



City of
Ipswich

**IPSWICH
CITY
COUNCIL**

AGENDA

of the

GOVERNANCE AND TRANSPARENCY COMMITTEE

**Held in the Council Chambers
2nd floor – Council Administration Building
45 Roderick Street
IPSWICH QLD 4305**

**On Thursday, 10 June 2021
At 10 minutes after the conclusion of the Growth, Infrastructure and Waste
Committee**

<u>MEMBERS OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE</u>	
Councillor Jacob Madsen (Chairperson) Councillor Russell Milligan (Deputy Chairperson)	Mayor Teresa Harding Councillor Marnie Doyle Councillor Kate Kunzelmann Deputy Mayor Nicole Jonic

GOVERNANCE AND TRANSPARENCY COMMITTEE AGENDA
*10 minutes after the conclusion of the Growth, Infrastructure and
Waste Committee on **Thursday, 10 June 2021***
Council Chambers

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GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 5

10 JUNE 2021

AGENDA

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

Matter Laid on the Table at the Governance and Transparency Committee 13 May 2021 until 8 July 2021.

- Item 4 - Procurement - Studiosity Subscription Renewal

CONFIRMATION OF MINUTES

1. **CONFIRMATION OF MINUTES OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2021(04) OF 13 MAY 2021**

RECOMMENDATION

That the Minutes of the Meeting of the Governance and Transparency Committee No. 2021(04) of 13 May 2021 be confirmed.

OFFICERS' REPORTS

2. **INVOLVE PROJECT QUARTERLY STATUS UPDATE**

This report provides an update on progress to date made on Council's iVolve Project and the quarterly project controls report.

RECOMMENDATION

- A. That the report be received and the contents noted.
- B. Recommendation A is compatible with human rights and relevant human rights have been given proper consideration in accordance with section 58(1) of the *Human Rights Act 2019 (Qld)*.

-
3. ****16062 IPSWICH CITY COUNCIL ANIMAL MANAGEMENT CENTRE**

This is a report concerning the recommendation to award Tender No. 16062 for the provision of management services for the Ipswich City Council Animal Management Centre. This report seeks Council resolution to enter into a Large Sized Contractual arrangement with the Animal Welfare League of Queensland Incorporated for the provision of management services for the Ipswich City Council Animal Management Centre.

The cost to provide management services for the Ipswich City Council Animal Management Centre under this contract are estimated to be \$1,740,140 (ex GST) per annum or \$9,238,640 (ex GST, assuming an annual CPI increase of 3%) for the total contract term of three (3) years, with two (2) x one (1) year options to extend.

RECOMMENDATION

- A. That Tender No. 16062 for the provision of management services for the Ipswich City Council Animal Management Centre be awarded to Animal Welfare League of Queensland Incorporated (ABN 75 521 498 584).
- B. That Council enter into a contract with Animal Welfare League of Queensland Incorporated for the provision of management services for the Ipswich City Council Animal Management Centre for an estimated sum of nine million, two hundred and thirty eight thousand, six hundred and forty dollars (\$9,238,640) (excl GST and assuming an annual CPI increase of 3%) for a period of three (3) years plus two (2) x one (1) year options to extend.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.
- D. Recommendation B is compatible with human rights and relevant human rights have been given proper consideration in accordance with section 58(1) of the *Human Rights Act 2019 (Qld)*.

4. PROCUREMENT - OVERDRIVE SUBSCRIPTION FOR ERESOURCES

This is a report recommending Council to enter into a contract with Overdrive Australia Pty Ltd (OverDrive) as it has acquired the original contracted company Wavesound Pty Ltd (RBDigital). With this acquisition, currently held Ipswich Libraries resources purchased from RBDigital (Wavesound) migrated to Overdrive on 16 March 2021 and all subscriptions paid for 2020-2021 will be honoured by Overdrive.

This report seeks Council resolution that the exception in 235 (a) of the *Local Government Regulation 2012* applies and OverDrive is the only supplier reasonably available to provide the supply of specialised eResources for Council, as all the content owned by Ipswich Library and previously purchased by Council through

Wavesound has now transferred to OverDrive for library customer access. Council has an allocated/balance of funds for current subscription period amounting to the sum of sixty-five thousand three hundred and sixty-three dollars (\$65,363), which will be lost if Council does not transition to OverDrive.

RECOMMENDATION

- A. That Council resolve it is satisfied that the exception in 235(a) of the *Local Government Regulation 2012* applies and that OverDrive Australia Pty Ltd is the only supplier reasonably available to provide Library eResources.
- B. That Council enter into a contract with OverDrive Australia Pty Ltd for the balance of the current budgeted Subscription period 2020–2021 at a cost of \$65,363.00 (ex GST).

5. NEW TRUSTEE LEASE OVER RESERVE FOR RECREATION PURPOSES TO AUSTRALIAN CRAWL (GOODNA) PTY LTD OVER 256 BRISBANE ROAD, BUNDAMBA

This is a report concerning the proposed Trustee Lease over 256 Brisbane Road, Bundamba, described as Lot 1 on SP245249 between Ipswich City Council as Trustees (Council) and Australian Crawl (Goodna) Pty Ltd (ACG).

RECOMMENDATION

- A. That Council terminate the Swimming Pool Management Agreement with Australian Crawl (Goodna) Pty Ltd described as Lot 1 on SP245249 located at 256 Brisbane Road, Bundamba.
- B. That Council, as Trustees, resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemption under section 236(1)(c)(iii) and of the Regulation applies to the disposal of the leasehold interest described as Lot 1 on SP245249 located at 256 Brisbane Road, Bundamba (“the land”), by way of a leasehold arrangement between Council and Australian Crawl (Goodna) Pty Ltd.
- C. That Council enter into a Trustee Lease with Australian Crawl (Goodna) Pty Ltd (“the tenant”) over the property described as Lot 1 on SP245249 located at 256 Brisbane Road, Bundamba (“the land”) for a period until 31 March 2028.
- D. That pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer the power to take “contractual action” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

6. ****TENURE ARRANGEMENTS OVER THE SPRINGFIELD CENTRAL SPORTS AND COMMUNITY HALL LOCATED AT 134A PARKLAND DRIVE, SPRINGFIELD CENTRAL (FORMALLY 7003 PARKLAND DRIVE, SPRINGFIELD CENTRAL)**

This is a report concerning Council's previous decision of the General Purpose Committee, Item No. 8 on 21 July 2020 and adopted at the Council Ordinary meeting of 28 July 2020, in particular to Recommendation B of the Officer's Report titled Proposed New Sub Lease over Freehold Land for Community Purposes to Y-Care – South East Queensland Inc. Trading as YMCA Social Impact – 7003 Parkland Drive Springfield Central.

It was resolved at Council's Ordinary Meeting that Council enter into a Sub Lease and Management Agreement with Y-Care (South East Queensland) Inc. trading as YMCA Social Impact over land described as Lot 1200 on SP303944 located at 7003 Parkland Drive, Springfield Central.

Upon further review by Legal Services it was identified that the correct tenure should be a further Sub-Lease; ie a Sub Sublease to Y-Care.

As the provisions of the Sub SubLease and the original Sub Lease are identical, it is recommended that the report only needs to be received and noted.

RECOMMENDATION

That the report be received and the contents noted.

7. ****REPEAL OF PREVIOUS COUNCIL DECISION FOR PROPOSED NEW TELECOMMUNICATIONS LEASE TO VODAFONE NETWORK PTY LIMITED LOCATED AT 81 STUART STREET, GOODNA**

This is a report concerning the repeal of a previous decision of the City Management, Finance and Community Engagement Committee, Item No. 23 on the 23 January 2018 and adopted at the Council Ordinary meeting of 30 January 2018, to withdraw the Lease over the land described as Lot 107 on SP216922, located at 81 Stuart Street, Goodna.

RECOMMENDATION

That Council repeal its previous decision (Item No 23 of the City Management, Finance and Community Engagement Committee No 2018 (01) adopted as recommendation A2., at the Council Ordinary meeting of 30 January 2018, permitting Council to enter into a Lease with Vodafone Network Pty Limited in relation to land located at 81 Stuart Street, Goodna, (Lot 107 on SP216922).

NOTICES OF MOTION

MATTERS ARISING

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2021(04)

13 MAY 2021

MINUTES

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

Deputy Mayor Nicole Jonic was not present at commencement of the meeting

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Acting Chief Executive Officer (Sonia Cooper), Acting General Manager Infrastructure and Environment (Sean Madigan), General Manager Planning and Regulatory Services (Peter Tabulo), Acting General Manager Coordination and Performance (Barbara Dart), Senior Policy and Communications Officer (David Shaw), Manager Procurement (Richard White), Council Liaison Officer (Karen Murray), Community Development Manager (Melissa Dower), Senior Digital Content Officer (Brenton Waters), Manager Libraries and Customer Services (Samantha Chandler), Customer Contact Centre Coordinator (Sam Pengelly), Manager Economic and Community Development (Cat Matson) and Theatre Technician (Harrison Cate)

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. **REPORT - GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2021(03) OF 15 APRIL 2021**

RECOMMENDATION

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

That the report of the Governance and Transparency Committee No. 2021(03) of 15 April 2021 be received and noted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. QUEENSLAND AUDIT OFFICE 2021 INTERIM AUDIT REPORT

This is a report concerning the Queensland Audit Office (QAO) 2021 interim audit report for the financial year ending 30 June 2021 detailing the results of QAO's interim work performed between 8 March to 26 March 2021, including a review of relevant information systems controls.

Deputy Mayor Nicole Jonic arrived at the meeting at 9.38 am.

RECOMMENDATION

Moved by Mayor Teresa Harding (Mayor):

Seconded by Councillor Russell Milligan:

That the Queensland Audit Office 2021 Interim Audit Report, as detailed in Attachment 1, be received and the contents noted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

3. KANOPY PPU FILM & VIDEO STREAMING RESOURCE

This is a report seeking Council resolution by Ipswich City Council (Council) to continue the annual subscription for Councils Pay-Per-Use (PPU) Film and Video Streaming resource with Kanopy Inc. Kanopy is a global resource that provides high quality content including films, documentaries and educational courses (Great Courses). It also includes content for children via Kanopy Kids. Offering over 19,000 film and video titles, Kanopy has a growing popularity with library members.

Kanopy is meeting Council's performance expectations for the provision of PPU Film and Video streaming resources. The total cost for a further three (3) year term covering the period from 1 July 2021 to 30 June 2024 is estimated at fifty-four thousand dollars (\$54,000) excluding GST. This figure is based on budget forecast for the period of 1 July 2021 to 30 June 2022 with a 30% growth buffer factored in for the last two (2) years of the term requested.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. **That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that because of the specialised nature of the services that are sought, it would be impractical to invite quotes or tenders for the provision of pay per use film and video streaming resources.**
- B. **That Council enter into a contractual arrangement (Council reference 16575) with Kanopy Inc., at an expected purchase price of fifty-four thousand dollars (\$54,000) excluding GST over the entire term, being a term of three (3) years with no options to extend.**
- 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:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. PROCUREMENT - STUDIOSTY SUBSCRIPTION RENEWAL

This is a report seeking a Council resolution by Ipswich City Council (Council) to continue the annual subscription for Council's online education resource with Studiosity Pty Ltd.

Studiosity Pty Ltd provides an online education resource service to Council. These services have been embedded within the Library sector for the past ten (10) years and are deemed an essential resource for Council's Library members. Studiosity Pty Ltd provides an online education resource that is freely accessed by Ipswich Library members and offer a service for which there is no comparable alternatives in the market.

Studiosity provides free live study help for Library members via remote access. This resource delivers assistance with maths, English, science, assignment research and study skills for grades 3 to 12 and TAFE.

Studiosity is meeting Council's performance expectations for the provision of Council Libraries online education resource. The total cost for a further three (3) year term covering the period from 1 July 2021 to 30 June 2024 is estimated at ninety-nine thousand dollars (\$99,000) excluding GST this figure is based on budget forecast provided by the Library. The 2021-2022 budget is \$30,000, 2022-2023 budget is \$33,000 and 2023-2024 budget is \$36,000

RECOMMENDATION

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that because of the specialised nature of the services that are sought, it would be impractical to invite quotes or tenders for the provision of on-demand online study help services.
- B. That Council enter into a contractual arrangement (Council reference 16522) with Studiosity Pty Ltd, at an expected purchase price of \$99,000.00 excluding GST over the entire term, being a term of three (3) years, with no options to extend.
- 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.

MOTION TO LAY THE MATTER ON THE TABLE

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

That the matter lay on the table for two months until 8 July 2021.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. PROCUREMENT - WATERRIDE CLOUD SUBSCRIPTION FOR FLOOD FORECASTING

This a report seeking a resolution by Ipswich City Council (Council) to enter into a new agreement with Council's current vendor Worley Services Pty Ltd (Worley) to transition from the older, locally installed WaterRIDE flood forecasting and floodplain mapping software currently in use at Council to a cloud based technology offering of the product in order to provide a real time, readily accessed solution to Council for efficient forecast and appropriate response decision making processes in relation to anticipated or actual emergency flood situations.

Worley is a worldwide team of consultants, engineers, construction workers and data scientists who have an Australian Headquarters. Worley currently have an employee operating out of neighbouring Local Government Council, Logan City Council, in order to provide local support to Councils in the region. Their specialised WaterRIDE flood forecasting and floodplain mapping software has been in use at Council since 2013, contract reference 13-14-110. The continued use of their software is considered essential to Council, with a transition to the current cloud-based technology offering.

Worley is meeting Council's performance expectations for the provision of flood forecasting and floodplain technology solutions used by Council.

A resolution of Council is sought to enter into a new contract with Worley for the provision of the current technology WaterRIDE cloud solution and other related ancillary items as required for an initial three (3) year term from 1 July 2021 until 30 June 2024, and then for up to two (2) further one (1) year periods until 30 June 2026. This is an estimated total cost of up to five hundred and eleven thousand dollars (\$511,000) excluding GST if all annual renewal options are exercised up until 30 June 2026

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Kate Kunzelmann:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that because of the specialised nature of the services that are sought, it would be impractical to invite quotes or tenders for the provision of a proprietary WaterRIDE flood forecasting software solution.
- B. That Council enter into a contractual arrangement (Council reference 16593) with Worley Services Pty Ltd, at an expected purchase price of five hundred and eleven thousand dollars (\$511,000) excluding GST over the entire term, being an initial term of three (3) years, with the option to extend at the discretion of Council, for an additional two (2) 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. The delegation does include the power to exercise one or all of the options to extend (if any are outlined in the preceding recommendations).

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 9.37 am.

The meeting closed at 9.46 am.

Doc ID No: A7306150

ITEM: 2

SUBJECT: INVOLVE PROJECT QUARTERLY STATUS UPDATE

AUTHOR: PRINCIPAL OFFICER (PROGRAM MANAGEMENT OFFICE)

DATE: 28 MAY 2021

EXECUTIVE SUMMARY

This report provides an update on progress to date made on Council's iVolve Project and the quarterly project controls report.

RECOMMENDATION/S

A. That the report be received and the contents noted.

B. Recommendation A is compatible with human rights and relevant human rights have been given proper consideration in accordance with section 58(1) of the *Human Rights Act 2019 (Qld)*.RELATED PARTIES

At the time of writing this report, there are no companies, persons or other entities associated with issues being dealt with in this report.

There were no declarations of conflicts of interest.

ADVANCE IPSWICH THEME

Listening, leading and financial management

PURPOSE OF REPORT/BACKGROUND

On 29 April 2021, Council accepted and approved the iVolve Project Preliminary Business Case and approved progression of the project to the next project stage – Stage 3 Final Business Case.

Stage 3 of the project involves solution specification and market engagement activities to select a fit for purpose solution/s in line with the Target State Architecture approved as part of the Preliminary Business Case. It also involves significant planning activities to ensure identified project outcomes and benefits that can be delivered and concludes with the presentation to Council of a Final Business Case for approval.

In order to progress with Stage 3, a number of considerations (as outlined in the table below) will need to be addressed during the planning and throughout the delivery of this Stage. These considerations were identified as part of the Stage 2 KPMG engagement, discussions with key stakeholders and the Project Team's research into best practice and good governance when undertaking projects of this nature.

Key Consideration	Specific Considerations to be Addressed
Managing Risk <ul style="list-style-type: none"> mitigation and ownership 	<ul style="list-style-type: none"> How will significant project risks be mitigated? Can significant risks be divested by engaging appropriate expertise? Who will own significant risks and are these owners appropriate for adequately managing the risks?
Management Capability Gaps <ul style="list-style-type: none"> expertise, knowledge and experience 	<ul style="list-style-type: none"> Does Council have sufficient expertise for this stage of the project? Is there the requisite knowledge available in Council to meet the required deliverables of this stage? Does Council have the necessary experience to deliver required outcomes from this stage?
Managing Timelines <ul style="list-style-type: none"> delivery expectations, resourcing and capacity 	<ul style="list-style-type: none"> Are expected delivery timelines realistic in relation to Council's ability to deliver this stage of the project? Are resources available to be utilised as needed for this project? Is the capacity of available resources sufficient to meet the needs of the project for this stage?
Management of Change and Culture Challenges	<ul style="list-style-type: none"> How will the significant aspects of organisational change involved in this project be appropriately managed? How will Council focus on the cultural change needed to embed the project across the organisation to ensure successful outcomes?
Managing Costs and Ensuring Value for Money	<ul style="list-style-type: none"> How will project costs be managed to ensure Council achieves value for money? How will forecast benefits from the project be identified and managed to ensure they are achieved?
Management Knowledge and Skill Retention <ul style="list-style-type: none"> embedded vs outsourced expertise, implement vs maintain/sustain 	<ul style="list-style-type: none"> How will Council manage this project to ensure relevant knowledge and skills are retained by the organisation? What capability gaps should be outsourced as opposed to internally resourced? What knowledge and skills do we need to retain in order to maintain/sustain system solutions post implementation

Proposed Stage 3 Work Streams

A number of key streams of work are anticipated for Stage 3 in order to complete a Final Business Case as per the overall project plan. These streams of work and deliverables have been identified in line with best practice, KPMG's experience and expertise; and the methodology adopted by a number of councils who have embarked on similar projects.

Work Stream	Key Activities
Develop Detailed Stage 3 Delivery Plan	<ul style="list-style-type: none"> Develop Detailed Stage Delivery Plan outlining: <ul style="list-style-type: none"> Detailed tasks and activities to meet required deliverables Identified dependencies with other key initiatives and plan for managing such dependencies Identified risks and associated mitigations
Organisational Change and Culture Planning	<ul style="list-style-type: none"> Identify and implement change and communication programs as required to ensure the need for change as part of the project and recommended solution is embedded in organisational culture
Alignment with Customer Experience Strategy	<ul style="list-style-type: none"> Ensure solution specifications align and are capable of meeting the requirements of Council documented and agreed Customer Experience Strategy

Work Stream	Key Activities
Solution Specification	<ul style="list-style-type: none"> Identify and document comprehensive functional and non-functional solution requirements to address agreed business outcomes
Go to Market	<ul style="list-style-type: none"> Develop appropriate procurement plan to approach the market Prepare relevant marked approach documentation and identify appropriate market approach strategy (i.e. Request for Proposal/Tender) Facilitate and conduct market approach
Vendor Selection and Contracting	<ul style="list-style-type: none"> Develop vendor evaluation criteria and select appropriate evaluation panel Conduct evaluation of vendor responses included technical assessment Establish preferred vendor/(s) and determine and undertake appropriate contracting process
Benefits Planning	<ul style="list-style-type: none"> Identify expected benefits attributed to the preferred solution and determine benefit owners and plans to achieve the requisite benefits
Final Business Case Approval	<ul style="list-style-type: none"> Complete Final Business Case for recommended vendor solution/(s) Obtain approval to proceed with recommended vendor solution/(s) and Stage 4 Implementation

Stage 3 Delivery Approach

3 resourcing options for the delivery of Stage 3 were presented to the ICT Steering Committee on 5 May. These options were:

- 1. Internal Resourcing** – ‘in house’ project team with extensive internal resourcing
- 2. Experienced Business Partner** – engagement of an experienced business partner with internal resources provided as needed
- 3. Hybrid Model** – ‘in house’ project team supplemented by experienced Program Manager, specialist external resources and backfilled internal resources

Acknowledging the current capability and capacity gaps within Council and the benefits that engaging an experienced business partner would continue to provide to the project, the ICT Steering Committee endorsed a blend between options 2 and 3 – engagement of an experienced business partner with a focus on the transfer and retention of internal knowledge and skills.

While this delivery model was endorsed there were some reservations expressed by members of the ICTSC of an over-reliance on a Business Partner’s methodologies and processes to exclusively deliver required Stage 3 deliverables. A risk exists whereby such a reliance, without the ability to critically assess and analyse Business Partner recommendations and actions, could have adverse impacts on the ultimate success of future implementation and commissioning stages of the project. Specifically, there were concerns that Stage 3 delivery needed to include the capacity and capability to:

1. provide oversight and peer review of the work completed by the Business Partner in Stage 3 to ensure quality, completeness and objectivity considerations were addressed in all deliverables;

2. ensure continuity of program management and oversight could be maintained if the BP was not engaged for further stages of the project; and
3. provide the capacity to ask pertinent questions about, and review the validity of, conclusions and recommendations made during Stage 3 by having access to specialist knowledge, experience and expertise in addition to that provided by the Business Partner.

To address these concerns, a separate and independent Strategic Advisor will also be engaged to provide oversight and review capability. The role of the Strategic Advisor will be to provide guidance, advice and support to the Project Team, Project Sponsor and relevant governing authorities as needed to manage the program of work to deliver current and future stages of the iVolve project. This role will initially be engaged for the duration of Stage 3, however is a role that can additionally provide value to the project for the remaining duration as well.

The Project Team is currently working with the Procurement Branch to undertake the relevant procurement activities to engage both the Business Partner and Strategic Advisor for Stage 3. Depending on the outcomes of the procurement processes, it is anticipated that both parties could be on board early to mid-July 2021.

LEGAL/POLICY BASIS

N/A

RISK MANAGEMENT IMPLICATIONS

There are no risks associated with the recommendation of this report for noting.

HUMAN RIGHTS IMPLICATIONS

Section 58(1) of the Human Rights Act 2019 makes it unlawful for council to act or make a decision:

(a) in a way that is not compatible with human rights; or

(b) in making a decision, to fail to give proper consideration to a human right relevant to the decision.

The iVolve Project quarterly project controls report has been subject to a human rights analysis to ensure:

(a) the decision to receive and note the report is compatible with human rights; and

(b) to give proper consideration to human rights relevant to that decision.

The human rights analysis is detailed in Attachment 2. The outcome of the human rights analysis is that the decision to receive and note the iVolve Project quarterly project controls report is compatible with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

There will be both financial and resource implications associated with this Stage of the project. At this point in time, the exact implications cannot be confirmed. Once they are able to be confirmed, details will be included in the next quarterly update report.

COMMUNITY AND OTHER CONSULTATION

The quarterly project controls report was tabled at the May 2021 meeting of the Audit and Risk Management Committee and was noted by Committee members.

An update on the quarterly project controls report for the iVolve Project was provided to the Mayor and Councillors by email on 1 June 2021.

CONCLUSION

This project continues to be considered high risk and the Committee should be aware that the success of the project will largely depend on appropriate senior stakeholder support and authority with an understanding and commitment that this project will involve significant culture change and business transformation – it is not merely another technology project.

The effectiveness of the controls applied to this project will continue to be reported on a quarterly basis to both the Audit and Risk Management Committee and Governance and Transparency Committee.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	iVolve Project Quarterly Project Controls Report ↓ 
2.	Human Rights Impact Assessment ↓ 

Anna Payne

PRINCIPAL OFFICER (PROGRAM MANAGEMENT OFFICE)

I concur with the recommendations contained in this report.

Sonia Cooper

ACTING CHIEF EXECUTIVE OFFICER

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

PMO KEY PROJECT CONTROLS REPORT

PROJECT:	iVolve Project
PROJECT LEAD:	Anna Payne
REPORTING PERIOD:	01/02/21 - 30/04/21
PROJECT STAGE:	Stage 3 - Final Business Case
CURRENT PROJECT HEALTH:	Monitor Closely
PROJECT HEALTH COMMENTS:	This project is considered to be high risk and the committee should be aware that success of the project will largely depend on appropriate senior stakeholder support and authority with an understanding and commitment that this project will involve deep cultural change and business transformation - it is not merely another technology project. With Stage 2 - Preliminary Business Case now complete, detailed stakeholder input and buy-in will be essential to develop a fit-for-purpose solution specification to take to the market in Stage 3.

KEY OUTCOMES AND OBJECTIVES

Key Outcomes and Objectives Progressed this Reporting Period	Confidence that Objective has been met	Steps to Increase Confidence	Key Outcomes and Objectives for Next Reporting Period
1. Preliminary Business Case (PBC) completed and endorsed by ICTSC Preliminary Business Case completed by KPMG with current state analysis, target state design, case for change and recommended solution architecture presented, endorsed by ICT Steering Committee, accepted by Governance & Transparency Committee and approved by Council.	Confident	Not required	1. Engage relevant expertise to deliver Stage 3 Agree appropriate resource approach required to support the timely delivery of Stage 3. Conduct appropriate procurement activities to engage specialist expertise to supplement and address internal capability gaps. 2. Develop Stage 3 Delivery Plan Prepare a detailed stage delivery plan for Stage 3 which is relevant, complete and achievable in order to meet the required outcomes to deliver a robust Final Business Case with a recommended fit for purpose vendor solution(s). 3. Commence delivery of Stage 3 Project Plan Undertake relevant project tasks to progress the Stage 3 Delivery Plan in a timely, consistent and effective manner in line with best practice and good governance guidelines.
2. Engagement with Council regarding iVolve Project Engagement activities with Council commenced with quarterly status reporting and briefings to the Governance and Transparency Committee. Briefing conducted with all elected representatives regarding the Preliminary Business Case prior to formal submission to Council for approval.	Confident	It was agreed that updates on the project will be provided on a quarterly basis to both the Audit & Risk Management Committee and Governance & Transparency Committee. A detailed briefing session will be held each quarter with Committee members prior to report submission to GTC.	
3. Stage 2 Closure Report submitted for approval by Project Sponsor Approval of Preliminary Business Case signifies the delivery of all stage outcomes and therefore the completion of Stage 2 with the formal Stage Closure Report submitted to the Project Sponsor for approval.	Confident	Continual review and feedback of required project plan outcomes by Project Sponsor and key stakeholders to ensure relevance and completeness.	

MAJOR FOCUS AREAS, KEY CONCERNS AND OPPORTUNITIES

Major Focus Areas (as per QAO report - Delivering Successful Technology Projects)	Key Project Controls	Control Effectiveness	Trend from Last Report	Key Concerns	Opportunities
	1. Engagement with ICTSC at key decision points	Reasonably Effective	>	ICTSC understands the significance of this project as an organisational transformation, not just an ICT project	Promote a greater understanding of the extent of business transformation and the associated implications across organisational leadership

Item 2 / Attachment 1.

Major Focus Areas (as per QAO report - Delivering Successful Technology Projects)	Key Project Controls	Control Effectiveness	Trend from Last Report	Key Concerns	Opportunities
Leadership and Stakeholder Engagement	2. Establishment of Project Advisory Group to identify business considerations	Reasonably Effective	>	Business engagement is sufficient to articulate required business considerations/outcomes for target state	Engage early with middle managers and associated business areas to gain buy-in and support. Ongoing role of Project Advisory Group and membership to be reviewed as part of Stage 3 planning activities to ensure the project continues to be supported as required moving forward.
	3. Development of Preliminary/Final Business Case to articulate the case for change	Reasonably Effective	>	Ensuring that the required outcomes, outlined in the approved PBC as part of the case for change, remain relevant and achievable as the Final Business Case is developed. Given the need for significant organisational change and transformation, realistic achievement of stated benefits may prove difficult.	Focus heavily on understanding the organisational readiness to transform and the imperative to change in order to identify an achievable and realistic solution recommendation in the Final Business Case.
	4. Encourage visible and active change sponsorship	Reasonably Effective	—	Ensure the extent of change management, associated organisational impacts of this project and the roles and responsibilities of key stakeholders in change management are understood and supported in order to deliver successful and effective outcomes	Utilise specialist knowledge and experience to firmly embed the importance of effective change management and the roles and responsibilities of key stakeholders across all levels of the organisation to ensure successful outcomes. Establishment of key change management activities to be a key focus of Stage 3 with continual reinforcement, management and monitoring to be ongoing through the life of the project.
Alignment with Clearly Articulated & Understood Outcomes	1. Due Diligence review points to confirm continued understanding of issues and required actions and outcomes	Effective	^	Lessons learned from continual due diligence research and reviews are not valued by key stakeholders	<ul style="list-style-type: none"> - Facilitate greater understanding by ICTSC of extent business transformation and associated implications - Continue to leverage knowledge from other councils to ensure a greater understanding of risks and opportunities - Utilise specialist knowledge and experience to identify key areas of concern and reinforce extent of , and commitment to, required change for delivery of successful outcomes
	2. Regular Status reporting to inform stakeholders	Effective	^	None at this stage	Additional quarterly reporting to the Governance and Transparency Committee established to ensure continual engagement with elected representatives.
	3. Establishment of Project Advisory Group to identify business considerations	Reasonably Effective	>	Engagement with and by business areas needs greater focus and attention	<ul style="list-style-type: none"> - Identify barriers preventing buy-in and engagement of key stakeholders and develop mitigation strategies to influence the success of organisational change. - Ongoing role of Project Advisory Group and membership to be reviewed as part of Stage 3 planning activities to ensure the project continues to be supported as required moving forward.

Item 2 / Attachment 1.

Major Focus Areas (as per QAO report - Delivering Successful Technology Projects)	Key Project Controls	Control Effectiveness	Trend from Last Report	Key Concerns	Opportunities
Appropriate Resourcing in Place (Skills, Experience & Capability)	1. Project and Resourcing Plan in place for each project stage	Effective	^	Plan can only be effective if it is endorsed and supported with adequate financial support provided	Focus on identifying the right mix of skills and capability as a foundation element for success and communicate the associated costs/benefits and risks to build a case for supporting recommendations
	2. Continual identification of skill and capability gaps	Reasonably Effective	>	Identified resource needs are not fully supported particularly in relation to the need for specialist skills including change management. Short term budget constraints should be weighed against the longer term need to ensure the project is successfully delivered in line with good governance guidelines and lessons learned.	- Focus on identifying the right mix of skills and capability as a foundation element for success and communicate the associated costs/benefits and risks to build a case for supporting recommendations - Leverage specialist knowledge, skills and expertise to identify and address capability gaps within the agreed engagement scope.
	3. Accessing the right people and ensuring availability as and when needed	Reasonably Effective	>	Identified resource needs are not fully supported particularly in relation to the need for specialist skills including change management. Short term budget constraints should be weighed against the longer term need to ensure the project is successfully delivered in line with good governance guidelines and lessons learned.	- Focus on identifying the right mix of skills and capability as a foundation element for success and communicate the associated costs/benefits and risks to build a case for supporting recommendations - Leverage specialist knowledge, skills and expertise to identify and address potential resourcing gaps within the agreed engagement scope.
Working Collaboratively to Ensure Success	1. Agreeing clear scopes of work with external parties	Effective	>	Agreed Statements of Work with any external specialists need to be closely monitored to ensure adherence and compliance	Focus on ensuring any external specialists deliver required outcomes and meet expectations within required timeframes according to the agreed Statement of Work
	2. Clearly articulating roles, responsibilities, time frames, and deliverables for all parties at each project stage.	Effective	>	Current stage deliverables and timeframes for any external specialists need to be closely monitored and managed to prevent slippage, scope creep and non delivery of required outcomes	Focus on working closely with any external specialists to pre-emptively identify potential issues and risks that may adversely affect deliverables and timelines through regular project status reports and meetings outlining progress against the clearly articulated delivery timelines in the agreed Statement of Work
	3. Clearly articulated Terms of Reference for Project Advisory and Working Groups	Effective	>	None at this stage	Not applicable at this stage
Issues and Risks are Managed Effectively	1. Clearly identified Stage Go/No Go Gates within the agreed governance process	Effective	>	None at this stage	Not applicable at this stage
	2. Continual assessment of effectiveness of mitigation of identified risks and take actions to correct the course of the project as necessary	Effective	>	None at this stage	Not applicable at this stage

Item 2 / Attachment 1.

Major Focus Areas (as per QAO report - Delivering Successful Technology Projects)	Key Project Controls	Control Effectiveness	Trend from Last Report	Key Concerns	Opportunities
	3. Document and report on key lessons learned in stage closure reports to inform the management of latter project stages	Reasonably Effective	>	Documented lessons learned are not fully valued or understood by key stakeholders	Developing a best practice methodology focused on good governance and management of identified risks and issues will contribute to successful outcomes and an iterative knowledge resource for future projects

CURRENT PROJECT FOCUS

Primary Project Focus:	The primary focus of the project at this stage is to effectively deliver a Final Business Case with appropriate support by external specialist expertise.
Why:	The Final Business Case will inform Council on the most appropriate, fit for purpose, vendor solution/(s) to meet Council's needs now and into the future.
How:	The Final Business Case will build on the Preliminary Business Case by establishing a clear solution specification to be taken to the market and supported by change and culture management plans and strong vendor and contract negotiation expertise to arrive at a recommended vendor solution/(s).
Potential Risks/Impacts:	Appropriate specialist expertise is not adequately engaged or funded to address key capability gaps throughout Stage 3 of this project resulting in suboptimal solution selection and vendor/contract negotiation outcomes.
Opportunities:	Appropriate engagement of specialist expertise delivers the requisite knowledge, experience and capability to mitigate known skill and capability gap risks to deliver a Final Business Case which identifies a fit for purpose vendor solution/(s) for Council.



IPSWICH CITY COUNCIL

Human Rights Impact Assessment (Internal Use Only)

ASSESSMENT DETAILS	
Date	28 May 2021
Assessment Made By	Program Management Office
Act/Decision Assessed	Decision to receive and note
STEPS	ASSESSMENT OUTCOME
<p>Step 1</p> <p>Ask whether the act or decision is made under a law that gives no choice (discretion) in relation to the act or decision? Or does the Act/instrument confer a discretion that cannot be interpreted in a way that is consistent with human rights?</p> <p>NOTE: the focus here is whether you can't reasonably act differently or make a different decision that does not limit human rights. It will not be 'reasonable' to limit human rights if there is a discretion that enables you to act or make a decision that does not impose limits.</p> <p>If YES, then you do not need to consider human rights in relation to the proposed act or decision. Record this outcome. End of assessment.</p> <p>If NO, proceed to Step 2.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Discuss whether the act/decision was made under a law that provided no discretion in relation to the act/decision or whether any discretion cannot be interpreted in a way consistent with human rights</p>
<p>Step 2</p> <p>Ask does the proposed act or decision potentially affect human rights?</p> <p>The human rights are set out in Divisions 2 and 3, Part 2 of the HRA.</p> <p>If YES, proceed to Step 3.</p> <p>If NO, the proposed act or decision will not affect human rights and further consideration is unnecessary. Record this outcome. End of assessment.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Insert a brief explanation of the proposed act/decision and whether it will potentially affect human rights.</p> <p>The decision is to receive and note the report therefore no human rights have been impacted.</p>

Item 2 / Attachment 2.

<p>Step 3</p> <p>Consider the scope of each human right potentially affected:</p> <ul style="list-style-type: none"> ■ identify each right ■ consider the content of each right and apply any specific limitations or express exemptions. <p>Reference can be made to the Queensland Governments 'Guide: Nature and scope of the protected human rights'. Proceed to Step 4.</p>	<p>The following rights are potentially affected (tick whichever applies):</p>	
	<input type="checkbox"/>	<p>Recognition and equality before the law (section 15) – a person is entitled to enjoy his/her human rights without discrimination (i.e. decisions must be made in an objective, non-discriminatory, non-arbitrary way). Limitation: express exemption for measures that are taken to assist/advance persons or groups disadvantages because of discrimination. This does not constitute discrimination.</p>
	<input type="checkbox"/>	<p>Right to life (section 16) – No person to be arbitrarily deprived of life. Involves obligations on the State to protect life. Public entities must protect the lives of people in their care. Limitation: cannot be 'arbitrarily' deprived of life (i.e. by conduct that is capricious, unpredictable or unjust).</p>
	<input type="checkbox"/>	<p>Protection from torture and cruel, inhuman or degrading treatment (section 17) – degrading treatment focuses on humiliation (which is a subjective test). Treatment has a wide meaning and includes dealing with a person in a certain way or applying a process to someone.</p>
	<input type="checkbox"/>	<p>Freedom from forced work (section 18) – the right to freedom from forced work (slavery or servitude). Individuals shouldn't be subject to conditions that violate individual dignity or exploit human productivity. Limitation: does not include service/work required under a court order, in an emergency or that is part of civil obligations.</p>
	<input type="checkbox"/>	<p>Freedom of movement (section 19) – every person lawfully in Queensland has the right to move freely within Queensland, enter or leave and choose where to live.</p>
	<input type="checkbox"/>	<p>Freedom of thought, conscious, religion and belief (section 20) – the right to develop autonomous thoughts and conscience, to think and believe what they want, to have or adopt a religion and to demonstrate religion or belief through worship, ritual, practice and teaching.</p>
	<input type="checkbox"/>	<p>Freedom of expression (section 21) – the right of all persons to hold an opinion without interference and to seek, receive and express information and ideas. The right encompasses seeking information from government (XYZ v Victorian Police [2010] VCAT 255)</p>
	<input type="checkbox"/>	<p>Peaceful assembly and freedom of association (section 22) – Right to gather together in order to exchange, give or receive information, to express views or to conduct a protest or demonstration. Limitation: only applies to peaceful assemblies.</p>
	<input type="checkbox"/>	<p>Taking part in public life (section 23) – the right of all persons to contribute to and exercise their voice in relation to the public life of the State. Ensures all persons have the opportunity to contribute to the political process and public governance. Includes right to vote and to be elected to public office. Limitation: Applies to 'eligible persons' (e.g. persons old enough to vote).</p>
<input type="checkbox"/>	<p>Property rights (section 24) – protects the right of all persons to own property (real and personal property) and to not be arbitrarily deprived of property. Limitation: cannot be 'arbitrarily' deprived of property (i.e. by conduct that is capricious, unpredictable or unjust).</p>	
<input type="checkbox"/>	<p>Privacy and reputation (section 25) – A person has the right not to have their privacy, family home or correspondence unlawfully or arbitrarily (capricious, unpredictable or unjust) interfered with. A person has the right not have the person's reputation unlawfully attacked. Limitation: cannot be unlawfully or arbitrarily interfered with.</p>	

Item 2 / Attachment 2.

Step 3 continued	<input type="checkbox"/>	Protection of families and children (section 26) – Families are entitled to protection by the state and society. Children have the same rights as adults, including additional protections according to their best interests and because they are children.
	<input type="checkbox"/>	Cultural rights (section 27) – rights directed towards ensuring the survival and continued development of the cultural, religious and social identity of minorities. Right to enjoy culture, religion and language.
	<input type="checkbox"/>	Cultural rights – Aboriginal peoples and Torres Strait Islander peoples (section 28) – protects the right to live life as an Aboriginal or Torres Strait Islander who is free to practice their culture.
	<input type="checkbox"/>	Right to liberty and security of person (section 29) – entitles all persons to liberty of the person, including the right not to be arrested or detained except in accordance with the law. Right to security means all reasonable steps must be taken to ensure the physical safety of those in physical harm. Limitations and qualifications: must not be subject to arbitrary arrest; must not be deprived of liberty except on grounds and with procedures established by law; right to be brought to trial without unreasonable delay for criminal charges.
	<input type="checkbox"/>	Humane treatment when deprived of liberty (section 30) – recognises the vulnerability of persons in detention and intends to ensure they are treated humanely. Limitation: an accused person has the right to be segregated from convicted unless reasonably necessary.
	<input type="checkbox"/>	Fair hearing (section 31) – A person has the right to procedural fairness when coming before a court or tribunal.
	<input type="checkbox"/>	Rights in criminal proceedings (section 32) – protects the rights to be presumed innocent until proven guilty and guilt to be proved beyond a reasonable doubt. Also the right to legal representation, to be tried without unreasonable delay and to remain silent.
	<input type="checkbox"/>	Children in criminal proceedings (section 33) – recognises that young persons who become involved in the criminal justice system deserve special protections by virtue of their age. Must not be detained with adults and brought to trial as quickly as possible.
	<input type="checkbox"/>	Right not to be tried or punished more than once (section 34) – protects against double jeopardy – not to be taken to court or punished more than once for an offence they have already been convicted or acquitted.
	<input type="checkbox"/>	Retrospective criminal laws (section 35) – the right to not be found guilty of an offence for an action that was not an offence at the time it was committed. Not to be punished more severely where there has been a change to the law since committing the offence. Entitled to reduction in penalty if the penalty is reduced before sentencing. Law must be precise for a person to know if an act is criminal. Limitation: does not apply where an offence is created after the act/omission where at the time the act/omission was an offence under international law.
	<input type="checkbox"/>	Right to education (section 36) – right of every child to primary and secondary schooling and right of each person, based on their abilities, to further vocational education and training is equally accessible to all.
	<input type="checkbox"/>	Right to health services (section 37) – right to access health services without discrimination and not to be refused medical treatment that is immediately necessary to save their life or prevent serious impairment.

<p>Step 4</p> <p>Ask does the proposed act or decision affect (e.g. restrict or interfere) with the relevant rights?</p> <p>If YES, proceed to Step 5.</p> <p>If NO, further consideration is unnecessary. The proposed act or decision does not affect (i.e. restrict or interfere) the relevant rights. Record this outcome. End of assessment.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain here how the act/decision will/will not restrict or interfere with the relevant rights.</p> <ul style="list-style-type: none">
<p>Step 5</p> <p>If there is a limitation (restriction or interference), is that limitation reasonably and demonstrably justifiable (proportionality assessment)?</p> <p>Undertake the proportionality assessment by completing the steps below.</p>	
<p>Step 5(a)</p> <p>Is the limitation provided in an Act, Regulation or common law?</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, identify the head of power and proceed to Step (5b).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Make reference to the relevant Act, Regulation or common law.</p>
<p>Step 5(b)</p> <p>Is the purpose of the limitation important?</p> <p>Articulate the purpose of the proposed limitation on human rights. Does it address a specific area of public or social concern that is pressing and substantial?</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, identify the purpose of the proposed limitation and importance and proceed to Step (5c).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain here why the purpose of the limitation is important. Does it address a specific area of public or social concern that is pressing and substantial?</p>

<p>Step 5(c)</p> <p>Is material available that demonstrates that the proposed limitation is important?</p> <p>Material may include researching findings, consultation findings, review and empirical data.</p> <p>If material is not available, gather material and reconsider the decision.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, identify the material and proceed to Step 5(d).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Make reference to relevant material and make sure to keep a copy.</p>
<p>Step 5(d)</p> <p>Is the limitation on the right rationally and proportionally connected to the objective you are trying to achieve?</p> <p>Consider whether the limitation is likely to achieve the objective and whether the decision limits the right only to the extent necessary to achieve the objective.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, proceed to Step 5(e).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain how the limitation will achieve the outcome and that the limitation is only to the extent necessary to achieve the outcome.</p>
<p>Step 5(e)</p> <p>Does the limitation fall within the range of reasonable approaches to achieve the purpose?</p> <p>Consider whether there are less restrictive means to achieve the purpose of the limitation.</p> <p>Incorporate safeguards where appropriate.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, proceed to Step 5(f).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain whether there are less restrictive ways to achieve the purpose of the limitation and whether safeguards can be incorporated.</p>

Item 2 / Attachment 2.

<p>Step 5(f)</p> <p>Is the limitation on the human right outweighed by the value of achieving the purpose?</p> <p>Consider whether the balance accords with the values of a free and democratic society based on human dignity, equality and freedom.</p> <p>Pay particular attention to the nature of the human right and the importance of the values underlying that right.</p> <p>If YES, the limit contained in the proposal is probably justified as a reasonable limit on the human right – END OF ASSESSMENT.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right – Reconsider the act/decision.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain the importance of the values underlying the right and whether the limitation is outweighed by the value of achieving the purpose.</p>
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Doc ID No: A7283883

ITEM: 3

SUBJECT: 16062 IPSWICH CITY COUNCIL ANIMAL MANAGEMENT CENTRE

AUTHOR: GOODS AND SERVICES CATEGORY SPECIALIST

DATE: 21 MAY 2021

EXECUTIVE SUMMARY

This is a report concerning the recommendation to award Tender No. 16062 for the provision of management services for the Ipswich City Council Animal Management Centre. This report seeks Council resolution to enter into a Large Sized Contractual arrangement with the Animal Welfare League of Queensland Incorporated for the provision of management services for the Ipswich City Council Animal Management Centre.

The cost to provide management services for the Ipswich City Council Animal Management Centre under this contract are estimated to be \$1,740,140 (ex GST) per annum or \$9,238,640 (ex GST, assuming an annual CPI increase of 3%) for the total contract term of three (3) years, with two (2) x one (1) year options to extend.

RECOMMENDATION

- A. That Tender No. 16062 for the provision of management services for the Ipswich City Council Animal Management Centre be awarded to Animal Welfare League of Queensland Incorporated (ABN 75 521 498 584).
- B. That Council enter into a contract with Animal Welfare League of Queensland Incorporated for the provision of management services for the Ipswich City Council Animal Management Centre for an estimated sum of nine million, two hundred and thirty eight thousand, six hundred and forty dollars (\$9,238,640) (excl GST and assuming an annual CPI increase of 3%) for a period of three (3) years plus two (2) x one (1) year options to extend.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.
- D. Recommendation B is compatible with human rights and relevant human rights have been given proper consideration in accordance with section 58(1) of the *Human Rights Act 2019 (Qld)*.

RELATED PARTIES

Animal Welfare League of Queensland Incorporated

There were no declarations of conflict of interest

ADVANCE IPSWICH THEME

Strengthening our local economy and building prosperity

Caring for the community

PURPOSE OF REPORT/BACKGROUND

Ipswich City Council's Animal Management Centre is located at 6 Hooper Street, West Ipswich. The facility accommodates impounded, surrendered and rehoming animals including dogs, cats, livestock and birds. In 2019-2020 a total of 2,586 animals passed through the Ipswich City Council Animal Management Centre.

Council outsources the management of the Animal Management Centre through a services contract. The contractor is required to act as agent for Council by receiving surrendered animals from the community and facilitating the collection of impounded animals from the centre. The contractor is also required to manage an effective rehoming centre, provide veterinary services and deliver community education programs which encourage responsible pet ownership.

Pursuant with the *Local Government Regulation 2012*, Council released a request for tender to open market on 12 February 2021, which closed on 9 March 2021. The evaluation panel undertook an evaluation of the submissions and have recommended the Animal Welfare League of Queensland Incorporated (AWLQ) as the preferred supplier for the provision of management services for the Ipswich City Council Animal Management Centre, in accordance with Confidential Attachment 2: 16062 Recommendation to Award.

The Evaluation Panel considers that of the submissions, the AWLQ demonstrated the best value for money to provide these services for Council. The AWLQ has demonstrated they have the capacity, capability and experience to provide these services to Council. AWLQ are highly regarded within the community for their work in animal welfare and have demonstrated a variety of community engagement programs which will benefit the Ipswich community.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Regulation 2012
Animal Management (Cats and Dogs) Act 2008
Animal Management (Cats and Dogs) Regulation 2009

RISK MANAGEMENT IMPLICATIONS

The current contract expires on 30 September 2021 with no further options to extend. A new contract is required to be in place prior to the expiry of the current agreement to ensure continuity of services. Further risk management implications have been considered in confidential Attachment 2.

HUMAN RIGHTS IMPLICATIONS

Recommendation B, which states that Council enter into a contract for the provision of management services for the Ipswich City Council Animal Management Centre with the AWLQ has been subject to a human rights analysis to ensure:

- (a) the decision to enter into a contract for the provision of management services for the Ipswich City Council Animal Management Centre with AWLQ is compatible with human rights; and
- (b) to give proper consideration to human rights relevant to that decision.

The human rights analysis is detailed in Attachment 1. The outcome of the human rights analysis is that the decision to enter into a contract for the provision of management services for the Ipswich City Council Animal Management Centre with AWLQ is compatible with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

The cost to provide management services for the Ipswich City Council Animal Management Centre under this contract is estimated to be \$1,740,140 (ex GST) per annum or \$9,238,640 (ex GST and assuming an annual CPI increase of 3%) for the total contract term of three (3) years, with two (2) x one (1) year options to extend.

Funding for the contract is available within the existing Animal Management budget.

COMMUNITY AND OTHER CONSULTATION


The Manager, Compliance and Manager, Special Projects, Planning and Regulatory Services Department have been consulted and have endorsed the Recommendation to Award.

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

CONCLUSION

This report seeks the Council's approval to establish a Services Contract with the Animal Welfare League of Queensland Incorporated for management services of the Ipswich City Council Animal Management Centre. Their submission has been determined by the evaluation panel to offer the Council best value for money.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Human Rights Impact Assessment Checklist ↓ 
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	CONFIDENTIAL
2.	16062 Recommendation to Award

Shyanne Ward

GOODS AND SERVICES CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Alisha Connaughton

MANAGER, COMPLIANCE

I concur with the recommendations contained in this report.

Richard White

MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Jeffrey Keech

ACTING GENERAL MANAGER CORPORATE SERVICES

I concur with the recommendations contained in this report.

Peter Tabulo

GENERAL MANAGER, PLANNING AND REGULATORY SERVICES

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



IPSWICH CITY COUNCIL

Human Rights Impact Assessment (Internal Use Only)

ASSESSMENT DETAILS	
Date	22 / 05 / 2021
Assessment Made By	Shyanne Ward
Act/Decision Assessed	Local Government Regulation 2012 / Enter into a Contract with Animal Welfare
STEPS	ASSESSMENT OUTCOME
<p>Step 1</p> <p>Ask whether the act or decision is made under a law that gives no choice (discretion) in relation to the act or decision? Or does the Act/instrument confer a discretion that cannot be interpreted in a way that is consistent with human rights?</p> <p>NOTE: the focus here is whether you can't reasonably act differently or make a different decision that does not limit human rights. It will not be 'reasonable' to limit human rights if there is a discretion that enables you to act or make a decision that does not impose limits.</p> <p>If YES, then you do not need to consider human rights in relation to the proposed act or decision. Record this outcome. End of assessment.</p> <p>If NO, proceed to Step 2.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Discuss whether the act/decision was made under a law that provided no discretion in relation to the act/decision or whether any discretion cannot be interpreted in a way consistent with human rights</p>
<p>Step 2</p> <p>Ask does the proposed act or decision potentially affect human rights?</p> <p>The human rights are set out in Divisions 2 and 3, Part 2 of the HRA.</p> <p>If YES, proceed to Step 3.</p> <p>If NO, the proposed act or decision will not affect human rights and further consideration is unnecessary. Record this outcome. End of assessment.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Insert a brief explanation of the proposed act/decision and whether it will potentially affect human rights.</p> <p>The decision to award the contract is between corporate entities and the Human Rights Act does not apply to corporate entities.</p>

Item 3 / Attachment 1.

<p>Step 3</p> <p>Consider the scope of each human right potentially affected:</p> <ul style="list-style-type: none"> ■ identify each right ■ consider the content of each right and apply any specific limitations or express exemptions. <p>Reference can be made to the Queensland Governments ‘Guide: Nature and scope of the protected human rights’.</p> <p>Proceed to Step 4.</p>	<p>The following rights are potentially affected (tick whichever applies):</p> <table border="1"> <tr> <td data-bbox="632 286 671 320"><input type="checkbox"/></td> <td data-bbox="671 286 1402 465">Recognition and equality before the law (section 15) – a person is entitled to enjoy his/her human rights without discrimination (i.e. decisions must be made in an objective, non-discriminatory, non-arbitrary way). Limitation: express exemption for measures that are taken to assist/advance persons or groups disadvantages because of discrimination. This does not constitute discrimination.</td> </tr> <tr> <td data-bbox="632 477 671 510"><input type="checkbox"/></td> <td data-bbox="671 477 1402 600">Right to life (section 16) – No person to be arbitrarily deprived of life. Involves obligations on the State to protect life. Public entities must protect the lives of people in their care. Limitation: cannot be ‘arbitrarily’ deprived of life (i.e. by conduct that is capricious, unpredictable or unjust).</td> </tr> <tr> <td data-bbox="632 611 671 645"><input type="checkbox"/></td> <td data-bbox="671 611 1402 734">Protection from torture and cruel, inhuman or degrading treatment (section 17) – degrading treatment focuses on humiliation (which is a subjective test). Treatment has a wide meaning and includes dealing with a person in a certain way or applying a process to someone.</td> </tr> <tr> <td data-bbox="632 745 671 779"><input type="checkbox"/></td> <td data-bbox="671 745 1402 880">Freedom from forced work (section 18) – the right to freedom from forced work (slavery or servitude). Individuals shouldn’t be subject to conditions that violate individual dignity or exploit human productivity. Limitation: does not include service/work required under a court order, in an emergency or that is part of civil obligations.</td> </tr> <tr> <td data-bbox="632 891 671 925"><input type="checkbox"/></td> <td data-bbox="671 891 1402 992">Freedom of movement (section 19) – every person lawfully in Queensland has the right to move freely within Queensland, enter or leave and choose where to live.</td> </tr> <tr> <td data-bbox="632 1003 671 1037"><input type="checkbox"/></td> <td data-bbox="671 1003 1402 1126">Freedom of thought, conscious, religion and belief (section 20) – the right to develop autonomous thoughts and conscience, to think and believe what they want, to have or adopt a religion and to demonstrate religion or belief through worship, ritual, practice and teaching.</td> </tr> <tr> <td data-bbox="632 1137 671 1171"><input type="checkbox"/></td> <td data-bbox="671 1137 1402 1249">Freedom of expression (section 21) – the right of all persons to hold an opinion without interference and to seek, receive and express information and ideas. 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Limitation: Applies to ‘eligible persons’ (e.g. persons old enough to vote).</td> </tr> <tr> <td data-bbox="632 1574 671 1608"><input type="checkbox"/></td> <td data-bbox="671 1574 1402 1686">Property rights (section 24) – protects the right of all persons to own property (real and personal property) and to not be arbitrarily deprived of property. Limitation: cannot be ‘arbitrarily’ deprived of property (i.e. by conduct that is capricious, unpredictable or unjust).</td> </tr> <tr> <td data-bbox="632 1697 671 1731"><input type="checkbox"/></td> <td data-bbox="671 1697 1402 1850">Privacy and reputation (section 25) – A person has the right not to have their privacy, family home or correspondence unlawfully or arbitrarily (capricious, unpredictable or unjust) interfered with. A person has the right not have the person’s reputation unlawfully attacked. 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Step 3 continued	<input type="checkbox"/>	Protection of families and children (section 26) – Families are entitled to protection by the state and society. Children have the same rights as adults, including additional protections according to their best interests and because they are children.
	<input type="checkbox"/>	Cultural rights (section 27) – rights directed towards ensuring the survival and continued development of the cultural, religious and social identity of minorities. Right to enjoy culture, religion and language.
	<input type="checkbox"/>	Cultural rights – Aboriginal peoples and Torres Strait Islander peoples (section 28) – protects the right to live life as an Aboriginal or Torres Strait Islander who is free to practice their culture.
	<input type="checkbox"/>	Right to liberty and security of person (section 29) – entitles all persons to liberty of the person, including the right not to be arrested or detained except in accordance with the law. Right to security means all reasonable steps must be taken to ensure the physical safety of those in physical harm. Limitations and qualifications: must not be subject to arbitrary arrest; must not be deprived of liberty except on grounds and with procedures established by law; right to be brought to trial without unreasonable delay for criminal charges.
	<input type="checkbox"/>	Humane treatment when deprived of liberty (section 30) – recognises the vulnerability of persons in detention and intends to ensure they are treated humanely. Limitation: an accused person has the right to be segregated from convicted unless reasonably necessary.
	<input type="checkbox"/>	Fair hearing (section 31) – A person has the right to procedural fairness when coming before a court or tribunal.
	<input type="checkbox"/>	Rights in criminal proceedings (section 32) – protects the rights to be presumed innocent until proven guilty and guilt to be proved beyond a reasonable doubt. Also the right to legal representation, to be tried without unreasonable delay and to remain silent.
	<input type="checkbox"/>	Children in criminal proceedings (section 33) – recognises that young persons who become involved in the criminal justice system deserve special protections by virtue of their age. Must not be detained with adults and brought to trial as quickly as possible.
	<input type="checkbox"/>	Right not to be tried or punished more than once (section 34) – protects against double jeopardy – not to be taken to court or punished more than once for an offence they have already been convicted or acquitted.
	<input type="checkbox"/>	Retrospective criminal laws (section 35) – the right to not be found guilty of an offence for an action that was not an offence at the time it was committed. Not to be punished more severely where there has been a change to the law since committing the offence. Entitled to reduction in penalty if the penalty is reduced before sentencing. Law must be precise for a person to know if an act is criminal. Limitation: does not apply where an offence is created after the act/omission where at the time the act/omission was an offence under international law.
	<input type="checkbox"/>	Right to education (section 36) – right of every child to primary and secondary schooling and right of each person, based on their abilities, to further vocational education and training is equally accessible to all.
	<input type="checkbox"/>	Right to health services (section 37) – right to access health services without discrimination and not to be refused medical treatment that is immediately necessary to save their life or prevent serious impairment.

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<p>Step 4</p> <p>Ask does the proposed act or decision affect (e.g. restrict or interfere) with the relevant rights?</p> <p>If YES, proceed to Step 5.</p> <p>If NO, further consideration is unnecessary. The proposed act or decision does not affect (i.e. restrict or interfere) the relevant rights. Record this outcome. End of assessment.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain here how the act/decision will/will not restrict or interfere with the relevant rights.</p>
<p>Step 5</p> <p>If there is a limitation (restriction or interference), is that limitation reasonably and demonstrably justifiable (proportionality assessment)?</p> <p>Undertake the proportionality assessment by completing the steps below.</p>	
<p>Step 5(a)</p> <p>Is the limitation provided in an Act, Regulation or common law?</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, identify the head of power and proceed to Step (5b).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Make reference to the relevant Act, Regulation or common law.</p>
<p>Step 5(b)</p> <p>Is the purpose of the limitation important?</p> <p>Articulate the purpose of the proposed limitation on human rights. Does it address a specific area of public or social concern that is pressing and substantial?</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, identify the purpose of the proposed limitation and importance and proceed to Step (5c).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain here why the purpose of the limitation is important. Does it address a specific area of public or social concern that is pressing and substantial?</p>

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<p>Step 5(c)</p> <p>Is material available that demonstrates that the proposed limitation is important?</p> <p>Material may include researching findings, consultation findings, review and empirical data.</p> <p>If material is not available, gather material and reconsider the decision.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, identify the material and proceed to Step 5(d).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Make reference to relevant material and make sure to keep a copy.</p>
<p>Step 5(d)</p> <p>Is the limitation on the right rationally and proportionally connected to the objective you are trying to achieve?</p> <p>Consider whether the limitation is likely to achieve the objective and whether the decision limits the right only to the extent necessary to achieve the objective.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, proceed to Step 5(e).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain how the limitation will achieve the outcome and that the limitation is only to the extent necessary to achieve the outcome.</p>
<p>Step 5(e)</p> <p>Does the limitation fall within the range of reasonable approaches to achieve the purpose?</p> <p>Consider whether there are less restrictive means to achieve the purpose of the limitation.</p> <p>Incorporate safeguards where appropriate.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right.</p> <p>If YES, proceed to Step 5(f).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain whether there are less restrictive ways to achieve the purpose of the limitation and whether safeguards can be incorporated.</p>

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<p>Step 5(f)</p> <p>Is the limitation on the human right outweighed by the value of achieving the purpose?</p> <p>Consider whether the balance accords with the values of a free and democratic society based on human dignity, equality and freedom.</p> <p>Pay particular attention to the nature of the human right and the importance of the values underlying that right.</p> <p>If YES, the limit contained in the proposal is probably justified as a reasonable limit on the human right – END OF ASSESSMENT.</p> <p>If NO, the limit/s contained in the proposal is probably not justifiable as a reasonable limit on the human right – Reconsider the act/decision.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Explain the importance of the values underlying the right and whether the limitation is outweighed by the value of achieving the purpose.</p>
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Doc ID No: A7215553

ITEM: 4

SUBJECT: PROCUREMENT - OVERDRIVE SUBSCRIPTION FOR ERESOURCES

AUTHOR: PROCUREMENT OFFICER (CS CATEGORY)

DATE: 23 APRIL 2021

EXECUTIVE SUMMARY

This is a report recommending Council to enter into a contract with Overdrive Australia Pty Ltd (OverDrive) as it has acquired the original contracted company Wavesound Pty Ltd (RBDigital). With this acquisition, currently held Ipswich Libraries resources purchased from RBDigital (Wavesound) migrated to Overdrive on 16 March 2021 and all subscriptions paid for 2020-2021 will be honoured by Overdrive.

This report seeks Council resolution that the exception in 235 (a) of the *Local Government Regulation 2012* applies and OverDrive is the only supplier reasonably available to provide the supply of specialised eResources for Council, as all the content owned by Ipswich Library and previously purchased by Council through Wavesound has now transferred to OverDrive for library customer access. Council has an allocated/balance of funds for current subscription period amounting to the sum of sixty-five thousand three hundred and sixty-three dollars (\$65,363), which will be lost if Council does not transition to OverDrive.

RECOMMENDATION/S

- A. That Council resolve it is satisfied that the exception in 235(a) of the *Local Government Regulation 2012* applies and that OverDrive Australia Pty Ltd is the only supplier reasonably available to provide Library eResources.
- B. That Council enter into a contract with OverDrive Australia Pty Ltd for the balance of the current budgeted Subscription period 2020–2021 at a cost of \$65,363.00 (ex GST).

RELATED PARTIES

- Wavesound Pty Ltd
- Overdrive Australia Pty Ltd
- Ipswich City Council

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

ADVANCE IPSWICH THEME

Caring for the community

Managing growth and delivering key infrastructure

PURPOSE OF REPORT/BACKGROUND

On 1 July 2019 Ipswich City Council entered into contract (13837) with Wavesound Pty Ltd for supply of eResources under LocalBuy arrangement BUS255-0116 for the period of 17 months at an estimated contract value of \$172,125.00.

On 16 March 2021 OverDrive acquired RBmedia's (Wavesound) library business. As part of this acquisition, eResources purchased by Council from Wavesound, including the annual subscriptions have transferred from Wavesound to OverDrive. OverDrive has migrated all RB content to OverDrive and OverDrive's platform 'Libby' at no additional charge to Ipswich City Council. This includes all exclusive content and simultaneous use content that is not available from other vendors.

If Council does not enter into a Contractual Arrangement with Overdrive, Council will lose all eResources which have migrated from Wavesound to Overdrive, in addition to the remaining subscriptions which have already been paid:

- Audio and eBooks - subscription expires 30.06.2021
- eComics - subscription expires 31.08.2021
- eMagazines - subscription expires 30.09.2021

OverDrive will continue to provide Council with new exclusive and simultaneous use content available only through the OverDrive Platform, much of which is Australian content, but also includes UK and US bestselling titles. OverDrive has the most extensive collection of digital audios, ebooks and graphic novels of any library vendor in the world. They have extensive experience in providing eResources to Australian libraries and currently has accounts with every library in Australia.

The balance amount of \$65,363 is the remaining budget for eResources for the year, which has been unable to be expended due to the acquisition. It must be expended by 30 June 2021 to continue to refresh and build the eResources library collection, and will cover:

- Back buying of titles
- New titles available up to end of June
- All formats of eResources – eBooks, eAudiobooks, eMagazines, eComics

LEGAL/POLICY BASIS

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

The *Human Rights Act 2019* does not apply to this report or recommendation as the recommendation relates solely to Corporate Entities and therefore human rights are not affected.

RISK MANAGEMENT IMPLICATIONS

If Ipswich Library does not continue with OverDrive as a vendor for the current subscription a great deal of the Library collection will be lost. Most of the content purchased by library for eResource collection from Wavesound was exclusive to Wavesound and with the merger now remains exclusive to OverDrive. This represents a significant financial investment by Ipswich Libraries as various licences don't expire for many years. For example, audio books purchased may have a licence for 9 years and the recently purchased audiobooks have a substantial life left.

In addition, it is vital to note the significant negative impact upon customer service and experience should the eResource collection now sitting under OverDrive be lost. This includes eBooks, eAudiobooks, eMagazines and eComics. There are thousands of titles across these formats that Ipswich Libraries customers can and do access every day.

Continuing to engage with OverDrive as our major eResource supplier will:

- Improve the already high standard customer experience as content will be retained and collections will be developed, In addition to access OverDrive app 'Libby'
- Ensure continuity of a relevant and current eResource collection
- Ensure retention of the eResources previously purchased through RBDigital and therefore ensure continued value for money
- Make best use of an already significant financial investment
- Continue to provide excellent content curation for the budget

The balance of funds allocated to Wavesound/RBDigital prior to transition are now available for use with OverDrive. Failure to engage with OverDrive to build the eResource collection from this already approved budget will jeopardise expenditure of allocated budget by end of Financial Year.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications for the current subscriptions in seeking approval to utilise the balance allocated amount of \$65,363.00 (ex GST) for OverDrive.

COMMUNITY AND OTHER CONSULTATION

This report is prepared in consultations with Library Content Development and Logistics Team who agrees with this recommendation.

CONCLUSION

In order for Council to continue access to the digital resources and utilise the funds already allocated on the current subscription, it is recommended Council resolve to enter a contract with OverDrive enabling current subscriptions to be transferred.

Siva Challa

PROCUREMENT OFFICER (CS CATEGORY)

I concur with the recommendations contained in this report.

Samantha Chandler

MANAGER, LIBRARIES AND CUSTOMER SERVICES

I concur with the recommendations contained in this report.

Richard White

MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Jeffrey Keech

ACTING GENERAL MANAGER CORPORATE SERVICES

I concur with the recommendations contained in this report.

Ben Pole

GENERAL MANAGER - COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

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

Doc ID No: A7226808

ITEM: 5

SUBJECT: NEW TRUSTEE LEASE OVER RESERVE FOR RECREATION PURPOSES TO
AUSTRALIAN CRAWL (GOODNA) PTY LTD OVER 256 BRISBANE ROAD,
BUNDAMBA

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 29 APRIL 2021

EXECUTIVE SUMMARY

This is a report concerning the proposed Trustee Lease over 256 Brisbane Road, Bundamba, described as Lot 1 on SP245249 between Ipswich City Council as Trustees (Council) and Australian Crawl (Goodna) Pty Ltd (ACG).

RECOMMENDATION

- A. That Council terminate the Swimming Pool Management Agreement with Australian Crawl (Goodna) Pty Ltd described as Lot 1 on SP245249 located at 256 Brisbane Road, Bundamba.
- B. That Council, as Trustees, resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemption under section 236(1)(c)(iii) and of the Regulation applies to the disposal of the leasehold interest described as Lot 1 on SP245249 located at 256 Brisbane Road, Bundamba ("the land"), by way of a leasehold arrangement between Council and Australian Crawl (Goodna) Pty Ltd.
- C. That Council enter into a Trustee Lease with Australian Crawl (Goodna) Pty Ltd ("the tenant") over the property described as Lot 1 on SP245249 located at 256 Brisbane Road, Bundamba ("the land") for a period until 31 March 2028.
- D. That pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer the power to take "contractual action" pursuant to section 238 of the Regulation, in order to implement Council's decision.

RELATED PARTIES

There was no declaration of conflicts of interest.

ADVANCE IPSWICH THEME

Caring for the community

PURPOSE OF REPORT/BACKGROUND

The Bundamba Swim Centre is a public pool located at 256 Brisbane Road, Bundamba and described as Lot 1 on SP245249, which is a Reserve (trust land) for Local Government and Swimming Pool purposes. The property is improved with an 8 Lane 50 metre Olympic Pool, 3 lane 25 metre heated pool, Adventure Play Pool (suitable for babies up to 10 years), a gym inclusive of workout gym area, group fitness room and creche, change rooms and an office building. The property is operated and open for public use and Australian Crawl (Goodna) Pty Ltd were successful in the tender process coordinated by the former Works, Parks and Recreation Department for the management rights and lease of the swim centre. On 1 April 2018, Council (as Trustees) and Australian Crawl (Goodna) Pty Ltd (ACG) entered into a Swimming Pool Management Agreement for a ten (10) year term until 31 March 2028.

Following an internal review by Council, it has been noted that the Swimming Pool Management Agreement is the incorrect agreement for tenure over a Reserve under section 57 of the *Land Act 1994*. The legislation requires that Council as Trustees, only enter into a Trustee Permit for short term agreements (less than 3 years) or a Trustee Lease for longer term agreements for tenure over Reserves. It is recommended that Council terminate the existing Swimming Pool Management Agreement and enter into a Trustee Lease to ensure that Council complies with its obligations as Trustees under the *Land Act 1994*. Council as Trustees are the legal owners of the land and must comply with any requirements under the *Local Government Regulation 2012* for disposal of land. Section 232(2) of the default contracting provisions of the Regulation have been considered, as they relate to this particular transaction, to create a trustee lease, the provisions under Part 3 of the Regulation do not apply to trust land.

The consequences of not applying for disposal are that Council do not need to go to tender in relation to trust land. The default contracting provisions are only specific to Part 3 of the Regulation and this specifically excludes trust land. The general powers of the Trustees are contained in s52 of the *Land Act 1997*, but the obligations contained in s57(5) of the *Land Act 1997* relate to trustee leases, and the trustee lease must be consistent with the purpose of which the trust was reserved.

Therefore, it is proposed that Council enter into a new Trustee Lease with ACG for a term of approximately seven (7) years until 31 March 2028 over the whole of the trust land. The Trustee Lease will replace the existing Swimming Pool Management Agreement. There will be no increase to the length of the term and no change to the rent charged. Property Services have consulted with ACG regarding the requirements for the new Trustee Lease and ACG understand the reasons for and agree to the termination of the existing agreement and entering into the Trustee Lease.

The new Trustee Lease will be under the same terms and conditions as the existing agreement, with the exception of the responsibilities under the maintenance schedule for the security and locking systems for the gym which will transfer to ACG. ACG have recently been provided approval to upgrade the operating hours of the gym to 24/7. Subsequently, the locking system to the gym will need to be upgraded and security systems transferred to ACG for management of their members.

Existing management agreement terms:

Period:	10 Years
Commencement Date:	01/04/2018
Expiry Date:	31/03/2028
Options:	Nil
Rent:	5% of the revenue of the centre for that month
Permitted Use:	Manage and maintain swimming facilities

The proposed new lease terms:

Period:	5 Years
Commencement Date:	01/07/2021
Expiry Date:	31/03/2028
Options:	Nil
Rent:	5% of the revenue of the Centre for that month
Permitted Use:	Public Swimming pool (and kiosk and sporting goods outlet conducted incidentally to the use of the Premises as a public swimming pool)

The Trustee Lease document must satisfy all requirements of the *Land Act 1994* and the State's Operation Policy - Secondary Use of Trust Land under the Land Act and the Prescribed Terms of a trustee lease under the *Land Regulation 2020*, the Trustee Lease can then be registered in the Titles Registry.

LEGAL/POLICY BASIS

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

Land Title Act 1994

Local Government Regulation 2012

Local Government Act 2009

Land Regulation 2020

RISK MANAGEMENT IMPLICATIONS

The major risk is that Council is not complying with their obligation as Trustees of the Reserve under the *Land Act 1994*. This includes providing the correct legal instrument for offering tenure over the Reserve. If Council terminates the existing Swimming Pool Management Agreement and enter into a new Trustee Lease, it will remove the risk to Council.

FINANCIAL/RESOURCE IMPLICATIONS

Council will continue its responsibilities for reasonable wear and tear, asset end of life replacement and structural building repairs and maintenance. ACG are responsible for general cleaning, repairs and maintenance of the facility. Upon termination of the Trustee Lease, the trustee lessee must return the premises to Council in good repair and working order, with the exception of reasonable wear and tear.



COMMUNITY AND OTHER CONSULTATION

ACG were the successful applicant in a public tender process to secure the management of the facility. Property Services have consulted with ACG regarding the requirements for the new Trustee Lease and ACG understand the reasons for and agree to the termination of the existing agreement. The Swimming Pool Management Agreement is the incorrect tenure for the property and once the new Trustee Lease is executed and registered on the reserve title, ACG will have a legal interest in the property and can then apply for land owner consent for any capital improvements to the facility. Council as the Trustee Lessor are the statutory owner of the property, for the purposes of providing consent under the *Planning Act 2016*, to any development application with the exception of a material change of use application, where Minister's Consent is required from the State of Queensland.

CONCLUSION

It is recommended that Council enter a Trustee Lease with ACG over the whole of the land located at 256 Brisbane Road, Bundamba and described as Lot 1 on SP245249. The Trustee Lease will reflect the obligations of Council as Trustees under the *Land Act 1994* and will be consistent with the State's Operational Policy – *Secondary use of Trust Land* and the Prescribed Terms under the *Land Regulation 2020*.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Property Plan  
2.	Title Search  

Kerry Perrett

SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Brett McGrath

PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy

MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Jeffrey Keech
ACTING GENERAL MANAGER CORPORATE SERVICES

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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: 256 Brisbane Road Bundamba Qld 4304
Owner: Ipswich City Council Program 33
Lot Plan: 1SP245249
Area: 10780m²

MAP DETAILS

Scale:

1:2,303

Metres

50

100



LEGEND



Selected Property



23 House Number / Boundary



Easement

Item 5 / Attachment 1.

PROPERTY DETAILS			
Published Date: 29/04/2021			
Address:	256 Brisbane Road Bundamba Qld 4304	Suburb:	Bundamba
LotPlan:	1SP245249	Postcode:	4304
Area:	10780m ²	Division:	Division 3
Tenure:	Tenure: RE Description: RESERVE		
RATING DETAILS			
PPN:	153101	Assessment :	171527
Owner:	Ipswich City Council Program 33	Mail Address:	Ipswich City Council Program 33 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: 31003128401 SA2: 31003128 SA3: 31003 SA4: 310 Mesh Block: 30343990000 Block Category: Parkland	Historic Flood:	1974 Affected: True 2011 Affected: True
IE Work Area:	District 2 - Eastern Team 3	PRS Planning Team Area:	Development - Central 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 4 Area 3: PRS Compliance - Animal Management 3
Waste Work Area:	Zone 2	Catchment:	Catchment: Bremer River Subcatchment: Bundamba Creek
PLANNING & DEVELOPMENT DETAILS			
Zones:	REC - Recreation	Development Constraints:	Heritage - Character Places Historic Miscellaneous Heritage OV3 Area Affected by Underground Mining OV3 Mining Constrained Area OV5 1 in 20 Development Line OV5 Adopted Flood Regulation Line 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 RESERVE SEARCH
DEPARTMENT OF RESOURCES, QUEENSLAND

Search Date: 29/04/2021 10:21

Title Reference: 49023035
Date GAZETTED: 16/12/1972
PAGE: 1799

Opening Ref: RES 1301
Purpose: LOCAL GOVERNMENT
Sub-Purpose: SWIMMING POOL
Local Name: BUNDAMBA SWIMMING POOL
Address: CUNNINGHAM HIGHWAY
County (R) No: R2474
File Ref: RES 14897

TRUSTEES

IPSWICH CITY COUNCIL GAZETTED ON 16/12/1972 PAGE 1799

LAND DESCRIPTION

LOT 1 SURVEY PLAN 245249 AMENDED on 09/09/2011
Local Government: IPSWICH

Area: 1.078000 Ha. (SURVEYED)

EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

** End of Current Reserve Search **

Doc ID No: A7234729

ITEM: 6

SUBJECT: TENURE ARRANGEMENTS OVER THE SPRINGFIELD CENTRAL SPORTS AND COMMUNITY HALL LOCATED AT 134A PARKLAND DRIVE, SPRINGFIELD CENTRAL (FORMALLY 7003 PARKLAND DRIVE, SPRINGFIELD CENTRAL)

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 4 MAY 2021

EXECUTIVE SUMMARY

This is a report concerning Council's previous decision of the General Purpose Committee, Item No. 8 on 21 July 2020 and adopted at the Council Ordinary meeting of 28 July 2020, in particular to Recommendation B of the Officer's Report titled Proposed New Sub Lease over Freehold Land for Community Purposes to Y-Care – South East Queensland Inc. Trading as YMCA Social Impact – 7003 Parkland Drive Springfield Central.

It was resolved at Council's Ordinary Meeting that Council enter into a Sub Lease and Management Agreement with Y-Care (South East Queensland) Inc. trading as YMCA Social Impact over land described as Lot 1200 on SP303944 located at 7003 Parkland Drive, Springfield Central.

Upon further review by Legal Services it was identified that the correct tenure should be a further Sub-Lease; ie a Sub Sublease to Y-Care.

As the provisions of the Sub SubLease and the original Sub Lease are identical, it is recommended that the report only needs to be received and noted.

RECOMMENDATION/S

That the report be received and the contents noted.

PURPOSE OF REPORT/BACKGROUND

Council entered a joint partnership with the State of Queensland (Represented by Department of Education) (DOE) for the development of a multi-purpose sports hall and community centre known as the Springfield Central Sports and Community Hall.

The following tenure arrangements have been formalised:






1. DOE hold a Head Lease over the whole of the land located at 134A Parkland Drive, Springfield Central. DOE have exclusive use of Area B as owner of the building.
2. Council hold a Licence from DOE for shared use of Area A which encompasses the sports courts in the hall component of the building. The Licence permits Council after-hours use of Area A for community use.

3. The Sub Lease to Council is for exclusive use of Area C of the building for a Community Centre.
4. The Sub Sublease to Y-Care from Council is for exclusive use for the management and operation of Area C of the building for a Community Centre.
5. The Tripartite Agreement (Licence to use) permits Y-Care (South East Queensland) Inc. (Y-CARE) to manage the use of Area A for after-hours use outside of school hours.

The previous committee resolution was adopted upon completion of an expression of interest process by the Community, Cultural and Economic Development Department for a Sub Lease. Upon further review by Legal Services it was identified that the correct tenure should be a further Sub-Lease; ie a Sub SubLease to Y-Care. Subsequently, a further-Sub SubLease was entered into between Council and Y-Care. The provisions of the new Sub SubLease are identical to the Sub Lease and therefore pose no risk in the minor amendment of the tenure type.

To ensure security of tenure with the appropriate agreement, it is requested that this report be received and the contents noted.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Property Plan ↓ 
2.	Adopted Committee Report [9716] General Purposes Committee ↓ 
3.	Council 28/07/2020 - Minutes of Council Ordinary Meeting ↓ 
4.	Community Facilities and Operating Model Policy ↓ 
5.	Floor Plan ↓ 
	CONFIDENTIAL
6.	Request for Expression of Interest Evaluation Report

Kerry Perrett
SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Brett McGrath
PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy
MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Jeffrey Keech
ACTING GENERAL MANAGER CORPORATE SERVICES

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Business Hours

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

Property Plan



PROPERTY DETAILS

Address: 134a Parkland Drive Springfield
Central Qld 4300

Lot Plan: 1200SP303994

Owner: Department Of Education

Area: 4652m²

MAP DETAILS

Scale:

1:1,795

Metres 25 50 75



LEGEND



Selected Property

23

House Number / Boundary



Easement

Item 6 / Attachment 1.

PROPERTY DETAILS			
Published Date: 04/05/2021			
Address:	134a Parkland Drive Springfield Central Qld 4300	Suburb:	Springfield Central
LotPlan:	1200SP303994	Postcode:	4300
Area:	4652m ²	Division:	Division 2
Tenure:	Tenure: FH Description: FREEHOLD		
RATING DETAILS			
PPN:	175684	Assessment :	192730
Owner:	Department Of Education	Mail Address:	Department Of Education PO Box 15033 CITY EAST QLD 4002
Land Use:	Code: 0454 Description: Vac Land > .4047 Ha State	Rates:	Code: 700 - State Govt Emergency & Fire Levy - Group 1
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
IE Work Area:	District 2 - Eastern Team 1	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
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		

GENERAL PURPOSES COMMITTEE
MEETING AGENDA

21 JULY
2020

Doc ID No: A6292969

ITEM: 8

SUBJECT: PROPOSED NEW SUB LEASE OVER FREEHOLD LAND FOR COMMUNITY
PURPOSES TO Y-CARE - SOUTH EAST QUEENSLAND INC. TRADING AS YMCA
SOCIAL IMPACT - 7003 PARKLAND DRIVE SPRINGFIELD CENTRAL

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 12 JUNE 2020

EXECUTIVE SUMMARY

This is a report concerning the proposed new sub lease over Lease Area C over the land located at 7003 Parkland Drive, Springfield Central, described as Lot 1200 on SP303994, between Ipswich City Council as Sub Lessee (Council) of Lease Area C to Y-Care (South East Queensland) Inc. trading as YMCA Social Impact (YMCA).

In accordance with Council's Community Centre Operating Model Policy (Attachment 1), it is recommended that a sub lease be entered into with Y-Care (South East Queensland) Inc. trading as YMCA Social Impact, as the successful respondent to the Expression of Interest for the tenure and management of the Community Centre component of the newly constructed Springfield Central Sport and Community Hall.

RECOMMENDATION

- A. That Council as Sub Lessee resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(ii) of the Regulation applies to the disposal of the leasehold interest located at part of 7003 Parkland Drive, Springfield Central and described as Lease Area C over Lot 1200 on SP303994 ("the land"), by way of a leasehold arrangement between Council and Y-Care (South East Queensland) Inc. trading as YMCA Social Impact.
- B. That Council enter into a Sub Lease and Management Agreement with Y-Care (South East Queensland) Inc. trading as YMCA Social Impact ("the tenant") for a three (3) year term plus an option period of three (3) years for a consideration sum of \$1.00 per annum, if demanded (excluding GST).
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the Sub Lease to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

RELATED PARTIES

Four (4) responses were received to Council's Expression of Interest for the tenure and management of the Community Centre component of the newly constructed Springfield Central Sport and Community Hall. These (4) respondents are noted in Confidential Attachment 3.

The Evaluation Panel first considered conflicts of interest before analysing and appraising the responses to the Expression of Interest (detailed in Confidential Attachment 3). Council's Procurement Manager has reviewed Confidential Attachment 3 and no objections have been noted to the processes undertaken.

ADVANCE IPSWICH THEME

Managing growth and delivering key infrastructure and Caring for the community.

PURPOSE OF REPORT/BACKGROUND

In accordance with Council's Community Centre Operating Policy (Attachment 1), on 7 December 2019, Council opened an Expression of Interest (EOI) for the tenure and management of the Community Centre component of the newly constructed Springfield Central Sport and Community Hall (the Community Centre). The intention of the EOI was to establish a partnership with a community organisation whose services aligned with the strategic intent of Council to facilitate the provision of quality social and community outcomes, focused specifically on children, young people and families.

The Community Centre is one component of the larger Springfield Central Sport and Community Hall which incorporates:

- A Community Centre (coloured green in the floor plan at Attachment 2);
- Shared School and Community Sporting Spaces (coloured yellow in the floor plan at Attachment 2); and
- Department of Education/Springfield Central State High School Spaces (coloured purple in the floor plan at Attachment 2).

Applications to the EOI closed on 11 February 2020 and attracted a total of three (3) compliant expressions of interest. Each response was evaluated by a Panel of Council representatives and the successful respondent was identified as Y-Care (South East Queensland) Inc. trading as YMCA Social Impact (see Confidential Attachment 3).

LEGAL/POLICY BASIS

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

Land Act 1994

Local Government Act 2009

Local Government Regulation 2012

RISK MANAGEMENT IMPLICATIONS

Known risks associated with management of the community centre will be addressed through the terms of the Sub Lease.

FINANCIAL/RESOURCE IMPLICATIONS

Council will be responsible for costs associated with the general cleaning of the shared use area (Area A) and sub lease area (Area C) and general repairs and maintenance within Area C in relation to planned and emergent maintenance as per the Sub Lessors maintenance standards. Council is also responsible for the relevant insurances and associated utility costs for Area C.

COMMUNITY AND OTHER CONSULTATION

Council approached organisations through an EOI process to establish a partnership that will facilitate the provision of quality social and community outcomes through the tenure and management of the Community Centre component of the newly constructed Springfield Central Sport and Community Hall (the Community Centre).

To encourage applicants from the local industry and market, Council advertised the EOI in both the Queensland Times and The Courier Mail newspapers and online at LGTenderbox.

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

In relation to internal/organisational consultation, the following have been consulted and have noted no objections to the contents of this report nor its recommendations:

- Manager, Procurement;
- Manager, Community and Cultural Services; and
- Community Development Manager.

CONCLUSION

In accordance with Council's Community Centre Operating Model Policy (Attachment 1), it is recommended that a sub lease be entered into with Y-Care (South East Queensland) Inc. trading as YMCA Social Impact, as the successful respondent to the EOI for the tenure and management of the Community Centre component of the newly constructed Springfield Central Sport and Community Hall.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Community Facilities and Operating Model Policy
2.	Floor Plan
	CONFIDENTIAL
3.	REOI Evaluation Report

Kerry Perrett

GENERAL PURPOSES COMMITTEE
MEETING AGENDA

21 JULY
2020

SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Brett McGrath

PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Sonia Cooper

GENERAL MANAGER CORPORATE SERVICES

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



IPSWICH CITY COUNCIL

Community Facilities and Operating Model Policy

Version Control and Objective ID	Version No: 1	Objective ID: A5701429
Approved by Council on	19 November 2019	
Date of Review	19 November 2023	

1. Statement

Ipswich City Council invests in community outcomes through utilising a standard operating model for council-owned community facilities. Council facilities will be developed and maintained as assets of council and will be managed so as to minimise operational and maintenance costs.

2. Purpose and Principles

This policy establishes clear expectations around council responsibilities, sets out a comprehensive approach to governance and accountability and ensures that community facilities owned by council provide:

- infrastructure that allows a diverse range of community groups to meet, engage and build social, healthy and recreational networks and a shared community identity;
- a 'safe' place for the delivery of services that meet the needs of targeted community groups; and
- programmed health, well-being, learning and life experiences that enhance the community's capacity, pride and resilience.

3. Strategic Plan Links

This policy relates to Advance Ipswich Theme:

- Caring for the Community

4. Regulatory Authority

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Sustainable Planning Act 2009*
- Ipswich City Council – Corporate Plan 2017 – 2022
- Ipswich City Council Advance Ipswich Community Plan

5. Scope

This policy applies to the development, management and maintenance of community facilities and applies to all Ipswich City Council owned or controlled buildings, sport and recreation facilities (both indoor and outdoor) and associated supporting infrastructure and the sports and/or user groups that utilise them.



IPSWICH CITY COUNCIL Community Facilities and Operating Model Policy

The Operating Model for council-owned facilities will be a partnership with a community organisation, association or sporting group whose purpose aligns with the strategic intent of council to manage the ongoing operations of the relevant council's community facilities.

The partnering organisations will be selected based on but not limited to an expression of interest process or standard council permit application on the basis of its relevance to local community needs and its ability to address key selection criteria.

The partner will:

- base its operations at the identified facility and run core programming, in exchange for a low-cost lease, permit or licence;
- have its own funding source to deliver its targeted outcomes;
- address the majority, if not all, of their key priorities under its own operating model;
- have current insurances and registrations for the programs it delivers (including a Public Liability Insurance Policy);
- bring a level of expertise and experiential learning's that would optimise the social and sporting outcomes of the facility.

Council will:

- meet costs associated with the purchase (where required) and maintenance of the building, furniture, equipment, hold relevant insurances for the building and cover utility costs associated with the facility.

Council may:

- supplement programming where the partner's core service deliverables are not broad enough to meet the needs of the community. This may be a function of council's existing outreach programming (e.g. library services), community development activity or volunteer coordinated programs and may be offset by external revenue sources (subject to funding availability).

The governance structure for a Community Centre will take the form of an overarching Steering Committee, consisting of council representatives, representatives from the partnering organisation, and when considered necessary or beneficial, strategic Community Leaders. The Steering Committee's role in the Centre's operation includes, but is not limited to, providing:

- direction and leadership, setting the vision for the Centre and continually refining goals and success measures to align with emerging community needs; and
- ongoing oversight of performance, e.g.
 - performance against agreed Key Performance Indicators;
 - escalated issues relating to the operations of the Centre.
- strategic direction, including:
 - suitability of services and programming to meet changing community needs;
 - ongoing appropriateness of Key Performance Indicators;
 - what the balance should be between service provision, programming and community use of the facility.

IPSWICH CITY COUNCIL Community Facilities and Operating Model Policy

Sporting groups and associated facilities' governance structures will take the form of nominated committee members charged with the responsibility of overseeing the operation of the identified sporting association. Operating activities would include but are not limited to:

- direction and leadership, setting the vision for the sporting association and continually refining goals and success measures to align with emerging trends; and
- ongoing oversight of performance, e.g.
 - performance against agreed Lease, Permit, License or general tenancy agreement conditions and performance measures;
 - the ongoing growth, development and expansion of the game, association and participation rates.
- strategic direction, including:
 - suitability of facilities and ongoing growth and expansion that meets changing community needs and expectations;
 - ongoing appropriateness of performance measures.

6. Roles and Responsibilities

All council officers responsible for managing council-owned facilities and developing and maintaining agreements as described in this policy.

7. Key Stakeholders

- Community, Cultural and Economic Development
 - Community Development
 - Community and Cultural Services
- Corporate Services
 - Property Services Team
 - Legal and Governance
- Infrastructure Strategy and City Maintenance
 - Infrastructure and Environment

8. Monitoring and Evaluation

- Measured participation numbers and program outcomes that build capacity of community groups and cultural organisations,
- Reduction in complaints about access to council facilities, open space, programs and services,
- Collation and analysis of customer demographics, service or centre usage, client service quality; problem identification and resolution; overall service user satisfaction generated via the use of surveys, questionnaires and various user and self-assessment tools.

9. Definitions

Council	Means Ipswich City Council
Council owned	Means a facility owned by Ipswich City Council, including those built on crown land where council is trustee of the land



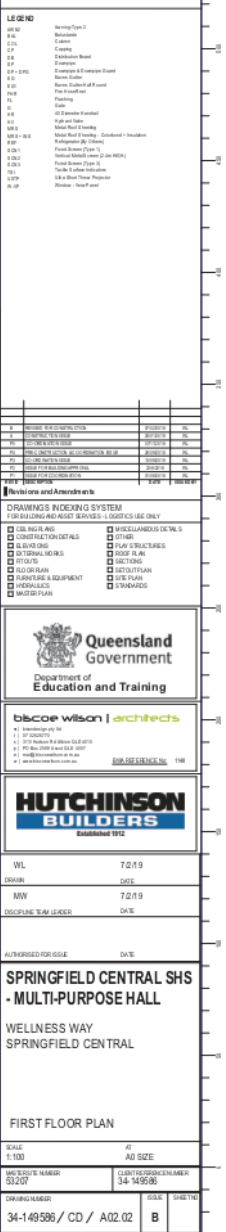
IPSWICH CITY COUNCIL Community Facilities and Operating Model Policy

Community Centre	A building or other place in which members of a community may gather for social, educational or cultural activities
Facility	Constructed and/or maintained sport and recreation grounds, fields, ovals, courts, clubhouses, change rooms and other supporting infrastructure at a location that allows people to be involved in and participate in sport and recreation activities

10. Policy Owner

The General Manager (Community, Cultural and Economic Development) is the policy owner and the Manager (Community and Cultural Services) is responsible for authoring and reviewing this policy.





MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

Held in the Council Chambers, Administration Building
45 Roderick Street, Ipswich

The meeting commenced at 9.00 am

**ATTENDANCE AT
COMMENCEMENT**

Mayor Teresa Harding (Chairperson); Councillors Jacob Madsen, Sheila Ireland, Nicole Jonic, Paul Tully, Andrew Fechner, Kate Kunzelmann and Russell Milligan

It was moved by Mayor Teresa Harding that the meeting be adjourned at 9.00 am for five minutes.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

Deputy Mayor Marnie Doyle was not present for the vote.

The meeting resumed at 9.05 am.

**ATTENDANCE AT
RESUMPTION OF
MEETING**

Mayor Teresa Harding (Chairperson); Councillors Jacob Madsen, Sheila Ireland, Nicole Jonic, Paul Tully, Deputy Mayor Marnie Doyle, Andrew Fechner, Kate Kunzelmann and Russell Milligan

**WELCOME TO
COUNTRY OR
ACKNOWLEDGEMENT
OF COUNTRY**

Councillor Kate Kunzelmann

OPENING PRAYER

Councillor Paul Tully

**APOLOGIES AND
LEAVE OF ABSENCE**

Nil

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

CONDOLENCES

Moved by Councillor Kate Kunzelmann:

That Council convey its condolences on behalf of the citizens of Ipswich to the family of the late Michael Whiting.

Attachments

1. Condolence Motion - Michael Whiting

TRIBUTES

Nil

**PRESENTATION OF
PETITIONS**

Nil

**PRESENTATIONS AND
DEPUTATIONS**

Nil

**PUBLIC
PARTICIPATION**

Professor Jacquie Rand – Item 19 of the General Purposes Committee Report – Community Cat Program Proposal

**DECLARATION OF
INTEREST**

**COUNCILLOR
ANDREW FECHNER**

In accordance with section 175C(2) of the *Local Government Act 2009*, Councillor Andrew Fechner informed the meeting that he has a Material Personal Interest in Item 14.2 titled Reception and Consideration of Ipswich Central Redevelopment Committee's Report.

The nature of the interest is that Councillor Fechner stands to gain a benefit or suffer a loss due to his business interest in Bar Heisenberg Pty Ltd which is located in the top of town at 164 Brisbane Street, Ipswich.

Councillor Andrew Fechner advised that he would leave the meeting room while this item was being discussed and voted on.

**DECLARATION OF
INTEREST**

**COUNCILLOR JACOB
MADSEN**

In accordance with section 175E of the *Local Government Act 2009*, Councillor Jacob Madsen informed the meeting that he has, or could reasonably be taken to have, a conflict of interest in Item 14.2 titled Reception and Consideration of Ipswich Central Redevelopment Committee's Report.

The nature of the interest is that he is a member of the Ipswich Trades Hall and Labour Day Committee Executive which manages the Ipswich Trades Hall which is adjacent to the CBD redevelopment program that Council is undergoing.

Councillor Jacob Madsen came to the conclusion that because of the nature of the conflict, he will exclude himself from the meeting while this matter is debated and the vote taken.

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

CONFIRMATION OF MINUTES

**11.1
CONFIRMATION OF
MINUTES OF
ORDINARY MEETING
OF 30 JUNE 2020**

Moved by Councillor Sheila Ireland:
Seconded by Councillor Kate Kunzelmann:
That the Minutes of the Ordinary Meeting held on 30 June 2020 be confirmed.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**11.2
CONFIRMATION OF
MINUTES OF SPECIAL
MEETING OF 30 JUNE
2020**

Moved by Councillor Andrew Fechner:
Seconded by Councillor Kate Kunzelmann:
That the Minutes of the Special Meeting held on 30 June 2020 be confirmed.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**12.1
MAYORAL MINUTE –
WASTE AND MINING
– CLEAN STATE FOR**

Moved by Mayor Teresa Harding:

The Council:

- 1. Establish a Waste and Mining Working Group to be**

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

IPSWICH

chaired by the Mayor, with a standing invitation open to all Councillors to participate as members.

2. Establish a Waste and Mining Industry Representative Group to be chaired by the Mayor, with a standing invitation open to all Councillors to participate as members.
3. Delegate to the Chief Executive Officer the development and implementation of the Terms of Reference for the Working and Industry Representative groups.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Attachments

1. Mayoral Minute - Waste and Mining - Clean Slate for Ipswich

12.2

**MAYORAL MINUTE –
GREATER
TRANSPARENCY IN
PROCUREMENT –
PUBLISHING DETAIL
OF ALL AWARDED
CONTRACTS OVER
\$10,000 AS OPEN
DATA**

Moved by Mayor Teresa Harding:

That Council:

- Amend its Procurement Policy to achieve greater transparency in procurement and contribute to rebuilding of trust with the Ipswich Community by including the following statement within its Purpose and Principles section:
 - To achieve greater transparency in procurement and contribute to rebuilding of trust with the Ipswich community, Council will publish basic contract details for all awarded contracts and procurements over \$10,000 (excluding GST). Basic contract details will include:
 - a description of the purpose and goods or

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

- services procured
 - contract or arrangement number
 - date of award
 - commencement and end dates
 - value of the contract, standing offering arrangement or purchase
 - name and address including postcode of the awarded supplier.
- In addition to its legislative obligation under section 237 of the Local Government Regulation 2012 to publish the awarded supplier, value and purpose of contractual arrangements worth \$200,000 (excluding GST) or more on Council's website, Council will also publish the details on:
 - suppliers who tendered a response.
- This information will be published on Council's website and/or as open data including on Council's Transparency and Integrity Hub.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Attachments

1. Mayoral Minute - Greater Transparency in Procurement

**BUSINESS
OUTSTANDING –
MATTERS LYING ON
THE TABLE TO BE
DEALT WITH**

Nil

RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

14.1

GENERAL PURPOSES

Moved by Councillor Andrew Fechner:
Seconded by Councillor Kate Kunzelmann:

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COMMITTEE

That Council adopt the recommendations of the General Purposes Committee Report No. 2020(03) of 21 July 2020 (as detailed below) with the exception of Items 2, 4, 5, 8, 10, 16, 19 and 24.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts Items **1, 3, 6-7, 9, 11-15, 17-18, 20-23** and **25-28** of the General Purposes Committee No. 2020(03) of 21 July 2020 as resolutions of the Council:

GENERAL PURPOSES
COMMITTEE – ITEM 1

Mayor Teresa Harding moved that the matter lay on the table.

CAMERON PARK –
SWIFTS LEAGUES CLUB
LTD

GENERAL PURPOSES
COMMITTEE – ITEM 3

That Council resolve:

IGO ROAD SAFETY
ACTION PLAN

- A. That the iGO Road Safety Action Plan and Summary Report – as detailed in Attachments 1 and 2 of the report by the Team Lead (Transport and Traffic) dated 25 May 2020, be adopted.
- B. That the Chief Executive Officer and Executive Leadership Team communicate and promote the outcomes and key messages of the iGO Road Safety Action Plan with the Ipswich community and other stakeholders.
- C. That the iGO Road Safety Action Plan and Summary Report be sent to the Department of Transport and Main Roads, Queensland Police Service, Queensland Fire and Emergency Services, Queensland Health and Department of Education for acknowledgment and support.
- D. That Council officers, as delegated by the Chief Executive

MINUTES OF COUNCIL ORDINARY MEETING

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Officer, be authorised to commence implementing the iGO Road Safety Action Plan.

GENERAL PURPOSES
COMMITTEE – ITEM 6

LANDHOLDER
PARTNERSHIPS
PROGRAM – REVIEW
RECOMMENDATION

- A. That Council endorse the Landholder Conservation Partnerships Program review report as detailed Attachment 1.
- B. That Council resolve to work in partnership with landholders that have a Voluntary Conservation Agreement to transition under the new model of Landholder Conservation Partnerships at an additional cost of \$100,000 over the existing arrangement in 2021-2022.

GENERAL PURPOSES
COMMITTEE – ITEM 7

REVIEW OF LOCAL
DISASTER
MANAGEMENT PLAN
2020

- A. That the Local Disaster Management Plan for the City of Ipswich, as detailed in Attachment 2 be approved.
- B. That the Chief Executive Officer, in consultation with the Mayor, be authorised to make amendments deemed necessary on the basis of further comment received from members of the Local Disaster Management Group, who form part of the governance arrangements for the adoption of this plan.

GENERAL PURPOSES
COMMITTEE – ITEM 9

PROPOSED TRUSTEE
LEASE OVER TRUST
LAND FOR
RECREATION
PURPOSES –
QUEENSLAND RUGBY
FOOTBALL LEAGUE
LIMITED – 43 THE
TERRACE NORTH
IPSWICH

- A. That Council, as Trustee, resolve pursuant to section 236(2) of the Local Government Regulation 2012 (the Regulation) that the exception under sections 236(1)(b)(ii) of the Regulation applies to the disposal of the leasehold interest located at part of 43 The Terrace, North Ipswich described as Lot 246 on Crown Plan SL8089 ("the land"), by way of a leasehold arrangement between Council and Queensland Rugby Football League Limited for a consideration.
- B. That Council enter into a Trustee lease with Queensland Rugby Football League Limited ("the tenant") for a period of 20 years.
- C. That the Chief Executive Officer be delegated the power under s257 of the *Local Government Act 2009* to be authorised to negotiate and finalise the terms of the Trustee Lease to Queensland Rugby Football League, to be executed by Council and to do any other acts necessary to implement Council's decision.
- D. That the previous decision of Council adopted at the City Works, Parks, Sport and Environment Committee No. 2017 (09) of 11 September 2017 and as per Item No. 21 adopted

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by the Council Ordinary meeting of 19 September 2017, be repealed.

- E. That Council terminate the agreement executed on 30 March 2008 with the entity formerly known as Ipswich Rugby League Incorporated (IRL) and now trading as Rugby League Ipswich.

GENERAL PURPOSES
COMMITTEE – ITEM 11

AMENDMENT TO
DELEGATION TO CEO

That Council resolve to delegate the power to the Chief Executive Officer, under s257(1) (b) of the *Local Government Act 2009* in accordance with the amendments to the Delegation Instrument LGD-2020-03, as detailed in Attachment 2, of the report dated 8 July 2020 by the Project Officer, Governance Section.

GENERAL PURPOSES
COMMITTEE – ITEM 12

CONTRACT FOR
URBAN HEAT ISLAND
STUDY WITH GRIFFITH
UNIVERSITY

- A. That Council resolve it is satisfied under section 235(a) of the *Local Government Regulation 2012 (Regulation)* that the exemption under s235(a) of the *Regulation* applies and that Griffith University is the only supplier reasonably available to conduct a research study into the effects of Urban Heat Islands for the following reason:
- (i) the local government resolves that, because of the specialised nature of the services that are sought it would be impractical for the local government to invite quotes or tenders.
- B. That Council enter into a contract with Griffith University for the provision to conduct a research study into the effects of Urban Heat Islands for a period of not more than 3 years.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

GENERAL PURPOSES
COMMITTEE – ITEM 13

COVID-19 STIMULUS
GRANTS – PROJECT
STATUS

That the Stimulus Project Status as detailed in Attachment 1 be received and noted.

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GENERAL PURPOSES
COMMITTEE – ITEM 14

DEMOGRAPHIC
INFORMATION
SYSTEM AND ‘LIVING
IN IPSWICH’
LIVEABILITY SURVEY

- A. That Council resolve to prepare a Tender Consideration Plan for a Liveability Survey Pilot Project in accordance with section 230(1)(a) of the *Local Government Regulation 2012*.
- B. That Council resolve to adopt the Tender Consideration Plan for a Liveability Survey Pilot Project as outlined in the report by the Principal Officer (Procurement and Contract Operations) dated 17 May 2020 in accordance with section 230(1)(b) of the *Local Government Regulation 2012*.
- C. That Council resolve to enter into a contract with I.D. Consulting Pty Ltd for a Liveability Survey Pilot Project on the terms described in the report by the Principal Officer (Procurement and Contract Operations) dated 17 May 2020.
- D. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract with I.D. Consulting Pty Ltd to be executed by Council and to do any other acts necessary to implement Council’s decision in accordance with section 13(3) of the *Local Government Act 2009*.

GENERAL PURPOSES
COMMITTEE – ITEM 15

IPSWICH WASTE
SERVICES JANUARY –
MARCH 2020
QUARTERLY REPORT

That the Ipswich Waste Services January-March 2020 quarterly report be received and noted.

GENERAL PURPOSES
COMMITTEE – ITEM 17

URBAN
DEVELOPMENT
INSTITUTE OF
AUSTRALIA –
PROPOSED
MEMORANDUM OF
UNDERSTANDING
WITH IPSWICH CITY
COUNCIL

- A. That Council endorse entering into the Memorandum of Understanding and the creation of the Ipswich City Council / Ipswich UDIA Branch Joint Working Group.
- B. That Council nominate four Councillors to be members of the Ipswich City Council/Ipswich UDIA Branch Joint Working Group and that those Councillors be as follows:

Mayor Teresa Harding
Councillor Kate Kunzelmann
Councillor Sheila Ireland
Councillor Paul Tully

GENERAL PURPOSES

That pursuant to section 257(1) of the Local Government

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COMMITTEE – ITEM 18 EXTENSION TO CONTRACT WITH RSPCA FOR POUND SERVICES	Act 2009, Council delegate to the Chief Executive Officer the power (includes authority) to negotiate and finalise the terms for the exercise of a final option (1 year option) to extend the Animal Management Services Contract No. 15-16-226 with Royal Society for Prevention of Cruelty to Animals (RSPCA) Queensland in the order of \$1.8 million plus CPI.
GENERAL PURPOSES COMMITTEE – ITEM 20	That the report be received and the contents noted.
COURT ACTION STATUS REPORT	
GENERAL PURPOSES COMMITTEE – ITEM 21	That the report be received and the contents noted.
EXERCISE OF DELEGATION REPORT	
GENERAL PURPOSES COMMITTEE – ITEM 22	A. That the policy titled ‘Street Lighting’ as adopted by Council on 30 June 2015, be repealed.
BUSINESS TRANSFORMATIONAL PROJECT #9 POLICIES – INFRASTRUCTURE AND ENVIRONMENT DEPARTMENT	B. That the policy titled ‘Disposal of Non-Reusable Spoil’ as adopted by Council on 17 September 2014, be repealed.
GENERAL PURPOSES COMMITTEE – ITEM 23	That the policy titled ‘Conflicts of Interest for Employees’ as detailed in Attachment 1, be adopted.
CONFLICTS OF INTEREST POLICY	
GENERAL PURPOSES COMMITTEE – ITEM 25	That Council endorse the partnership between Council and the Garage Trail initiative and promote the initiative to the community, for a three year period at a cost of \$7,819 per annum plus GST.
GARAGE SALE TRAIL 2020	
GENERAL PURPOSES COMMITTEE – ITEM 26	That Council make a submission to the Minister for Infrastructure and Planning on the proposed changes to the Development Assessment Rules (DA Rules), Minister’s Guidelines and Rules (MGR) and the Planning Regulation
SUBMISSION ON	

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**PROPOSED
AMENDMENTS TO THE
DEVELOPMENT
ASSESSMENT RULES,
MINISTER'S
GUIDELINES AND
RULES AND PLANNING
REGULATION 2017 –
ECONOMIC RECOVERY
INITIATIVES**

2017 as outlined in the updated Attachment 1.

**GENERAL PURPOSES
COMMITTEE – ITEM 27**

**That the policy titled 'Councillor Briefings and Workshops'
as detailed in Attachment 1 be adopted.**

**ADOPTION OF POLICY
COUNCILLOR
BRIEFINGS AND
WORKSHOPS**

**GENERAL PURPOSES
COMMITTEE – ITEM 28**

**That Council nominate Councillor Russell Milligan as the
elected representative to become a member of the Scenic
Valleys Regional Roads and Transport Group.**

**SCENIC VALLEYS
REGIONAL ROADS
AND TRANSPORT
GROUP – IPSWICH
REPRESENTATIVE**

Items **2, 4, 5, 8, 10, 16, 19 and 24** of the General Purposes
Committee No. 2020(03) of 21 July 2020 (below) were considered
separately:

**GENERAL PURPOSES
COMMITTEE**

Moved by Councillor Sheila Ireland:
Seconded by Councillor Russell Milligan:

**ITEM 2 - IPSWICH
CENTRAL TO
SPRINGFIELD
CENTRAL (I2S) PUBLIC
TRANSPORT
CORRIDOR**

- A. That the findings and recommendations of the I2S Corridor Strategic Assessment be received and noted.**
- B. That Council note that following Council consideration of the Strategic Assessment, it will be submitted to the Queensland Department of Transport and Main Roads for assessment.**
- C. That Council note that following Council consideration of the Strategic Assessment, Council will make an Infrastructure Australia Stage One submission under the Infrastructure Australia Assessment Framework.**

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D. That Council note the I2S Corridor will be the subject of a targeted advocacy campaign by Council to attract State and Federal support to progress the project to the Options Assessment stage of the Business Case Development Framework.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and carried.

**GENERAL PURPOSES
COMMITTEE**

Moved by Councillor Andrew Fechner:
Seconded by Councillor Russell Milligan:

**ITEM 4 - ADOPTION
OF THE IPSWICH
NATURE CENTRE
MASTERPLAN**

A. That Council adopt the Queens Park Nature Centre and Discovery Hub Masterplan as per Attachment 2 as the guiding document to inform the prioritisation of investment into the revitalisation of the Ipswich Nature Centre over the life of the Plan.

B. That Council resolve to give consideration for the implementation of the Queens Park Nature Centre and Discovery Hub Masterplan, and undertake detailed design and costings to inform future capital works budget development.

C. That Council resolve to identify external grants and funding opportunities to facilitate the implementation of the Queens Park Nature Centre and Discovery Hub Masterplan.

D. That Council note that the name of the nature centre referred to in the Masterplan as the Queens Park Nature Centre and Discovery Hub is the Ipswich Nature Centre.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

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Ireland
Jonc
Tully
Doyle
Fechner
Kunzelmann
Milligan

The motion was put and carried.

**GENERAL PURPOSES
COMMITTEE**

Moved by Councillor Sheila Ireland:
Seconded by Councillor Jacob Madsen:

**ITEM 5 - WHITE
ROCK-SPRING
MOUNTAIN
CONSERVATION
ESTATE MASTER
PLAN 2020-2040**

That Council adopt the White Rock-Spring Mountain Conservation Estate Master Plan 2020-2040 as a guiding document to inform capital and operational management and investment priorities within the estate over the next 20 years, to be reviewed at least every 5 years.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonc
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**GENERAL PURPOSES
COMMITTEE**

Moved by Councillor Paul Tully:
Seconded by Councillor Nicole Jonc:

**ITEM 8 - PROPOSED
NEW SUB LEASE
OVER FREEHOLD
LAND FOR
COMMUNITY
PURPOSES TO Y-CARE
– SOUTH EAST
QUEENSLAND INC.
TRADING AS YMCA
SOCIAL IMPACT –
7003 PARKLAND**

- A. That Council as Sub Lessee resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exception referred to in section 236(1)(b)(ii) of the Regulation applies to the disposal of the leasehold interest located at part of 7003 Parkland Drive, Springfield Central and described as Lease Area C over Lot 1200 on SP303994 ("the land"), by way of a leasehold arrangement between Council and Y-Care (South East Queensland) Inc. trading as YMCA Social Impact.**
- B. That Council enter into a Sub Lease and Management**

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28 JULY 2020

**DRIVE SPRINGFIELD
CENTRAL**

Agreement with Y-Care (South East Queensland) Inc. trading as YMCA Social Impact ("the tenant") for a three (3) year term plus an option period of three (3) years for a consideration sum of \$1.00 per annum, if demanded (excluding GST).

- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the Sub Lease to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**GENERAL PURPOSES
COMMITTEE**

Moved by Councillor Andrew Fechner:
Seconded by Councillor Nicole Jonic:

**ITEM 10 -
COMMUNITY
DONATION REPORT**

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**GENERAL PURPOSES
COMMITTEE**

Moved by Councillor Marnie Doyle:
Seconded by Councillor Andrew Fechner:

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**ITEM 16 -
COMMUNITY
DONATION
REQUESTS RECEIVED
IN JUNE 2020**

- A. That Council approve a community donation of \$6,064.00 to the City of Ipswich Pipe Band Inc towards the completion of building work at the pipe band premises.**
- B. That Council approve a community donation of \$2,250.00 to the Rotary Club of Booval towards the cost of provisions for the Footprints in the Park project.**

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

It was moved by Mayor Teresa Harding that the meeting be adjourned for 10 minutes.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

The meeting reconvened at 10.05 am.

**GENERAL PURPOSES
COMMITTEE**

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

**ITEM 19 -
COMMUNITY CAT
PROGRAM
PROPOSAL**

- A. That Council decline the request from the Australian Pet Welfare Foundation (APWF) to participate in a trial cat reduction program as part of the 2020-2021 operational plan.**

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- B. That Council officers prepare a report on a possible cat reduction pilot program with no financial support or in-kind contribution from Ipswich City Council.**
- C. That Council request the officers to reconsider the proposal as part of Council's budget discussion for 2021-2022.**

Councillor Sheila Ireland moved that the matter be laid on the table.

AFFIRMATIVE

Councillors:

Ireland

NEGATIVE

Councillors:

Harding

Madsen

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and lost.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The original motion was put and carried.

**GENERAL PURPOSES
COMMITTEE**

**ITEM 24 –
RECOMMENDATION
A - MOTIONS FOR
2020 LOCAL
GOVERNMENT
ASSOCIATION OF
QUEENSLAND**

Moved by Councillor Paul Tully:

Seconded by Deputy Mayor Marnie Doyle:

- A. That Council approve the Motion as detailed in Attachment 1 of the report by the Manager Executive Services dated 13 July 2020 to be submitted to the 2020 LGAQ Conference with an amendment to Attachment 1 by the removal of the following words from the second last paragraph of the background:**

MINUTES OF COUNCIL ORDINARY MEETING

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CONFERENCE

'The permitted timeframes also limit the number of applications which can be decided at a Council meeting due to the deemed approval and refusal provisions of the Planning Act'.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

GENERAL PURPOSES
COMMITTEE

ITEM 24 –
RECOMMENDATION
B - MOTIONS FOR
2020 LOCAL
GOVERNMENT
ASSOCIATION OF
QUEENSLAND
CONFERENCE

Moved by Councillor Paul Tully:

Seconded by Deputy Mayor Marnie Doyle:

B. That the following motion titled – Changes for filling Councillor and Mayor Vacancies, be included in the submission to the 2020 LGAQ Conference:

That the LGAQ call on the Queensland Government to amend the relevant legislation to require a by-election to be held where a vacancy in the position of Mayor or Councillor occurs within the first 3 years of the quadrennial term of office.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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At 10.26 am Councillors Andrew Fechner and Jacob Madsen left the meeting room.

**04.2
IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE**

Moved by Deputy Mayor Marnie Doyle:
Seconded by Councillor Kate Kunzelmann:

That Council adopt the recommendations of the Ipswich Central Redevelopment Committee No. 2020(02) of 21 July 2020 (as detailed below) with the exception of Items 1 and 5.

AFFIRMATIVE

Councillors:

Harding

Ireland

Jonic

Tully

Doyle

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Jacob Madsen and Councillor Andrew Fechner were present when the vote was taken.

The motion was put and carried.

This block motion adopts Items **2-4** and **6** of the Ipswich Central Redevelopment Committee No. 2020(02) of 21 July 2020 as resolutions of the Council:

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 2**

A. That the report be received and the contents noted.

**IPSWICH CENTRAL
RETAIL LEASING
REPORT – JUNE 2020**

B. That a report be provided to the Chairperson of the Ipswich Central Redevelopment Committee regarding the status of the leasing negotiations

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 3**

A. That Council establish the Retail Sub-project Steering Committee.

**RETAIL SUB-PROJECT
STEERING
COMMITTEE – TERMS
OF REFERENCE**

B. That James Hepburn be appointed as Chairperson of the Retail Sub-project Steering Committee.

C. That the Terms of Reference for the Retail Sub-project Steering Committee as detailed in Attachment 3 be adopted.

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**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 4**

That the report be received and the contents noted.

**IPSWICH CENTRAL –
STRATEGIC
CONSIDERATIONS
PRECINCT
MANAGEMENT AND
OPERATIONS**

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 6**

That Council support the proposed Communications and Engagement plan, to be implemented between now and December 2020 at a cost of \$127,250.

**NICHOLAS STREET
REDEVELOPMENT
COMMUNICATIONS
AND ENGAGEMENT
PLAN**

Items **1 and 5** of the Ipswich Central Redevelopment Committee No. 2020(02) of 21 July 2020 (below) were considered separately:

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE**

Moved by Deputy Mayor Marnie Doyle:
Seconded by Councillor Nicole Jonic

**ITEM 1 - IPSWICH
CENTRAL EXECUTIVE
REPORT NO 17 TO 3
JULY 2020**

That the report on the Ipswich Central Executive Report No 17 to 3 July 2020 be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Ireland

Jonic

Tully

Doyle

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Jacob Madsen and Councillor Andrew Fechner were present when the vote was taken.

The motion was put and carried.

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**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE**

**ITEM 5 - IPSWICH
CENTRAL –
VISIONING AND
PLACEMAKING**

Moved by Deputy Mayor Marnie Doyle:
Seconded by Councillor Kate Kunzelmann:

- A. That the Ipswich Central - Visioning and Placemaking report be received and the contents noted.**
- B. That a report summarising the resourcing, governance and budget required to implement the recommendations of the Ipswich Central - Visioning and Placemaking report, with alignment to the previously received Nicholas Street Place Activation Plan, be presented to a future meeting of the Ipswich Central Redevelopment Committee.**

AFFIRMATIVE

Councillors:

Harding

Ireland

Jonic

Tully

Doyle

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Jacob Madsen and Councillor Andrew Fechner were present when the vote was taken.

The motion was put and carried.

It was moved by Mayor Teresa Harding that the meeting be adjourned at 10.45 am for 10 minutes.

AFFIRMATIVE

Councillors:

Harding

Ireland

Jonic

Tully

Doyle

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Jacob Madsen and Councillor Andrew Fechner were present when the vote was taken.

The meeting reconvened at 10.55 am.

Councillors Jacob Madsen and Andrew Fechner returned to the meeting room at 10.55 am.

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

OFFICERS' REPORTS

**15.1
2020 COMMITTEE
AND COUNCIL
MEETINGS**

Moved by Councillor Kate Kunzelmann:
Seconded by Councillor Andrew Fechner:

- A. That, in accordance with Section 264 of the *Local Government Regulation 2012*, the following structure of standing committees be adopted:**
- **Growth, Infrastructure and Waste**
 - **Governance and Transparency**
 - **Community, Culture, Arts and Sport**
 - **Economic and Industry Development**
 - **Environment and Sustainability**
 - **Ipswich Central Redevelopment Committee**
- B. That in accordance with Section 257 (1)(c) of the *Local Government Act 2009*, the Growth, Infrastructure and Waste Committee be delegated power to make decisions on behalf of Council in relation to the responsibilities of the Committee as outlined in the Terms of Reference and summarised in recommendation D.**

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

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

- C1. That, in accordance with Section 264 of the *Local Government Regulation 2012*, the membership of Council's Governance and Transparency Committee, as detailed in Recommendation A above, be appointed as follows:**

COMMITTEE	MEMBERS
Governance and Transparency Committee	Councillor Jacob Madsen (Chair) Councillor Russell Milligan (Deputy Chair) Mayor Teresa Harding Councillor Nicole Jonic Councillor Marnie Doyle (Deputy Mayor) Councillor Kate Kunzelmann

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Moved by Mayor Teresa Harding:
Seconded by Councillor Andrew Fechner:

- C2. That, in accordance with Section 264 of the *Local Government Regulation 2012*, the membership of Council's Community, Culture, Arts and Sport Committee, as detailed in Recommendation A above, be appointed as follows:**

COMMITTEE	MEMBERS
Community, Culture, Arts and Sport Committee	Councillor Andrew Fechner (Chair) Councillor Kate Kunzelmann (Deputy Chair) Mayor Teresa Harding Councillor Nicole Jonic

AFFIRMATIVE

Councillors:

NEGATIVE

Councillors:

MINUTES OF COUNCIL ORDINARY MEETING

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Harding Nil
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

The motion was put and carried.

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

C3. That, in accordance with Section 264 of the *Local Government Regulation 2012*, the membership of Council's Economic and Industry Development Committee, as detailed in Recommendation A above, be appointed as follows:

COMMITTEE	MEMBERS
Economic and Industry Development Committee	Councillor Nicole Jonic (Chair) Councillor Jacob Madsen (Deputy Chair) Mayor Teresa Harding Councillor Andrew Fechner Councillor Kate Kunzelmann

AFFIRMATIVE Councillors: Harding Madsen Ireland Jonic Tully Doyle Fechner Kunzelmann Milligan	NEGATIVE Councillors: Nil
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The motion was put and carried.

Moved by Mayor Teresa Harding:
Seconded by Councillor Andrew Fechner:

C4. That, in accordance with Section 264 of the *Local Government Regulation 2012*, the membership of Council's

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

Environment and Sustainability Committee, as detailed in Recommendation A above, be appointed as follows:	
COMMITTEE	MEMBERS
Environment and Sustainability Committee	Councillor Russell Milligan (Chair) Councillor Andrew Fechner (Deputy Chair) Mayor Teresa Harding Councillor Jacob Madsen

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Moved by Mayor Teresa Harding:

Seconded by Councillor Sheila Ireland:

C5. That, in accordance with Section 264 of the *Local Government Regulation 2012*, the membership of Council's Ipswich Central Redevelopment Committee, as detailed in Recommendation A above, be appointed as follows:

COMMITTEE	MEMBERS
Ipswich Central Redevelopment Committee	Councillor Marnie Doyle (Deputy Mayor) and (Chair) Councillor Nicole Jonic (Deputy Chair) Mayor Teresa Harding Councillor Kate Kunzelmann Councillor Russell Milligan

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

NEGATIVE

Councillors:

Nil

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

Fechner
Kunzelmann
Milligan

The motion was put and carried.

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

C6. That, in accordance with Section 264 of the *Local Government Regulation 2012*, the membership of Council's Growth Infrastructure and Waste Committee, as detailed in Recommendation A above, be appointed as follows:

COMMITTEE	MEMBERS
Growth Infrastructure and Waste Committee	Mayor Teresa Harding (Chair) Councillor Paul Tully (Deputy Chair) Councillor Sheila Ireland Councillor Jacob Madsen Councillor Nicole Jonic Councillor Marne Doyle (Deputy Mayor) Councillor Andrew Fechner Councillor Kate Kunzelmann Councillor Russell Milligan

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Moved by Councillor Andrew Fechner:
Seconded by Councillor Russell Milligan:

D. That the responsibilities for each of the standing committees be as detailed in the Terms of Reference (Attachment 1) and as summarised below:

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

COMMITTEE	RESPONSIBILITY SUMMARY
Growth Infrastructure and Waste Committee	<ul style="list-style-type: none"> • Planning • Regulatory Services • Asset and Portfolio Management • Infrastructure and Works • Waste
Governance and Transparency Committee	<ul style="list-style-type: none"> • Governance • Finance • Information, Communications and Technology • Internal Audit • Procurement • People and Culture(Human Resources) • Corporate Reporting and Project Governance • Media and Communications
Community, Culture, Arts and Sport Committee	<ul style="list-style-type: none"> • Community and Cultural Services • Creative and Arts Sector • Libraries and Customer Services • Sport and Recreation
Economic and Industry Development Committee	<ul style="list-style-type: none"> • Economic Development • Tourism • Marketing and Events
Environment and Sustainability Committee	<ul style="list-style-type: none"> • Conservation • Natural Area management • Disaster Management Planning • Parks, assets and open space maintenance • Council fleet management
Ipswich Central Redevelopment Committee	<ul style="list-style-type: none"> • Management of the Ipswich Central Redevelopment

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

The motion was put and carried.

Moved by Councillor Andrew Fechner:
Seconded by Councillor Kate Kunzelmann:

- E. That the committee and council meetings for the remainder of 2020 and January 2021 be held as detailed in Attachment 2 and outlined below:**

COUNCIL/ COMMITTEE	MEETING TIME	MEETING DATES
Council Ordinary Meeting	9.00 am	27 August 2020 24 September 2020 22 October 2020 26 November 2020 10 December 2020 28 January 2021
Growth, Infrastructure and Waste	9.00 am	13 August 2020 10 September 2020 8 October 2020 12 November 2020 3 December 2020
Governance and Transparency	9.00 am	20 August 2020 17 September 2020 15 October 2020 19 November 2020 3 December 2020
Community, Culture, Arts and Sport	10 minutes after the conclusion of the Governance and Transparency Committee	20 August 2020 17 September 2020 15 October 2020 19 November 2020 3 December 2020
Economic and Industry Development	10 minutes after the conclusion of the Community, Culture, Arts and Sport Committee	20 August 2020 17 September 2020 15 October 2020 19 November 2020 3 December 2020
Environment and Sustainability	10 minutes after the conclusion of the Economic and Industry Development Committee	20 August 2020 17 September 2020 15 October 2020 19 November 2020 3 December 2020
Ipswich Central Redevelopment Committee	10 minutes after the conclusion of the Environment and	20 August 2020 17 September 2020 15 October 2020

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

	Sustainability Committee	19 November 2020 3 December 2020
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AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Moved by Councillor Jacob Madsen:

Seconded by Councillor Andrew Fechner:

- F. That the Terms of Reference as detailed in Attachment 1 be adopted for the Standing Committees outlined in Recommendation A, subject to amending the membership of the committees as detailed in Recommendation C and the responsibilities as detailed in Recommendation D.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and carried.

NEGATIVE

Councillors:

Nil

**15.2
MUSTDO BRISBANE
ENGAGEMENT**

Moved by Councillor Sheila Ireland:

Seconded by Councillor Andrew Fechner:

- A. That pursuant to s235(b) of the *Local Government Regulation 2012 (Regulation)* Council resolve it is satisfied that the exemption referred to in s235(b) of the *Regulation* applies and that Promotional Services are of such a**

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

specialised nature that it would be impractical for Council to invite tenders or quotations.

- B. That Council enter into a contract with MustDo Brisbane for the provision of Promotional Services for a period of 12 months from 21 August 2020 to 22 August 2021 at an estimated cost of \$32,000 (GST Exclusive).
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

15.3
MONTHLY FINANCE
PERFORMANCE
REPORT - JUNE 2020

Moved by Councillor Nicole Jonic:

Seconded by Deputy Mayor Marnie Doyle:

That the report on Council's financial performance for the period ending 30 June 2020, submitted in accordance with section 204 of the *Local Government Regulation 2012* be considered and noted by Council.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

NEGATIVE

Councillors:

Nil

MINUTES OF COUNCIL ORDINARY MEETING

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Milligan

The motion was put and carried.

**MOVE IN TO CLOSED
SESSION**

It was moved by Mayor Teresa Harding that in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss the Officer's Report titled Disposal of Council Administration Assets as the discussion will include commercial in-confidence information.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

Cr Madsen left the meeting at 11.41 am and returned at 11.43 am.
Cr Jonic left the meeting at 11.49 am and returned at 11.51 am

**MOVE INTO OPEN
SESSION**

It was moved by Mayor Teresa Harding that the meeting move into open session.

The meeting moved into open session at 12.00 pm.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Jonic
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

**15.4
DISPOSAL OF
COUNCIL**

Moved by Deputy Mayor Marnie Doyle:
Seconded by Councillor Jacob Madsen:

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

**ADMINISTRATION
ASSETS**

- A.** That 82 Limestone Street, Ipswich, described as Lot 1 on RP2868 and 3 Foote Lane, Ipswich, described as Lot 3 on SP197463 ("the land"), be declared surplus to Council's needs and that the valuable non-current assets be disposed of.
- B.** That Council apply the exception under section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) (Regulation) and dispose of the valuable non-current assets being 82 Limestone Street, Ipswich, described as Lot 1 on RP2868 and 3 Foote Lane, Ipswich, described as Lot 3 on SP197463 ("the land") directly to West Moreton Hospital and Health Service as a "Government Agency".
- C.** That pursuant to section 236(3) of the *Local Government Regulation 2012* (Qld) (Regulation), Council dispose of the valuable non-current assets at equal to, or more than, the market value of the land and buildings.
- D.** That pursuant to section 257(1) of the *Local Government Act 2009*, Council delegate the power to the Chief Executive Officer to authorise, negotiate and finalise the terms of the sale of the land to West Moreton Hospital and Health Service, to be executed by Council and to do any other acts necessary to implement Council's decision.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Jonic

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

**QUESTIONS ON
NOTICE**

Nil

MINUTES OF COUNCIL ORDINARY MEETING

28 JULY 2020

MEETING CLOSED The meeting closed at 12.01 pm.



IPSWICH CITY COUNCIL

Community Facilities and Operating Model Policy

Version Control and Objective ID	Version No: 1	Objective ID: A5701429
Approved by Council on	19 November 2019	
Date of Review	19 November 2023	

1. Statement

Ipswich City Council invests in community outcomes through utilising a standard operating model for council-owned community facilities. Council facilities will be developed and maintained as assets of council and will be managed so as to minimise operational and maintenance costs.

2. Purpose and Principles

This policy establishes clear expectations around council responsibilities, sets out a comprehensive approach to governance and accountability and ensures that community facilities owned by council provide:

- infrastructure that allows a diverse range of community groups to meet, engage and build social, healthy and recreational networks and a shared community identity;
- a 'safe' place for the delivery of services that meet the needs of targeted community groups; and
- programmed health, well-being, learning and life experiences that enhance the community's capacity, pride and resilience.

3. Strategic Plan Links

This policy relates to Advance Ipswich Theme:

- Caring for the Community

4. Regulatory Authority

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Sustainable Planning Act 2009*
- Ipswich City Council – Corporate Plan 2017 – 2022
- Ipswich City Council Advance Ipswich Community Plan

5. Scope

This policy applies to the development, management and maintenance of community facilities and applies to all Ipswich City Council owned or controlled buildings, sport and recreation facilities (both indoor and outdoor) and associated supporting infrastructure and the sports and/or user groups that utilise them.



IPSWICH CITY COUNCIL Community Facilities and Operating Model Policy

The Operating Model for council-owned facilities will be a partnership with a community organisation, association or sporting group whose purpose aligns with the strategic intent of council to manage the ongoing operations of the relevant council's community facilities.

The partnering organisations will be selected based on but not limited to an expression of interest process or standard council permit application on the basis of its relevance to local community needs and its ability to address key selection criteria.

The partner will:

- base its operations at the identified facility and run core programming, in exchange for a low-cost lease, permit or licence;
- have its own funding source to deliver its targeted outcomes;
- address the majority, if not all, of their key priorities under its own operating model;
- have current insurances and registrations for the programs it delivers (including a Public Liability Insurance Policy);
- bring a level of expertise and experiential learning's that would optimise the social and sporting outcomes of the facility.

Council will:

- meet costs associated with the purchase (where required) and maintenance of the building, furniture, equipment, hold relevant insurances for the building and cover utility costs associated with the facility.

Council may:

- supplement programming where the partner's core service deliverables are not broad enough to meet the needs of the community. This may be a function of council's existing outreach programming (e.g. library services), community development activity or volunteer coordinated programs and may be offset by external revenue sources (subject to funding availability).

The governance structure for a Community Centre will take the form of an overarching Steering Committee, consisting of council representatives, representatives from the partnering organisation, and when considered necessary or beneficial, strategic Community Leaders. The Steering Committee's role in the Centre's operation includes, but is not limited to, providing:

- direction and leadership, setting the vision for the Centre and continually refining goals and success measures to align with emerging community needs; and
- ongoing oversight of performance, e.g.
 - performance against agreed Key Performance Indicators;
 - escalated issues relating to the operations of the Centre.
- strategic direction, including:
 - suitability of services and programming to meet changing community needs;
 - ongoing appropriateness of Key Performance Indicators;
 - what the balance should be between service provision, programming and community use of the facility.

IPSWICH CITY COUNCIL Community Facilities and Operating Model Policy

Sporting groups and associated facilities' governance structures will take the form of nominated committee members charged with the responsibility of overseeing the operation of the identified sporting association. Operating activities would include but are not limited to:

- direction and leadership, setting the vision for the sporting association and continually refining goals and success measures to align with emerging trends; and
- ongoing oversight of performance, e.g.
 - performance against agreed Lease, Permit, License or general tenancy agreement conditions and performance measures;
 - the ongoing growth, development and expansion of the game, association and participation rates.
- strategic direction, including:
 - suitability of facilities and ongoing growth and expansion that meets changing community needs and expectations;
 - ongoing appropriateness of performance measures.

6. Roles and Responsibilities

All council officers responsible for managing council-owned facilities and developing and maintaining agreements as described in this policy.

7. Key Stakeholders

- Community, Cultural and Economic Development
 - Community Development
 - Community and Cultural Services
- Corporate Services
 - Property Services Team
 - Legal and Governance
- Infrastructure Strategy and City Maintenance
 - Infrastructure and Environment

8. Monitoring and Evaluation

- Measured participation numbers and program outcomes that build capacity of community groups and cultural organisations,
- Reduction in complaints about access to council facilities, open space, programs and services,
- Collation and analysis of customer demographics, service or centre usage, client service quality; problem identification and resolution; overall service user satisfaction generated via the use of surveys, questionnaires and various user and self-assessment tools.

9. Definitions

Council	Means Ipswich City Council
Council owned	Means a facility owned by Ipswich City Council, including those built on crown land where council is trustee of the land



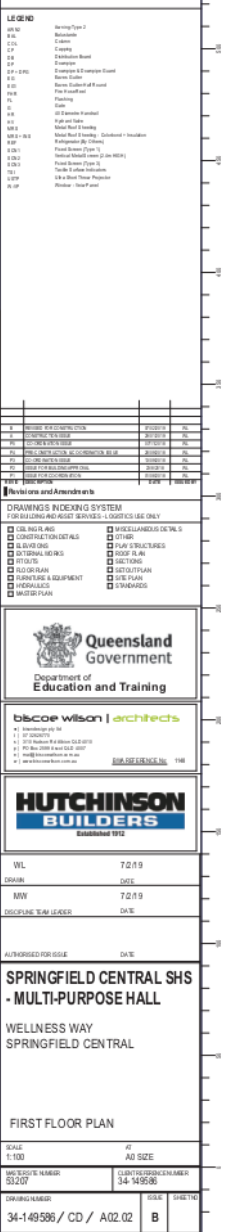
IPSWICH CITY COUNCIL Community Facilities and Operating Model Policy

Community Centre	A building or other place in which members of a community may gather for social, educational or cultural activities
Facility	Constructed and/or maintained sport and recreation grounds, fields, ovals, courts, clubhouses, change rooms and other supporting infrastructure at a location that allows people to be involved in and participate in sport and recreation activities

10. Policy Owner

The General Manager (Community, Cultural and Economic Development) is the policy owner and the Manager (Community and Cultural Services) is responsible for authoring and reviewing this policy.





Doc ID No: A7232781

ITEM: 7

SUBJECT: REPEAL OF PREVIOUS COUNCIL DECISION FOR PROPOSED NEW
TELECOMMUNICATIONS LEASE TO VODAFONE NETWORK PTY LIMITED
LOCATED AT 81 STUART STREET, GOODNA

AUTHOR: SENIOR PROPERTY OFFICER (TENURE)

DATE: 2 MAY 2021

EXECUTIVE SUMMARY

This is a report concerning the repeal of a previous decision of the City Management, Finance and Community Engagement Committee, Item No. 23 on the 23 January 2018 and adopted at the Council Ordinary meeting of 30 January 2018, to withdraw the Lease over the land described as Lot 107 on SP216922, located at 81 Stuart Street, Goodna.

RECOMMENDATION

That Council repeal its previous decision (Item No 23 of the City Management, Finance and Community Engagement Committee No 2018 (01) adopted as recommendation A2., at the Council Ordinary meeting of 30 January 2018, permitting Council to enter into a Lease with Vodafone Network Pty Limited in relation to land located at 81 Stuart Street, Goodna, (Lot 107 on SP216922).

RELATED PARTIES

There was no declaration of conflicts of interest

ADVANCE IPSWICH THEME

Caring for the community

PURPOSE OF REPORT/BACKGROUND

Vodafone Network Pty Limited (Vodafone) is an infrastructure owner and provider to the wireless telecommunications industry. Vodafone approached Council in relation to leasing land for the construction of new communications facilities on freehold land located at 81 Stuart Street, Goodna ("the site").

This lease proposal for the site was put to Council and adopted at the Council Ordinary meeting of 30 January 2018 based on the following terms:

Term of Leases: 4 x 5 year' consecutive leases

Commencement Date: 1 November 2018

Expiry Date: 31 October 2038
Commencing Rent: \$19,000.00 (plus GST) per annum
Fixed Increase Dates: Annual increase on each anniversary of the Commencement Date by 3% per annum

Council issued Vodafone the lease agreement after the decision and has continued to pursue them for execution of the agreement over the site. Vodafone has recently approached Council to finalise the decision over another site (Jones Road, Bellbird Park) and sought to withdraw their proposal for 81 Stuart Street, Goodna.

LEGAL/POLICY BASIS

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

Local Government Act 2009

Local Government Regulation 2012

Planning Act 2016

RISK MANAGEMENT IMPLICATIONS

Vodafone no longer seek to utilise the site for a telecommunications tower, there are no further risk management implications, other than Council needs to repeal its original decision.

FINANCIAL/RESOURCE IMPLICATIONS

There is no capital or ongoing operational expenditure to Council.




COMMUNITY AND OTHER CONSULTATION

Vodafone recently approached Council to withdraw 81 Stuart Street, Goodna.

CONCLUSION

It is recommended that Council proceed to repeal its previous decision to enter into 4 x 5 year consecutive leases and withdraw the lease over part of Lot 107 on SP216922 located at 81 Stuart Street, Goodna.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Previously Adopted Committee Report - CMFCE Item No. 23 ↓ 
2.	Previously Adopted Committee Resolutions - CMFCE. 2018 (1) ↓ 
4.	Property Plan - 81 Stuart Street, Goodna ↓ 
	CONFIDENTIAL
5.	Previously Adopted Confidential Background Papers - CMFCE Item No. 23

Kerry Perrett

SENIOR PROPERTY OFFICER (TENURE)

I concur with the recommendations contained in this report.

Brett McGrath

PROPERTY SERVICES MANAGER

I concur with the recommendations contained in this report.

Anthony Dunleavy

MANAGER, LEGAL AND GOVERNANCE (GENERAL COUNSEL)

I concur with the recommendations contained in this report.

Jeffrey Keech

ACTING GENERAL MANAGER CORPORATE SERVICES

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

City Management, Finance and Community Engagement Committee	
Mtg Date: 23.01.18	OAR: YES
Authorisation: Andrew Roach	

4 December 2017

M E M O R A N D U M

TO: ACTING CHIEF EXECUTIVE OFFICER

FROM: ACTING SENIOR PROPERTY OFFICER

RE: PROPOSED NEW LEASES FOR TELECOMMUNICATIONS PURPOSES
VODAFONE NETWORK PTY LIMITED
90-120 JONES ROAD BELLBIRD PARK AND 81 STUART STREET GOODNA
DIVISION 2
IPSWICH CITY COUNCIL

INTRODUCTION:

This is a report by the Acting Senior Property Officer dated 4 December 2017 concerning a number of proposals received from Vodafone Network Pty Limited (Vodafone) for new leases to commence 1 February 2017 over freehold land shown in table 1 below:

Table 1

Property Address	Lot	Plan	Tenure	Status
90-120 Jones Road, Bellbird Park	86	RP115331	Freehold	New
81 Stuart Street, Goodna	107	SP216922	Freehold	New

BACKGROUND:

Vodafone is an infrastructure owner and provider to the wireless telecommunications industry. Vodafone propose to construct new telecommunications facilities on freehold land located at 90-120 Jones Road, Bellbird Park and 81 Stuart Street, Goodna. Plans showing the location of the proposed new telecommunications facilities on the subject properties is shown in Attachments A-D.

The Works, Parks and Recreation Department has advised that it has no objections to entering into leases which permit tenure over the next 20 years. Council previously obtained advice from Carter Newell that this is suitable in the circumstances and does not trigger the requirements under the *Sustainable Planning Act* (Qld) under which leases with a term exceeding ten (10) years would require a reconfiguration of a lot.

The proposed terms of the Leases are as follows:

Term of Leases: 4 x 5 year consecutive leases
Commencement Date: 1 November 2018
Expiry Date: 31 October 2038
Commencing Rent: \$19,000.00 (plus GST) per annum
Fixed Increase Dates: Annual increase on each anniversary of the Commencement Date by 3% per annum.

Section 236(1)(c)(vi) of the *Local Government Regulation 2012* provides an exemption from the requirement to dispose of a lease interest in land other than by tender or auction if the disposal is for the purpose of a lease for a telecommunications facility. The Council must however decide by resolution that the exemption applies to this category of disposal. Further, the Council may only dispose of a lease interest in land if the consideration for the disposal would be equal to, or more than the market value of the interest of the land.

Confidential Background Papers

Confidential Background Detail	Background Details
--------------------------------	------------------------------------

RECOMMENDATION:

[Amended at City Management, Finance and Community Engagement Committee No. 2018\(01\) of 23 January 2018.](#)

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- A. That Council resolve to enter into 4 x 5 year consecutive leases of land for telecommunications purposes for a rent amount of \$19,000.00 per annum (excluding GST) by way of new lease arrangements between Council and Vodafone Network Pty Limited for the following properties subject to construction of an all weather sealed access to Council's satisfaction from Jones Road and Bellview Road to the telecommunication facility:
1. 90-120 Jones Road, Bellbird Park
 2. 81 Stuart Street, Goodna
- B. That Council resolve pursuant to section 236 (2) of the *Local Government Regulation 2012* (the Regulation) that the exemptions under sections 236 1(c)(vi) of the Regulation applies to Council on the disposal of the lease interest of the subject properties identified in A above, by way of a new lease arrangement between Council and Vodafone Network Pty Limited and that consideration for disposal of the lease is equal to the market value of the land.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the proposed new lease arrangement as detailed in Recommendations A and B of the report by the Acting Senior Property Officer (Property Services) dated

4 December 2017 and do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

Kerry Perrett

ACTING SENIOR PROPERTY OFFICER (PROPERTY SERVICES)

I concur with the recommendations contained in this report.

Bryce Hines

ACTING CHIEF OPERATING OFFICER (WORKS, PARKS AND RECREATION)

I concur with the recommendations contained in this report.

Andrew Roach

CHIEF FINANCIAL OFFICER

61

CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)

23 JANUARY 2018

REPORT

- COUNCILLORS' ATTENDANCE: Councillor Wendt (Chairperson and Deputy Mayor);
Councillors Antonioli (Mayor), Morrison, Tully, Silver,
Stoneman, Bromage, Martin, Pisasale, Ireland and Pahlke
- COUNCILLOR'S APOLOGIES: Nil
- OFFICERS' ATTENDANCE: Acting Chief Executive Officer (Gary Kellar), Chief Financial
Officer (Andrew Roach), General Counsel and City Solicitor
(Daniel Best), City Planner (John Adams), Chief Operating
Officer (Health, Security and Regulatory Services) (Sean
Madigan), Acting Chief Operating Officer (Works, Parks and
Recreation) (Bryce Hines), Chief Operating Officer
(Infrastructure Services) (Charlie Dill), Chief Operating
Officer (Arts, Social Development and Community
Engagement) (Caroline McMahon), Chief Operating Officer
(Economic Development and Marketing) (Ben Pole),
Finance Manager (Jeffrey Keech), Allan Roebuck (Executive
Media Manager), Program Director Ipswich CBD
Transformation (Luke Peereboom), Mayor's Executive
Officer (Allison Grant) and Senior Advisor to the Mayor
(Ben Hayward)
- OFFICER'S APOLOGIES: Nil

1. DELEGATION REPORT - WRITE-OFFS AND REFUNDS FOR SUNDRY DEBT CHARGES –
1 OCTOBER 2017 TO 31 DECEMBER 2017

With reference to a report by the Executive Assistant dated 2 January 2018 concerning
the exercise of the delegation entitled 'Power to Approve Write-Offs and Refunds for
Sundry Debt Charges' for the period 1 October to 31 December 2017.

RECOMMENDATION

That the report be received and the contents noted.

2. CITY COUNTRY REFERENCE GROUP

With reference to a report by the Community Development Project Officer dated
19 December 2017 forwarding for Council's information the minutes of the meeting of
the City Country Reference Group held on 5 October (Meeting No. 95).


SIGNATURE OF CHAIRPERSON

10 - 50 - 62

23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)
RECOMMENDATION

That the report be received and the contents noted.

3. ALLOCATION OF COMMUNITY DONATIONS TO 31 DECEMBER 2017

With reference to a report by the Community Grants Officer dated 18 December 2017 concerning the allocation of Community Donations.

RECOMMENDATION

That the report be received and the contents noted.

4. EXECUTIVE SECRETARIAT UPDATE

With reference to a report by the Acting Chief Executive Officer providing an update on the Chief Executive's Office for the month of December 2017.

RECOMMENDATION

That the report providing the activities of the Office of the Chief Executive Officer be received and the contents noted.

5. NANTOU COUNTY, HSINCHU COUNTY, SMART CITY DELEGATION 2018

With reference to a report by the Senior Advisor dated 12 January 2018 concerning an invitation by our Taiwanese Sister Cities (Hsinchu and Nantou Counties) to Mayor Andrew Antoniolli to lead a delegation to Taiwan (Republic of China) March 21-29 2018.

RECOMMENDATION

- A. That the proposed travel budget and itinerary for this outbound delegation be approved by Council.
 - B. That the Chief Operating Officer (Economic Development and Marketing) provide a smart city briefing package to the Mayor's Office in a format suitable for presentations and dissemination to external parties to promote smart city initiatives.
 - C. That the Chief Operating Officer (Economic Development and Marketing) provide an updated economic development briefing to the Mayor's Office for dissemination to external parties to promote the City of Ipswich's business sector.
-

6. QUEENSLAND AUDIT OFFICE FINAL MANAGEMENT REPORT 2016-2017

With reference to a report by the Acting Chief Executive Officer providing an update on the audit of Council's financial statements for the 2016-2017 financial year.


SIGNATURE OF CHAIRPERSON

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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)
RECOMMENDATION

That the Queensland Audit Office Final Management Report 2016-2017 be referred to Council's Audit and Risk Management Committee for consideration.

7. ROADS TO RECOVERY 2017-2018 CAPITAL BUDGET IMPLICATIONS REPORT

With reference to a report by the Commercial Finance Manager dated 15 January 2018 concerning the Roads to Recovery (R2R) grants program for 2017-2018 and its implications on Infrastructure Services Capital Portfolio Budget.

RECOMMENDATION

- A. That Strategies 1, 2 and 3, as detailed in the report by the Commercial Finance Manager dated 15 January 2018, be received and noted.
- B. That consideration be given to the provision of additional funds of \$1.33 million in a future Council Budget Amendment.

8. CONSENT OF EASEMENTS OVER LAND, CENTRAL SEQ DISTRIBUTOR-RETAILER AUTHORITY, PROPOSED EASEMENT AH IN LOT 502 ON SP275522 - DIVISION 5

With reference to a report by the Senior Property Officer dated 19 December 2017 concerning the proposed Easement AH in Lot 502 on SP275522 in favour of Central SEQ Distributor-Retailer Authority on Council owned land located at Lot 502 Unnamed Road, Karalee.

RECOMMENDATION

- A. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemption referred to in section 236 (1)(b)(i) of the Regulation applies to Council for the disposal of the easement interest in Lot 502 on SP275522 ("the land"), by way of a new easement arrangement between Council and Central SEQ Distributor-Retailer Authority.
- B. That Council agree to grant Easement AH, as detailed in the report by the Senior Property Officer dated 29 November 2017, to Central SEQ Distributor-Retailer Authority for water supply purposes over part of Lot 502 on SP275522 located at Lot 502 Unnamed Road, Karalee.
- C. That Council agree to the compensation amount of \$1.00, payable to Council, as proposed by Central SEQ Distributor-Retailer Authority, for Council granting to Central SEQ Distributor-Retailer Authority, Easement AH for water supply purposes, over part of Lot 502 on SP275522, located at Lot 502 Unnamed Road, Karalee, as detailed in the report by the Senior Property Officer dated 29 November 2017.


SIGNATURE OF CHAIRPERSON

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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)

- D. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the proposed Easement as detailed in Recommendations B and C of the report by the Senior Property Officer dated 29 November 2017, and do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

9. CONTROLLED ENTITIES - 2016-2017 AUDITED FINANCIAL STATEMENTS

With reference to a report by the Treasury Accounting Manager dated 22 December 2017 concerning 2016-2017 audited Financial Statements for Ipswich City Council's (Council) controlled entities.

In accordance with section 173 of the *Local Government Act 2009*, Councillors Antonioli (Mayor), Wendt (Deputy Mayor), Morrison and Tully informed the meeting that they have, or could reasonably be taken to have, a perceived conflict of interest in Item 9 titled Controlled Entities – 2016-2017 Audited Financial Statements.

The nature of Councillor Antonioli's (Mayor) interest is that he is a director of Ipswich City Properties Pty Ltd.

The nature of Councillor Wendt's (Deputy Mayor) interest is that he is the Shareholder's Representative for Ipswich City Properties Pty Ltd, Ipswich City Developments Pty Ltd, Ipswich City Enterprises Pty Ltd and Ipswich Motorsport Park Pty Ltd.

The nature of Councillor Morrison's interest is that he is a director of Ipswich Motorsport Park Pty Ltd.

The nature of Councillor Tully's interest is that he is a director of Ipswich City Properties Pty Ltd, Ipswich City Developments Pty Ltd, Ipswich City Enterprises Pty Ltd, Ipswich Motorsport Park Pty Ltd and Ipswich City Enterprises Investments.

Councillors Antonioli (Mayor), Wendt (Deputy Mayor), Morrison and Tully came to the conclusion that because of the relatively minor nature of the perceived conflicts, they can properly participate in the discussion of the matter and vote in the public interest.

Chief Financial Officer (Andrew Roach) informed the Council that in relation to Item 9 titled Controlled Entities – 2016-2017 Audited Financial Statements that he is a director and company secretary of Ipswich City Properties Pty Ltd, a director of Ipswich City Developments Pty Ltd, Ipswich City Enterprises Pty Ltd, Ipswich Motorsport Park Pty Ltd and company secretary of Ipswich City Enterprises Investments. The matter was declared for noting only.

General Counsel and City Solicitor (Daniel Best) informed the Council that in relation to Item 9 titled Controlled Entities – 2016-2017 Audited Financial Statements that he is a director of Ipswich City Properties Pty Ltd, Ipswich City Developments Pty Ltd, Ipswich City Enterprises Pty Ltd and Ipswich City Enterprises Investments. The matter was declared for noting only.



SIGNATURE OF CHAIRPERSON

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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)
RECOMMENDATION

That the report be received and the contents noted.

Councillors Antonioli (Mayor), Wendt (Deputy Mayor), Morrison, Tully and the majority of councillors entitled to vote, voted for the recommendation.

10. CUSTOMER SERVICE ACTIVITIES STATUS REPORT – DECEMBER 2017

With reference to a report by the Strategic Client Office Manager dated 10 January 2018 concerning customer service delivery activities for the period 1 November to 31 December 2017.

RECOMMENDATION

That the report be received and the contents noted.

11. OVERDUE RATES AND CHARGES: OCTOBER-DECEMBER 2017 QUARTER

With reference to a report by the Recoveries Manager dated 3 January 2018 concerning rate arrears and rate collection statistics for the period October - December 2017.

RECOMMENDATION

That the report be received and the contents noted.

12. MONTH-END PERFORMANCE – NOVEMBER 2017

With reference to a report by the Finance Manager dated 18 December 2017 concerning Council performance for the period ending 30 November 2017, submitted in accordance with section 204 of the *Local Government Regulation 2012*.

RECOMMENDATION

That the report be received and the contents noted.

13. 2018-2019 FINANCIAL SUSTAINABILITY MODELLING AND LONG TERM FINANCIAL FORECAST

With reference to a report by the Treasury Accounting Manager dated 21 December 2017 concerning the 2018-2019 Financial Sustainability Modelling and Long Term Financial Forecast (LTFF).


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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)

It was moved by Councillor Bromage and seconded by Councillor Ireland that in accordance with section 275(1)(c) of the *Local Government Regulation 2012*, the committee resolve to move into closed session to discuss Item 13 titled 2018-2019 Financial Sustainability Modelling and Long Term Financial Forecast.

The meeting moved into closed session at 11.51 am.

It was moved by Councillor Bromage, seconded by Councillor Martin and carried that the meeting move into open session. The meeting moved into open session at 12.02 pm.

RECOMMENDATION

That the report be received and the contents noted.

14. REQUEST FOR RATES CONCESSION, 11 SOUTH STREET, IPSWICH QLD 4305 – DIVISION 7

With reference to a report by the Rates/Property Manager dated 15 November 2017 concerning a request from The Lady Musgrave Trust, for a rates concession of the general rates on their property at 11 South Street, Ipswich.

RECOMMENDATION

That the request for rate concession of 100% remission of the differential general rates, for the property at 11 South Street, Ipswich owned by The Lady Musgrave Trust, be granted and backdated to 1 October 2017.

15. REQUEST FOR RATES CONCESSION, 132 EAGLE STREET, REDBANK PLAINS QLD 4301 - DIVISION 3

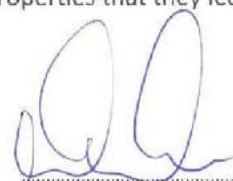
With reference to a report by the Rates/Property Manager dated 15 November 2017 concerning a request from Al-Huda Educational Institute Limited, for a rates concession of the general rates on their property at 132 Eagle Street, Redbank Plains.

RECOMMENDATION

That the request for the rate concession of 100% remission of the differential general rates, for the property at 132 Eagle Street, Redbank Plains, owned by Al-Huda Educational Institute Limited, be granted and backdated to 10 October 2017.

16. REQUEST FOR RATES CONCESSION – VARIOUS PROPERTIES

With reference to a report by the Rates/Property Manager dated 15 November 2017 concerning a request from Ipswich Housing and Support Services Inc (Ipswich Housing SS), for a rates concession of the general rates on various properties that they lease across Ipswich.


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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)
RECOMMENDATION

That the report be deferred for further consideration at a future meeting.

17. LEASE RENEWAL TO THE STATE OF QUEENSLAND (REPRESENTED BY PUBLIC SAFETY BUSINESS AGENCY) – MOUNT FORBES RURAL FIRE BRIGADE, 34 CHAMPIONS WAY, WILLOWBANK, LEASE E IN PART OF LOT 1 ON SP108209 – DIVISION 10

With reference to a report by the Senior Property Officer dated 21 December 2017 concerning the renewal of a further ground lease to The State of Queensland, represented by the Public Safety Business Agency ("PSBA") over the land at 34 Champions Way, Willowbank being Lease E in part of Lot 1 on SP108209.

RECOMMENDATION

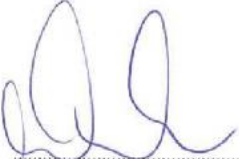
- A. That Council, resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemptions under sections 236(1)(b)(i) and 236(1)(c)(iii) of the Regulation apply to the disposal of the leasehold interest located at 34 Champions Way, Willowbank and described as Lease E in part of Lot 1 on SP108209 ("the land"), by way of a renewed leasehold arrangement between Council and The State of Queensland, represented by the Public Safety Business Agency for a consideration sum of \$1.00 per annum, if demanded (excluding GST).
- B. That Council enter into a lease with The State of Queensland, represented by the Public Safety Business Agency ("Lessee") for a period of ten (10) years.
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the Trustee Lease to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

18. LEASE RENEWAL TO ROBERT DAVID CARRUTHERS, PART OF 7-9 JOHN STREET, ROSEWOOD, DESCRIBED AS PART OF LOT 9 ON RP906761 – DIVISION 10

With reference to a report by the Senior Property Officer dated 23 November 2017 concerning the lease renewal to Robert David Carruthers for the purpose of an office building located at 7-9 John Street, Rosewood and described as part of Lot 9 on RP906761.

In accordance with section 173 of the *Local Government Act 2009*, Councillor Pahlke informed the meeting that he has, or could reasonably be taken to have, a perceived conflict of interest in Item 18 titled Lease Renewal to Robert David Carruthers, Part of 7-9 John Street, Rosewood, described as Part of Lot 9 on RP906761 – Division 10.

The nature of Councillor Pahlke's interest is that he has previously used Robert David Carruthers's solicitor services.


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Councillor Pahlke came to the conclusion that because of the relatively minor nature of the perceived conflict, he can properly participate in the discussion of the matter and vote in the public interest.

RECOMMENDATION

- A. That the previous decision of Council, as per Item No. 8 of the City Management, Finance and Community Engagement Committee No. 2017(08) of 15 August 2017 and adopted at the Council Ordinary meeting of 22 August 2017, be repealed.
- B. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemptions under sections 236(1)(c)(iii) of the Regulation apply to the disposal of the leasehold interest located at part of 7–9 John Street, Rosewood and described as part of Lot 9 on RP906761 ("the land"), by way of a leasehold arrangement between Council and Robert David Carruthers for a consideration sum of \$17,694.45 per annum (including GST).
- C. That Council enter into a lease with Robert David Carruthers ("the tenant") for a period of two (2) years with a three (3) year option period.
- D. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the Trustee Lease to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

Councillor Pahlke and the majority of councillors entitled to vote, voted for the recommendation.

19. COUNCILLOR TRAVEL AND TRAINING REQUESTS

With reference to a report by the Corporate Services and Risk Manager dated 12 January 2018 concerning councillor travel and training requests.

RECOMMENDATION

That Council, in accordance with the "Ipswich City Council Expenses Reimbursement" Policy, approve the councillor training/conference/workshop travel as detailed in Attachment A to the report by the Corporate Services and Risk Manager dated 12 January 2018.

20. PROPOSED RESUMPTION OF LAND, 254 BRISBANE STREET, WEST IPSWICH AND DESCRIBED AS LOT 2 RP23956 – DIVISION 7

With reference to a report by the Acting Senior Property Officer dated 15 December 2017 concerning the proposed resumption of part of the land located at 254 Brisbane Street, Ipswich and described as part of Lot 2 on RP23956 for strategic road purposes to facilitate the Brisbane Street, West Ipswich Interim Multi-Land Upgrade.



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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)
RECOMMENDATION

- A. That Council, having duly considered this report, be of the opinion that part of Lot 2 on RP23956 containing an approximate area of 9m² (shown in Attachment A of the confidential background details) ('the Land') is required for road purposes.
- B. That Council exercise its power as a "constructing authority" under the *Acquisition of Land Act 1967* to resume the Land for road purposes.
- C. That the Chief Executive Officer be authorised to negotiate compensation and perform any other matters, arising out of the *Acquisition of Land Act 1967* or otherwise, to effect the resumption of the Land.
- D. That if, in the opinion of the Chief Executive Officer, acquisition of the Land for appropriate compensation can be achieved through negotiation without commencing a resumption process, the Chief Executive Officer be authorised to acquire the Land for appropriate compensation.

21. PROPOSED RESUMPTION OF LAND, 55 BRISBANE STREET, IPSWICH AND DESCRIBED AS LOT 2 RP76498 – DIVISION 7

With reference to a report by the Acting Senior Property Officer dated 7 December 2017 concerning the proposed resumption of part of land located at 55 Brisbane Street, Ipswich and described as Lot 2 on RP76498 for strategic road purposes to facilitate the Marsden Parade realignment.

RECOMMENDATION

- A. That Council, having duly considered this report, be of the opinion that Lot 2 on RP76498 containing an approximate area of 513m² (shown in Attachment A of the confidential background details) ('the Land') is required for road purposes.
- B. That Council exercise its power as a "constructing authority" under the *Acquisition of Land Act 1967* to resume the Land for road purposes.
- C. That the Chief Executive Officer be authorised to negotiate compensation and perform any other matters, arising out of the *Acquisition of Land Act 1967* or otherwise, to effect the resumption of the Land.
- D. That if, in the opinion of the Chief Executive Officer, acquisition of the Land for appropriate compensation can be achieved through negotiation without commencing a resumption process, the Chief Executive Officer be authorised to acquire the Land for appropriate compensation.



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22. PROPERTY ACQUISITION – 98A WINDLE ROAD, BRASSALL, DESCRIBED AS LOT 448 ON CH31188 – DIVISION 6

With reference to a report by the Senior Property Officer dated 3 January 2018 concerning the acquisition of 98A Windle Road, Brassall and described as Lot 448 on CH31188.

RECOMMENDATION

- A. That Council authorise the Chief Executive Officer to negotiate a contract of sale with the registered property owners, for Council to acquire the land at 98A Windle Road, Brassall described as Lot 448 on CH31188 and to do any other acts necessary to implement Council's decision to acquire the land in accordance with section 13(3) of the *Local Government Act 2009*.
- B. That Council resolve to enter into a contract of sale with the registered property owners to acquire, for open space purposes, the property located at 98A Windle Road, Brassall described as Lot 448 on CH31188, as detailed in the report by the Senior Property Officer dated 3 January 2018.

23. PROPOSED NEW LEASES FOR TELECOMMUNICATIONS PURPOSES VODAFONE NETWORK PTY LIMITED, 90-120 JONES ROAD, BELLBIRD PARK AND 81 STUART STREET, GOODNA – DIVISION 2

With reference to a report by the Acting Senior Property Officer dated 4 December 2017 concerning a number of proposals received from Vodafone Network Pty Limited (Vodafone) for new leases to commence 1 February 2017 over freehold land.

RECOMMENDATION

- A. That Council resolve to enter into 4 x 5 year consecutive leases of land for telecommunications purposes for a rent amount of \$19,000.00 per annum (excluding GST) by way of new lease arrangements between Council and Vodafone Network Pty Limited for the following properties subject to construction of an all weather sealed access to Council's satisfaction from Jones Road and Bellview Road to the telecommunications facility:
 - 1. 90-120 Jones Road, Bellbird Park
 - 2. 81 Stuart Street, Goodna
- B. That Council resolve pursuant to section 236 (2) of the *Local Government Regulation 2012* (the Regulation) that the exemptions under sections 236 1(c)(vi) of the Regulation applies to Council on the disposal of the lease interest of the subject properties identified in A above, by way of a new lease arrangement between Council and Vodafone Network Pty Limited and that consideration for disposal of the lease is equal to the market value of the land.


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- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the proposed new lease arrangement as detailed in Recommendations A and B of the report by the Acting Senior Property Officer (Property Services) dated 4 December 2017 and do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.

24. BUDGET AMENDMENT – DECEMBER 2017

With reference to a report by the Finance Manager dated 4 January 2018 concerning an amendment of the 2017–2018 Budget.

RECOMMENDATION

- A. That the report be received and the contents noted.
- B. That the proposed amended budget 2017–2018, as detailed in Attachments A, B, C and D of the report by the Finance Manager dated 4 January 2018, be adopted.

25. REQUEST FOR RATES EXEMPTION OR CONCESSION FOR VEDANTA AT 7001 VEDANTA DRIVE, SPRINGFIELD LAKES

With reference to a report by the Strategic Client Office Manager dated 9 January 2018 concerning a request by the property owner, Vedanta Centre of Sydney, for their properties at 96 Vedanta Drive and 7001 Vedanta Drive, Springfield Lakes to be exempted from general rates or granted a rate concession if an exemption is determined not to be applicable.

RECOMMENDATION

- A. That the property, Lot 706 SP 179281 PAR Stapylton, be considered ineligible for both a rates exemption and a rates concession for the period 23 October 2014 to 14 May 2015 resulting in rates of \$70,307.20 continuing to be due and payable.
- B. That exemption of rates be applied to the property described in assessment 178541, Lot 1, from 14 May 2015 resulting in a refund of rates of \$24,949.00 currently due and payable for the period from 14 May 2015 to 31 December 2017.
- C. That exemption of rates not be applied to the property described in assessment 178542, Lot 2, from 14 May 2015 continuing to be due and payable.

26. CBD REDEVELOPMENT

With reference to a report by the Executive Support Officer concerning a presentation by McGrath Nicol on the proposed new delivery model for the construction of Council's new Administration Building.


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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)

It was moved by Councillor Pahlke and seconded by Councillor Martin that in accordance with section 275(1)(c) of the *Local Government Regulation 2012*, the committee resolve to move into closed session to discuss Item 26 CBD Redevelopment.

The meeting moved into closed session at 1.06 pm.

It was moved by Councillor Pisasale, seconded by Councillor Stoneman and carried that the meeting move into open session. The meeting moved into open session at 2.26 pm.

In accordance with section 173 of the *Local Government Act 2009*, Councillors Antonioli (Mayor), Wendt (Deputy Mayor) and Tully informed the meeting that they have, or could reasonably be taken to have, a perceived conflict of interest in Item 26 titled CBD Redevelopment.

The nature of Councillor Antonioli (Mayor) and Tully's interest is that they are directors of Ipswich City Properties Pty Ltd.

The nature of Councillor Wendt's (Deputy Mayor) interest is that he is the Shareholder's Representative for Ipswich City Properties Pty Ltd.

Councillors Antonioli (Mayor), Wendt (Deputy Mayor) and Tully came to the conclusion that because of the relatively minor nature of the perceived conflicts, they can properly participate in the discussion of the matter and vote in the public interest.

Chief Financial Officer (Andrew Roach) informed the Council that in relation to Item 26 titled CBD Redevelopment that he is a director and company secretary of Ipswich City Properties Pty Ltd. The matter was declared for noting only.

General Counsel and City Solicitor (Daniel Best) informed the Council that in relation to Item 26 titled CBD Redevelopment that he is a director of Ipswich City Properties Pty Ltd. The matter was declared for noting only.

RECOMMENDATION

Moved by Councillor Morrison:

- A. That Council resolve to advise its Shareholder's Representative of Ipswich City Properties Pty Ltd that Council recommends Ipswich City Properties to negotiate the termination of the Development Agreement with EPC Pacific Ipswich 1 Pty Ltd in relation to the construction of the proposed Administration Building.
- B. That Council refer to the Board of Ipswich City Properties Pty Ltd information obtained in relation to possible alternative delivery models for the construction of the building for its consideration.
- C. That Council authorise the preparation of a Development Agreement between Ipswich City Council and Ipswich City Properties for the construction of the Administration Building, and authorise the Chief Executive Officer to negotiate the terms of the agreement in consultation with Council's Shareholder Representative.


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23 JANUARY 2018 CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)

Seconded by Councillor Martin and carried.

Councillor Bromage abstained from voting on the recommendations.

Councillors Antonioli (Mayor), Wendt (Deputy Mayor), Tully and the majority of councillors entitled to vote, voted for the recommendation.

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 11.00 am.

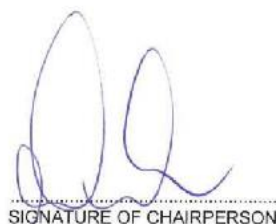
It was moved by Councillor Morrison and seconded by Councillor Pisasale and carried that the meeting be adjourned at 12.30pm to reconvene at 1.00pm.

The meeting reconvened at 1.00 pm.

Councillor Wendt (Chairperson and Deputy Mayor) left the meeting at 2.33 pm and Councillor Antonioli (Deputy Chairperson and Mayor) assumed the Chair.

Councillor Wendt (Chairperson and Deputy Mayor) returned to the meeting at 2.36 pm and resumed the Chair.

The meeting closed at 3.05 pm.



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SIGNATURE OF CHAIRPERSON

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23 JANUARY 2018

CITY MANAGEMENT, FINANCE AND COMMUNITY ENGAGEMENT COMMITTEE NO. 2018(01)

NOTES

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SIGNATURE OF CHAIRPERSON



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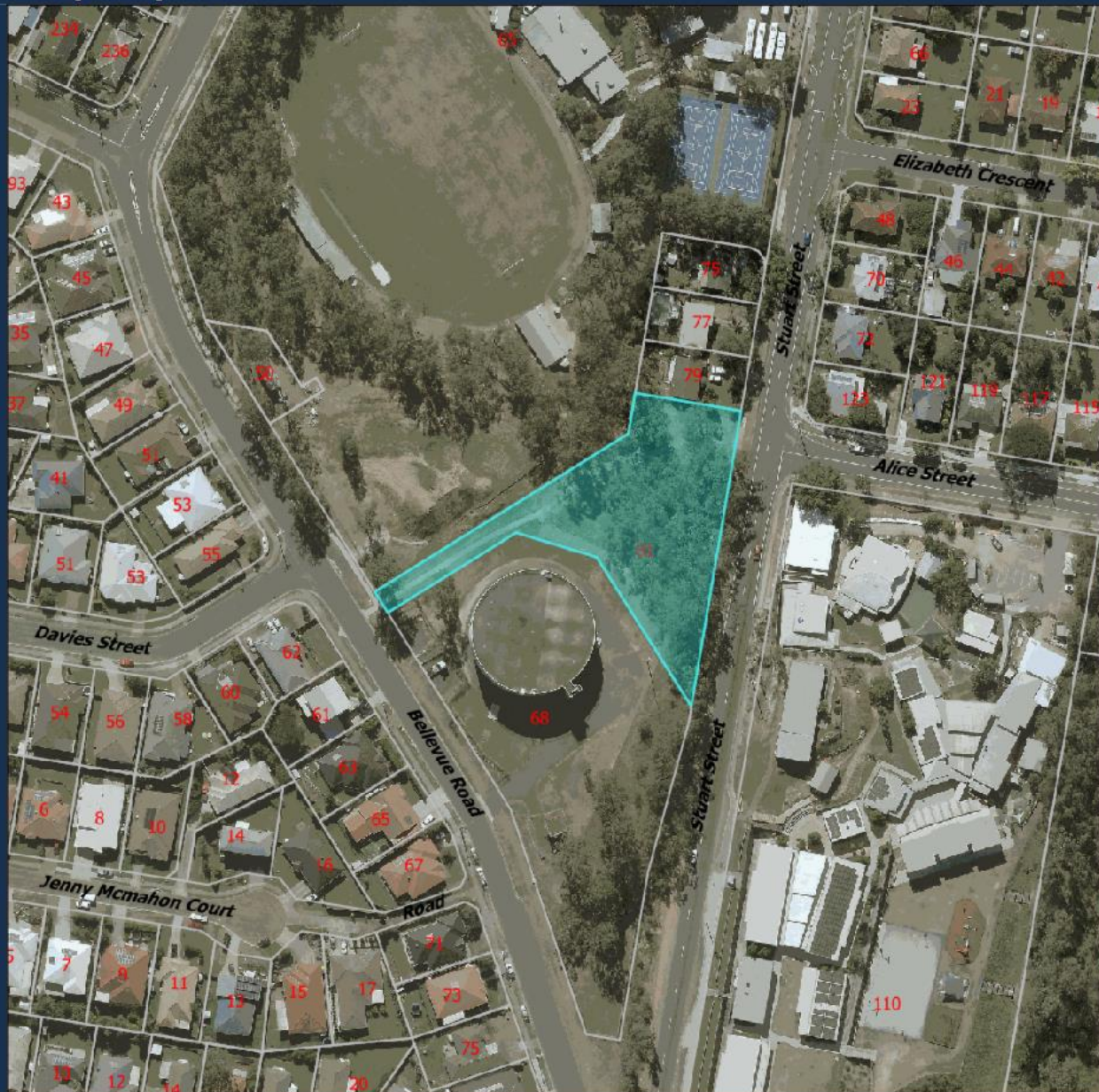
Web

www.ipswich.qld.gov.au

Business Hours

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

Property Plan



PROPERTY DETAILS

Address: 81 Stuart Street Goodna Qld 4300

Lot Plan: 107SP216922

Owner: Ipswich City Council Program 30

Area: 3913m²

MAP DETAILS

Scale:

1:1,877

Metres 25 50 75



LEGEND



Selected Property



23 House Number / Boundary



Easement

Item 7 / Attachment 4.

PROPERTY DETAILS			
Published Date: 04/05/2021			
Address:	81 Stuart Street Goodna Qld 4300	Suburb:	Goodna
LotPlan:	107SP216922	Postcode:	4300
Area:	3913m ²	Division:	Division 3
Tenure:	Tenure: FH Description: FREEHOLD		
RATING DETAILS			
PPN:	145255	Assessment :	166243
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: 700 - State Govt Emergency & Fire Levy - Group 1
Dogs:	No Registered Dog		
WORK AREA DETAILS			
Census:	SA1: 31004130005 SA2: 31004130 SA3: 31004 SA4: 310 Mesh Block: 30349600000 Block Category: Residential	Historic Flood:	1974 Affected: False 2011 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 1 Area 2: PRS Compliance - Local Laws Investigation 7 Area 3: PRS Compliance - Animal Management 2
Waste Work Area:	Zone 1	Catchment:	Catchment: Brisbane River Subcatchment: Woogaroo Creek
PLANNING & DEVELOPMENT DETAILS			
Zones:	SU19 - Special Uses	Development Constraints:	
Divisions buffered 50m:	Division: 2 Division: 3		