - s 15(3) Power, as a public authority, to enter into an arrangement with another entity for the entity to provide safe keeping of a record of the public authority.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 21	Local Government	Del-1376	Public Records Act 2023 - s 21 Powers, as a public authority, to notify the archivist about particular records.	P1000 Chief Executive Officer	28/07/2020	Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
Local Government Act 2009 s 257 s 25	Local Government	Del-1377	Public Records Act 2023 - s 25 Power, as a public authority, to give the archivist custody of a public record of permanent value.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 19	Local Government	Del-1378	Public Records Act 2023 - s 19 Power, as a public authority, to take all reasonable steps to ensure a public records maintains its integrity and remains able to be produced or made available.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 28	Local Government	Del-1379	Public Records Act 2023 - s 28 Power, as a public authority, to give written notice to the State archivist of a restricted access period for a public record.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 37	Local Government	Del-1380	Public Records Act 2023 - s 37 Power, as a public authority, to give to the archivist a written notice under section 38(2) of the Public Records Act 2023.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 32(2)	Local Government	Del-1381	Public Records Act 2023 - s 32(2) Power, as a public authority, to give to the archivist a new notice changing the matters sated under section 28(1) of the Public Records Act 2023.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 32(4)	Local Government	Del-1382	Public Records Act 2023 - s 32(4) Power, as a public authority, to refer a dispute to the committee for resolution.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 41	Local Government	Del-1383	Public Records Act 2023 - s 41 Power, as an applicant, to access a public record.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 20(1)	Local Government	Del-1384	Public Records Act 2023 - s 20(1) Power, as a public authority, to apply for or consent to the	P1000 Chief Executive Officer	28/07/2020	Nil



Authorising Act	Delegator	Delegation Code	Name & Description	Position Code & Name	Date Of Delegation	Conditions
			disposal of public records or classes of public records.			
Local Government Act 2009 s 257 s 48	Local Government	Del-1385	Public Records Act 2023 - s 48 Power, as a public authority, to make an arrangement with the archivist regarding the storage of public records.	P1000 Chief Executive Officer	28/07/2020	Nil
Local Government Act 2009 s 257 s 61	Local Government	Del-1386	Public Records Act 2023 - s 61 Powers, as a public authority, relating to an application for review of archivist's decision about disposal.	P1000 Chief Executive Officer	28/07/2020	Nil
Not applicable	State Government Delegated Power	Del-2342	Public Records Act 2023 - s 11(2) Powers, as an executive officer of a public authority, relating to ensuring that the public authority complies with its responsibilities under section 14 of the Public Records Act 2023.	P1000 Chief Executive Officer	3/05/2013	Nil

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ITEM: 13

SUBJECT: CONSISTENCY REVIEW: LOCAL LAWS AND NEW PLANNING SCHEME

AUTHOR: SENIOR PROJECT MANAGER (CORPORATE SERVICES)

DATE: 30 APRIL 2025

EXECUTIVE SUMMARY

Council is implementing a new planning scheme (the draft scheme) that will commence on 1 July 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. (Note: this report was provided for information previously to the Regulation Advisory Committee on 5 February 2025 and subsequent Finance and Governance and Ordinary Council meetings in February 2025.)

If this report is now adopted by resolution, and as required by the *Local Government Act 2009*, commencement of the amended laws will occur within one month by publishing a notice in the Queensland Government Gazette and on council's website. With the draft scheme set to commence on 1 July 2025 then commencement of the laws will coincide with that date.

RECOMMENDATIONS

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.

RELATED PARTIES

There are no known related parties or conflicts of interest at the time of writing.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

At its meeting of 25 July 2024, the Council resolved (resolution C2024/05/184) as follows:

- A. That Council propose to make:
 - a. *Local Law (Amending) Local Law No. 1 (Administration) 2024* as set out in Attachment 1 of the report.
 - b. *Local Law (Amending) Local Law No. 3 (Commercial Licensing) 2024* as set out in Attachment 2 of the report.
 - c. *Subordinate Local Law (Amending) Subordinate Local Law No. 3.1 (Commercial Licensing) 2024* as set out in Attachment 3 of the report.
 - d. *Local Law (Amending) Local Law No. 5 (Parking) 2024* as set out in Attachment 4 of the report.
 - e. *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* as set out in Attachment 5 of the report.
 - f. *Subordinate Local Law (Amending) Subordinate Local Law No. 6.1 (Animal Management) 2024* as set out in Attachment 6 of the report.
 - g. *Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024* as set out in Attachment 7 of the report.
- B. That Council undertake a preliminary assessment of any potentially anti-competitive provisions to determine whether the provisions will result in any significant impacts.
- C. If the preliminary assessment undertaken under Recommendation B identifies an anti-competitive provision that will result in a significant impact, Council undertake consultation on the anti-competitive provision as part of the public consultation process outlined in Recommendation D.
- D. That Council approve proceeding to public consultation for the proposed laws in Recommendation A of this report.
- E. That Council approve to proceed to State Government interest check on the below laws in accordance with section 29A of the *Local Government Act 2009*:
 - a. *Local Law (Amending) Local Law No. 1 (Administration) 2024* as set out in Attachment 1 of the report.
 - b. *Local Law (Amending) Local Law No. 3 (Commercial Licensing) 2024* as set out in Attachment 2 of the report.
 - c. *Local Law (Amending) Local Law No. 5 (Parking) 2024* as set out in Attachment 4 of the report.
 - d. *Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024* as set out in Attachment 7 of the report.

- F. That, following completion of the actions identified in Recommendations B, C, D, and E, a report be provided to a future Council meeting to progress the proposed local laws and subordinate local laws in Clause A to the final stage of the formal local law-making process, in accordance with the *Local Government Act 2009* and Council's *Local Law-Making Process Policy*.

As a reminder of the amendments that were identified and proposed please see **ATTACHMENT 18** for the explanatory notes that were attached to the previous report to Council and used in public consultation.

ACTION TAKEN ON THE RESOLUTION (C2024/05/184)

Recommendations A, B and C – Anti-Competitive Provisions

Council undertook anti-competitive reviews and assessments as per legislated requirements and found, in summary, that no provisions, including any significant provisions, exist in the amending laws that would require consultation. Further information can be found in **ATTACHMENT 1**.

Recommendation D – Public Consultation

Council undertook public consultation during the period 9 to 30 August 2024 in accordance with legislation and Council's Making Local Laws Policy. In summary, the Shape Your Ipswich page received 1,235 views with 1,072 unique visitors. No submissions were received. As this review is essentially a consistency exercise, it was expected that there may not be extensive feedback given the draft scheme has been subject to a robust public and State Government consultation exercise. Additionally, the messaging was clear in the consultation that this was about alignment with the draft scheme, and that the community will be given the opportunity to comment on the local laws more broadly when the more comprehensive review is undertaken later. Further information on the consultation can be found in **ATTACHMENT 2**.

Recommendation E – State Interest Checks

As per legislated requirements, when making local laws Council must undertake consultation with the State government to determine any interest or feedback with the proposed laws. Relevant State departments were consulted on 4 September asking for feedback by COB Friday 28 September 2024. In summary, four (4) agencies/departments provided feedback. Three advised they have no comments, with one requesting that a change be made to a definition relating to heavy vehicle parking. In reviewing the feedback, it was recognised that this minor change suggested would provide clarity for the reader of the definition and would not change the policy intent. Given that this was the only feedback received, and whilst it doesn't relate to the draft scheme changes, it is proposed that this minor change be captured as part of this review. **ATTACHMENT 3** provides a report on the State interest checks including the proposed change. The proposed change has been incorporated into the proposed *Local Law (Amending) Local Law No.5 (Parking) 2024* (Attachment 7) and the proposed consolidated *Local Law No. 5(Parking) 2013* (Attachment 14).

Recommendation F – final stage of making local laws and subordinate local laws

Following completion of Recommendations, A -E, this report puts forwards the recommendations for the final stage of making the amending local laws and amending subordinate local laws along with the consolidated versions (where the amendments are consolidated into the previously adopted laws).

PLEASE NOTE: In finalising the amending local laws that were advertised several minor errors were picked up that related to consistency and do not change any intent within the laws as they were advertised and do not require further consultation. The amending laws with the track changes of those minor amendments can be seen in **ATTACHMENTS 4-10**. For completeness and transparency those minor amendments are:

A. <i>Local Law (Amending) Local Law No.1 (Administration) 2024</i>	No further minor amendments
<i>Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024</i>	No further minor amendments
<i>Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024</i>	<ul style="list-style-type: none"> • Correction of section number • Remove old scheme names • Remove 'for' from a sentence • Capital letter removal
<i>Local Law (Amending) Local Law No. 5 (Parking) 2024</i>	<ul style="list-style-type: none"> • Update of terminology not previously picked up relating to residential area and rural zone. • (Note updated definition of <i>parking or storing a heavy vehicle</i> following State Interest Check feedback also shown in track changes)
<i>Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024</i>	No further minor amendments
<i>Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024</i>	No further minor amendments
<i>Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024</i>	A couple of words need capital letters

The consolidated versions (where the amendments are consolidated into the previously adopted laws) highlight in the Table of Reprints the reprint with the amending law listed – the commencement date will be updated on upon gazettal. The consolidated versions of the laws are **ATTACHMENTS 11-17**.

NEXT STEPS: THIS REPORT

Now that the commencement of the draft scheme will occur on 1 July 2025, and to meet the requirements of legislation, procedurally Council needs to:

- Acknowledge the public consultation outcome; the State Interest check outcome and that there are no anti-competitive provisions (**Recommendations A, B and D of this report**); and
- Adopt the amending local laws and amending subordinate local laws as they were advertised during the public consultation period and subject to the amendments made in tracked changes (**Recommendation E of this report**); and
- Adopt the consolidated versions (**Recommendation F of this report**); and
- Acknowledge that the commencement of the laws will coincide with the commencement of the new planning scheme (**Recommendation G of this report**).

Following resolution of the above recommendations, and pursuant to the *Local Government Act 2009*, the laws will not commence until published in the Queensland Government Gazette and on council's website (must occur within one of month of Council's resolution). The notice will be published to coincide with the commencement of the draft scheme on 1 July 2025.

Following publication of the gazette notice, a copy of the adopted laws and gazette notice will be sent to the Minister, and our website and local laws register updated. Internal and external communications will occur at the same time to announce commencement of the laws. Implementation of any changes, for example, internal processes, will occur to coincide with the commencement of the laws and draft scheme.

AMENDING LAWS

ATTACHMENT 4 - *Local Law (Amending) Local Law No.1 (Administration) 2024*

ATTACHMENT 5 - *Local Law (Amending) Local Law No.3 (Commercial Licensing) 2024*

ATTACHMENT 6 *Subordinate Local Law (Amending) Subordinate Local Law No.3.1 (Commercial Licensing) 2024*

ATTACHMENT 7 - *Local Law (Amending) Local Law No. 5 (Parking) 2024*

ATTACHMENT 8 - *Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024*

ATTACHMENT 9 - *Subordinate Local Law (Amending) Subordinate Local Law 6.1 (Animal Management) 2024*

ATTACHMENT 10- *Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024*

CONSOLIDATED LAWS

ATTACHMENT 11 - *Local Law No.1 (Administration) 2013*

ATTACHMENT 12 - *Local Law No.3 (Commercial Licensing) 2013*

ATTACHMENT 13 - *Subordinate Local Law No.3.1 (Commercial Licensing) 2013*

ATTACHMENT 14 - *Local Law No. 5 (Parking) 2013*

ATTACHMENT 15 - *Subordinate Local Law 5.1 (Parking) 2013*

ATTACHMENT 16 - *Subordinate Local Law 6.1 (Animal Management) 2013*

ATTACHMENT 17 - *Local Law No. 8 (Nuisances and Community Health and Safety) 2013*

LEGAL IMPLICATIONS

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

Local Government Act 2009

Local Government Regulation 2012

ICC Local Law-Making Policy

National Competition Policy: Guidelines for conducting reviews on anti-competitive provisions in local laws

POLICY IMPLICATIONS

The changes identified in the local laws do not change Council's policy intent or current regulation practices. The majority relate to changing definitions to align with the draft scheme, minor word changes to provide clarity and minor changes to adhere with drafting standards for local laws.

RISK MANAGEMENT IMPLICATIONS

Without making changes to the local laws there is a risk that regulatory functions may be impeded due to definitions, zones etc not being in alignment with the draft planning scheme (once adopted). Critical inconsistencies/gaps have been identified.

FINANCIAL/RESOURCE IMPLICATIONS

The changes do not impact current regulation practices. The legal costs to review, analyse, and draft amending local laws and consolidated local laws is \$47,000. There are some minor costs associated with advertising the public consultation notice and gazettal notice. The funding for this project has been split between last financial year's budget and this financial year's budget.

COMMUNITY AND OTHER CONSULTATION

The community and State Government had the opportunity to comment on the proposed local laws as part of the process discussed in the report. As this is essentially a consistency exercise, it was expected that there may not be extensive feedback given the draft scheme has been subject to a robust public and State Government consultation exercise. The community will be given the opportunity to comment on the local laws more broadly when the more comprehensive review is undertaken at a later date.

CONCLUSION





A review has been undertaken to identify key changes to the local laws that are needed because of changes in the planning scheme. This report concludes the formal local law-making process which includes public consultation and State interest checks to enable those

key changes to be made in a timely manner. If this report is adopted by Council, commencement of the 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 on 1 July 2025.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Alignment of Council's local laws with the draft planning scheme that will commence 1 July 2025 with the adoption of amending and consolidated local laws.
(b) What human rights are affected?	Right to Freedom of Movement
(c) How are the human rights limited?	Some people may consider that restrictions for certain approvals on where a person may conduct an activity may impede their right to freedom of movement. While there are no new restrictions being considered in this report, the adoption of the consolidated version of laws may be interpreted as Council making a new decision on restrictions or otherwise. That is not the case as changes relate to aligning wording to that in the draft scheme, but for completeness is added here.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Council must balance the safety of the community, the usability of any Council area, and the accessibility of the area to the public. No onerous restrictions on movement have been identified in Council's existing laws and restrictions which are identified in the laws for an approval are to ensure health, safety, amenity, usability, and liveability. While this report is not proposing the addition or removal of restrictions on activities, it is recognised that the removal of restrictions could create an unenforceable model which could risk public health and safety. Human rights and a risk approach will be considered in the comprehensive review undertaken on local laws at a later date.
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Stage 1 Local Law Review Anti-Competitive Provision Report (<i>under separate cover</i>) 
2.	Stage 1 Local Law Review Public Consultation Report (<i>under separate cover</i>) 
3.	Stage 1 Local Law Review State Interest Check Report (<i>under separate cover</i>) 
4.	Local Law (Amending) Local Law No. 1 (Administration) 2024 (<i>under separate cover</i>) 

5.	Local Law (Amending) Local Law No. 3 (Commercial Licensing) 2024 (<i>under separate cover</i>) 
6.	Subordinate Local Law (Amending) Subordinate Local Law No. 3.1 (Commercial Licensing) 2024 (<i>under separate cover</i>) 
7.	Local Law (Amending) Local Law No. 5 (Parking) 2024 (<i>under separate cover</i>) 
8.	Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024 (<i>under separate cover</i>) 
9.	Subordinate Local Law (Amending) Subordinate Local Law No. 6.1 (Animal Management) 2024 (<i>under separate cover</i>) 
10.	Local Law (Amending) Local Law No. 8 (Nuisances and Community Health and Safety) 2024 (<i>under separate cover</i>) 
11.	Local law No. 1 (Administration) 2013 - Consolidated (<i>under separate cover</i>) 
12.	Local Law No. 3 (Commercial Licensing) 2013 - Consolidated (<i>under separate cover</i>) 
13.	Subordinate Local Law No. 3.1 (Commercial Licensing) 2013 - Consolidated (<i>under separate cover</i>) 
14.	Local Law No. 5 (Parking) 2013 - Consolidated (<i>under separate cover</i>) 
15.	Subordinate Local Law No. 5.1 (Parking) 2013- Consolidated (<i>under separate cover</i>) 
16.	Subordinate Local Law No. 6.1 (Animal Management) 2013 - Consolidated (<i>under separate cover</i>) 
17.	Local Law No. 8 - (Nuisances and Community Health and Safety) 2013 - Consolidated (<i>under separate cover</i>) 
18.	Explanatory Notes (<i>under separate cover</i>) 

Barbara Dart

SENIOR PROJECT MANAGER (CORPORATE SERVICES)

I concur with the recommendations contained in this report.

Allison Ferres-MacDonald

ACTING 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”