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ITEM: 2

SUBJECT: LAND FOR WILDLIFE SEQ UPDATE ON THE REGIONAL COORDINATION AND DELIVERY OF THE PROGRAM

AUTHOR: PROGRAM OFFICER (NATURAL ENVIRONMENT)

DATE: 29 MAY 2019

EXECUTIVE SUMMARY

This is a report concerning the regional coordination and delivery of the South East Queensland Land for Wildlife program (LFWSEQ). The draft Terms of Reference document attached (Attachment 1) outlines the arrangements for the Participating Councils to deliver LFWSEQ during the Interim Period.

RECOMMENDATIONS

That the Interim Administrator of Ipswich City Council resolves:

That Council provide in-principle support to Sunshine Coast Council for the Terms of Reference document as detailed in Attachment 1.

RELATED PARTIES

The related parties are landholder partners of the Land for Wildlife program in South-East Queensland, and SEQ Councils.

ADVANCE IPSWICH THEME LINKAGE

Caring for the environment

PURPOSE OF REPORT/BACKGROUND

The Land for Wildlife Scheme is a voluntary nature conservation initiative designed to recognise and assist private landowners in conservation and restoration of wildlife habitat. Ipswich City Council is a member of the Regional Steering Committee for the South East Queensland Land for Wildlife Program (LFWSEQ).

The regional coordination of the LFWSEQ was previously hosted by Healthy Land and Water. The Memorandum of Understanding between Ipswich City Council and Healthy Land and Water was terminated on 20 December 2018.

As per the committee report dated 23 October 2018 (Attachment 2), the Interim Administrator resolved that Council approve funding of \$7,347.03 for the recruitment of a

Regional Coordinator for Land for Wildlife South East Queensland from 1 January to 30 June 2019, under an agreement to be negotiated with Sunshine Coast Council and approved by Council at a future committee. These funds have since been distributed to Sunshine Coast Council, who commenced as the Sponsoring Council from the 1 January 2019.

A sponsoring Council will continue to host LFWSEQ during the interim period, until 30 June 2021, whilst new long-term arrangements for continuing to deliver LFWSEQ are investigated and implemented. The Sponsoring Council will host the regional coordinator during the transition period. The Sponsoring Council will also hold and expend contributions as approved by the LFWSEQ Steering Committee, and will act as a legal entity when required for any Joint Activity.

A Terms of Reference document (ToR) has since been drafted, which outlines the arrangements for the Participating Councils to deliver Land for Wildlife. The ToR is applicable during an Interim Period. The ToR is not legally binding, as it is a good faith arrangement between the Participating Councils. External legal consultants *Common Ground Commercial Advisory Services* were engaged to draft this document in conjunction with the LFWSEQ Transition sub-committee (TSC), which includes representatives from seven LGAs.

Each LGA has been asked to review and subsequently agree to the terms in writing to the transitional host Council; being, Sunshine Coast Council.

Council has subsequently conducted its own internal legal review of the draft ToR document, and concluded that the document is satisfactory from a legal perspective. There is low risk with the agreement as the purpose of a non-legally binding agreement is to state the parties' intention and is not enforceable in a court of law.

FINANCIAL/RESOURCE IMPLICATIONS

The recommendations contained within this report do not have financial/resource implications.

RISK MANAGEMENT IMPLICATIONS

As Council's legal advice determined that the document is satisfactory from a legal perspective, and that there is low risk with the agreement, there is very low risk in the implementation of the recommendations within this report.

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

COMMUNITY AND OTHER CONSULTATION

Consultation has occurred between the Program Officer (Natural Environment) and the other Steering Committee Members. Further consultation has occurred between the Program Officer (Natural Environment) the Principal Officer (Natural Resources), and Ipswich City Council's Solicitor.

No external consultation has occurred beyond the LFWSEQ Steering Committee member organisations.

CONCLUSION

The regional coordination of the Land for Wildlife Program in South East Queensland (LFWSEQ) was previously delivered by Healthy Land and Water. Upon the termination of the Memorandum of Understanding between Healthy Land and Water and the Steering Committee members, Sunshine Coast Council will be the Sponsoring Council for LFWSEQ.

The sponsoring Council will host the regional coordinator, hold and expend contributions, and act as a legal entity for the LFWSEQ program from the commencement of the Interim Period from 1 January 2019 to 30 June 2021 (inclusive), whilst new long term arrangements for continuing to deliver LFWSEQ are investigated and implemented by the Steering Committee.

A draft Terms of Reference document attached (Attachment 1) outlines the arrangements for the Participating Councils to deliver LFWSEQ during the Interim Period. This report recommends that Ipswich City Council supports the terms contained within the Terms of Reference document, and communicates this support in writing to the transitional host Council; Sunshine Coast Council.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Land for Wildlife SEQ Interim Terms of Reference draft document
2.	Committee Report proposed funding for regional coordinator for SEQ for Wildlife Program 23 October 2018
2.1	Land for Wildlife Steering Committee Briefing Note

Danielle Andlemac

PROGRAM OFFICER (NATURAL ENVIRONMENT)

I concur with the recommendations contained in this report.

Kaye Cavanagh

PRINCIPAL OFFICER (NATURAL RESOURCES)

I concur with the recommendations contained in this report.

Bryce Hines

CHIEF OPERATING OFFICER (WORKS, PARKS AND RECREATION)

I concur with the recommendations contained in this report.

Charlie Dill

GENERAL MANAGER - INFRASTRUCTURE AND ENVIRONMENT

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