AGENDA

FINANCE AND GOVERNANCE COMMITTEE

Tuesday, 16 July 2024
10 minutes after the conclusion of the Infrastructure, Planning and Assets Committee or such later time as determined by the preceding committee

Council Chambers, Level 8
1 Nicholas Street, Ipswich

MEMBERS OF THE FINANCE AND GOVERNANCE COMMITTEE	
Councillor Paul Tully **(Chairperson)** Councillor Jacob Madsen **(Deputy Chairperson)**	Mayor Teresa Harding Deputy Mayor Nicole Jonic Councillor Andrew Antoniolli Councillor Jim Madden

FINANCE AND GOVERNANCE COMMITTEE AGENDA

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FINANCE AND GOVERNANCE COMMITTEE NO. 2024(02)

16 JULY 2024

AGENDA

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

BUSINESS OUTSTANDING

CONFIRMATION OF MINUTES

1. CONFIRMATION OF MINUTES OF THE FINANCE AND GOVERNANCE COMMITTEE NO. 2024(01) OF 11 JUNE 2024

RECOMMENDATION

That the minutes of the Finance and Governance Committee held on 11 June 2024 be confirmed.

OFFICERS' REPORTS

2. ADOPTION OF ARTIFICIAL INTELLIGENCE POLICY

This is a report concerning the adoption of an Artificial Intelligence Policy.

RECOMMENDATION

That the policy titled 'Artificial Intelligence Policy' as set out in Attachment 1 be adopted

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3. **UPDATE ON THE IVOLVE BUSINESS CASE

This is a report concerning the review and updating of the iVolve Business Case. The amendments to the Business Case aim to guide Council toward successful adoption while addressing risks, maintaining continuity with the original Business Case, and ensuring financial prudence. The report provides a concise overview of these updates and associated risk and impacts.

RECOMMENDATION

That the update report on the iVolve Business Case be received and the contents noted.

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4. **URBAN UTILITIES STATEMENT OF STRATEGIC INTENT (SOSI) AND PARTICIPATIONS RETURNS POLICY (PRP) AND PARTICIPATION AGREEMENT (PA)

This is a report in relation to the following two matters regarding Urban Utilities (UU):

1. Approval of proposed amendments to the Participation Agreement and the Participation Returns Policy.

2. Approval of UU's Statement of Strategic Intent 2029 ("SOSI")

RECOMMENDATION

A. That Council approve the amendments to the Participation Agreement between the Central SEQ Distributor-Retailer Authority (trading as Urban Utilities) and Ipswich City Council as a Participant to the Participation Agreement as per Confidential Attachment 1 to this report.

B. That Council approve the amended Participation Return Policy per Confidential Attachment 3 to this report.

C. That Council approve Urban Utilities' 2029 Statement of Strategic Intent contained in Confidential Attachment 4 to this report.

That the Chief Executive Officer be authorised to sign a Variation Agreement that formalises the approved amendments to the Participation Agreement and Participation Returns Policy, and to do any other acts necessary to implement Council's decisions in accordance with section 13(3) of the *Local Government Act 2009*.

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5. PROCUREMENT: CLOUDLIBRARY LIBRARY ERESOURCES

This is a report seeking a resolution by Council to enter into a contractual arrangement with OCLC (UK) Limited (OCLC) for the provision of electronic Resource (eResources) platforms CloudLibrary, CloudLink and ComicsPlus.

As a result of an acquisition of the suite of CloudLibrary products by OCLC UK Limited from previous owners, Bibliotheca Australia Pty Ltd in April 2024, a Council resolution for an exception under Section 235(b) of the Local Government Regulation 2012 applying to specialised services is sought to ensure continuity of service under the new product owners. The product has been part of library offerings to borrowers since 2017 and enjoys solid and increasing usage.

Previously the supply of CloudLibrary platforms was contracted under Contract 21689 Cloud Library Electronic Library Resources with Bibliotheca Australia Pty Ltd, under exception s234 of the Local Government Regulations – engaged via the Local Buy Local Government Arrangement.

OCLC acquired the CloudLibrary elements of Bibliotheca Australia Pty Ltd organisation, and Contract 21689, following Legal advice, was novated to OCLC in May 2024 for the remaining two (2) months of the Contract to ensure continuity of these library e-resources. OCLC assumed all rights, benefits, and obligations associated with the previous contract. OCLC is a nonprofit organisation who have maintained the same user-friendly interface, extensive catalogue, and convenient access to digital content through CloudLibrary and have assured customer experience will not be impacted in any way. OCLC do not hold a Local Government Arrangement membership with LocalBuy.

This subscription product is utilised by multiple Australian Libraries to provide content to their communities and Council is able to leverage consortia agreements with other south-east Queensland Libraries, thereby rendering it more costly and disadvantageous to Council to tender for other products.

A resolution of Council is sought to approve the annual subscription for the CloudLibrary eResources with OCLC for a term of up to three (3) years as an initial one (1) year term with an additional two (2) X one (1) year options to allow annual analysis of utility and value for money. This is an estimated total cost of approximately six-hundred thousand dollars ($600,000) excluding GST for the term of the three year contract.

RECOMMENDATION

A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised AND/OR confidential nature of the services that are sought and it would be impractical AND/OR disadvantageous to invite quotes OR tenders for the provision of CloudLibrary Library eResources.

B. That Council enter into a contractual arrangement (Council file reference number 5185) with OCLC (UK) Limited, at an approximate purchase price of $600,000 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.

6. PROCUREMENT: INCREASE IN CONTRACT VALUE- MICROSOFT EA LICENCEING

This is a report seeking a resolution by Council to increase the approved value of existing contract 18620 for the provision of Microsoft Enterprise Licencing by $414,000+GST.

The contract commenced 1 August 2022 and since this time the number of Council Full Time Employees has increased further than initially estimated. Council's original estimated expenditure was approved at $4.431M excluding GST for the total contract period of 3 years with no option for extension. This was adopted at Council Ordinary Meeting of 30 June 2022.

The new estimated sum is $4,845,000 excluding GST and does not affect the term of the contract.

RECOMMENDATION

A. That Council approve an increase in expenditure for the provision of Microsoft EA Licencing Renewal with supplier Data#3 Limited from $4,431,000 to $4,845,000 excluding GST for the current contracted period up to 31 July 2025. This constitutes an increase of $414,000 excluding GST.

B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "contractual action" pursuant to section 238 of the Regulation, in order to implement Council's decision.

7. PROCUREMENT: ARCGIS ONLINE CREATOR & MOBILE WORKER SOFTWARE LICENCING, MAINTENANCE (2024)

This is a report seeking a resolution by Council to enter into a contract with Esri Australia Pty Ltd for the provision of ArcGIS Online Creator and Mobile Worker software licensing, maintenance that are operationally utilised as part of Council's existing spatial services.

This matter is required as officers seek Council resolution that the exception under section 235(b) of the *Local Government Regulation 2012* applies to the specialised nature of the ArcGIS Online Creator and Mobile Worker licencing, maintenance and

other related ancillary items for these operationally necessary products. The proprietary nature of the incumbent supplier's products means that the products are specialised in nature and Esri Australia Pty Ltd are the only supplier able to provide the support and maintenance for the products. It would be impractical and disadvantageous for Council to invite quotes or tenders as no other supplier is able to provide these specialised products. Further, due to the current implementation of an enterprise spatial solution by Council, it is more costly and disadvantageous to Council to tender for other software products when delivery of the enterprise spatial project will provide a replacement solution.

A resolution of Council is sought to approve the continuation of the licencing and maintenance for the ArcGIS software products including Online Creator and Mobile Worker licensing with Esri Australia Pty Ltd for a term of one (1) year (commencing 14 August 2024), with no extension option. This is an estimated total cost of approximately thirty-five thousand dollars ($35,000) excluding GST for the full term of the contract.

RECOMMENDATION

A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised AND/OR confidential nature of the services that are sought and it would be impractical AND/OR disadvantageous to invite quotes OR tenders for the provision of the ArcGIS Software licencing including, ArcGIS Online Creator and Mobile Worker licencing and maintenance of the software products and related ancillary items.

B. That Council enter into a contractual arrangement (Council file reference 5186) with Esri, Australia Pty Ltd, at an approximate purchase price of $35,000.00 excluding GST over the entire term, being an initial term of one (1) year, with no extension option.

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8. PROCUREMENT - CULTURE AMP EMPLOYEE EXPERIENCE SURVEY PLATFORM

This is a report seeking a resolution by Council to engage Culture Amp Pty Ltd. Culture Amp has been contracted with Council (contract 16674) for the past three years to provide a platform supporting improved Employee Experience (EX) through whole of Council employee satisfaction surveys, benchmarking analysis, results and support.

The annual Employee Experience Survey is a deliverable under the People and Culture Strategy 2021 - 2026 and is also a key focus of our CEO and Executive Leadership Team.

This matter is required as officers seek Council resolution that the exception under section 235(b) of the *Local Government Regulation 2012* applies to the specialised services provided by the Culture Amp platform. The proprietary nature of the incumbent supplier's product means that there is only one supplier who is reasonably available to provide the required product.

RECOMMENDATION

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

B. That Council enter into a contractual arrangement Culture Amp Pty Ltd, at an approximate purchase price of $295,740.00 excluding GST over the entire term, being an initial term one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.

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9. PROCUREMENT: EXTENSION AND INCREASE IN SPEND ON COMMERCIAL CLEANING - CONTRACT 13902

This is a report concerning the recommendation to approve the final one (1) year extension (December 2024 to December 2025) option and increased expenditure under contract 13902 Commercial Cleaning.

This increase is due to a growth in scope and inclusion of additional assets along with an increase in CPI costs which have risen above the anticipated forecast.

Council's original estimated expenditure was approved at $6.9M excluding GST for the total contract period of two (2) years with the option to extend the contract by three (3) x one (1) year periods. This was adopted at Council Ordinary Meeting of 22 October 2020 (Objective ID. A10327181)

Prior to the contract execution it was proposed to extend the scope of the contract to include the cleaning of, the then soon to be opened, Tulmur Place. The estimated new sum of the contract including all extensions was estimated to be

$8,331,317.82 ex. GST. This proposal was approved under a CEO Briefing Note in November 2020 (Objective ID. A6646565).

RECOMMENDATION

A. That Council approve an increase in expenditure for the provision of Commercial Cleaning with the supplier, Total Building Maintenance (TBM) from $6,900,000 to $10,500,000 excluding GST for the current contracted period up to December 2024 and include future 1 x 12 month extension option to December 2025. This constitutes an increase of $3,600,000 excluding GST.

B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action"* pursuant to section 238 of the Regulation, in order to implement Council's decision.

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10. **PROPOSAL TO ACQUIRE PROPERTY LOCATED AT 2B THOMPSON STREET BUNDAMBA FOR DRAINAGE PURPOSE

This is a report concerning the proposed acquisition of a residential property in Bundamba. The property is encumbered by drainage infrastructure that has been the subject of historical and ongoing concerns to the land.

RECOMMENDATION

A. That Council resolve to purchase or acquire land located at 2B Thompson Street, BUNDAMBA, more particularly described as Lot 4 on Registered Plan 116873 (Council file reference 6179), for drainage purpose.

B. That in the first instance, the method of acquisition shall be as a purchase by agreement with the affected person/s pursuant to the *Property Law Act 1974.*

C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action"* pursuant to section 238 of the Regulation, in order to implement Council's decision.

D. That Council be kept informed as to the progress and outcome of the acquisition.

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11. AMENDING SUBORDINATE LOCAL LAW - OFF STREET REGULATED PARKING, 134 PARKLAND DRIVE SPRINGFIELD CENTRAL

This is a report concerning the proposal to make *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024 and* a consolidated version of *Subordinate Local Law No. 5.1 (Parking) 2013* following public consultation on one proposed amendment.

The purpose of the amendment is to regulate off street parking at 134 Parkland Drive Springfield Central pursuant to the resolution of Council on 23 May 2024. Regulated off street parking has been in place at this site since January 2024 when *Interim Local Law No.1 (Parking) 2024* commenced. It is due to expire on 25 July 2024 as an interim local law expires after 6 months. The change proposed to the local law in this report will allow this regulation to continue.

RECOMMENDATION

A. That it be noted that 4 submissions were received during the public consultation period for the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* and actioned as per the report.

B. That the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* does not contain any anti-competitive provisions.

C. That Council make proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* as set out in Attachment 1 of the report, as advertised.

D. That pursuant to Section 32 of the *Local Government Act 2009*, Council adopt the consolidation version of *Subordinate Local Law No.5.1 (Parking) 2013*, as set out in Attachment 3 of the report.

NOTICES OF MOTION

MATTERS ARISING

FINANCE AND GOVERNANCE COMMITTEE NO. 2024(01)

11 JUNE 2024

MINUTES

COUNCILLORS' ATTENDANCE:

Councillor Paul Tully (Chairperson); Councillors Jacob Madsen, Mayor Teresa Harding, Deputy Mayor Nicole Jonic, Andrew Antoniolli, Marnie Doyle (Observer), Pye Augustine (Observer), David Cullen (Observer), Jim Madden (Observer)

COUNCILLOR'S APOLOGIES:

Nil

OFFICERS' ATTENDANCE:

Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), General Manager Environment and Sustainability (Kaye Cavanagh), General Manger Community, Cultural and Economic Development (Ben Pole), General Manager Asset and Infrastructure Services (Matt Anderson), Acting General Manager Planning and Regulatory Services (Alisha Connaughton), Chief Financial Officer (Jeff Keech), Manager Infrastructure Strategy (Tony Dileo), Acting Procurement Manager (Ross Muller), Manager Community and Cultural Services (Don Stewart), Executive Services Manager (Wade Wilson), Manager Natural Environment (Phil A Smith), Chief of Staff – Office of the Mayor (Melissa Fitzgerald), Senior Communications and Policy Officer (Jodie Richter), Manager Capital Program Delivery (Graeme Martin), Program Manager (Flood Recovery (Matthew Mulroney), Precinct Governance Manager – Nicholas Street Precinct (Mitchell Grant), Team Leader (Environment and Sustainability) (Stephani Grove) and Theatre Technician (Harrison Cate)

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY

Councillor Paul Tully (Chairperson) delivered the Acknowledgement of Country

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

In accordance with section 150EM of the *Local Government Act 2009*, Deputy Mayor Nicole Jonic informed the meeting that she has a prescribed conflict of interest in Item 7 titled Procurement – Waste Transport Services.

The name of the related party is Remondis.

The nature of the relationship of the related party to the Deputy Mayor is that two (2) of Deputy Mayor Jonic's brothers are employees of the related party.

Deputy Mayor Nicole Jonic advised that she will leave the meeting room (including any area set aside for the public) while this matter is being discussed and voted on.

At Item 8 titled Nicholas Street Precinct Tender Consideration Plan, Councillor Andrew Antoniolli made a declaration.

BUSINESS OUTSTANDING

Nil

OFFICERS' REPORTS

1. REGULATION ADVISORY COMMITTEE TERMS OF REFERENCE

This is a report concerning adoption of a terms of reference for the Regulation Advisory Committee.

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Councillor Andrew Antoniolli:

A. That the membership of the Regulation Advisory Committee be appointed as follows:

CHAIRPERSON	DEPUTY CHAIRPERSON	MEMBERS
Councillor Paul Tully	**Councillor Jim Madden**	**Councillor Marnie Doyle** **Councillor Andrew Antoniolli**

B. That the Regulation Advisory Committee Terms of Reference as detailed in Attachment 1, amended to reflect the detail in Recommendation A above, be adopted.

AFFIRMATIVE Councillors:	NEGATIVE Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	

The motion was put and carried.

2. PROCUREMENT - VP401352 EAST IPSWICH DRAINAGE UPGRADE - STAGE 1

This is a report concerning the recommendation to award Tender VP401352 East Ipswich Drainage Upgrade – Stage 1 to seek Council's approval to enter into a contract with the nominated supplier as per confidential Attachment 1 to undertake the required civil construction works for the East Ipswich Drainage Upgrade – Stage 1.

After an open market request for tender process, an evaluation panel has recommended one supplier for the drainage upgrade works as set out in Recommendation B below. The recommendation provides Council with a company located in a Southeast Queensland local government area. The recommendation has been determined by the evaluation panel to offer Council the best value for money.

If Council is satisfied with the nominated supplier, the name of the supplier will be included in the Council's resolution at Recommendation B.

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

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Deputy Mayor Nicole Jonic:

A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. VP401352 East Ipswich Drainage Upgrade – Stage 1.

B. That Council enter into a contractual arrangement with the Supplier identified in confidential Attachment 1 for the lump sum amount of two million four hundred and sixty-three thousand six hundred and sixty dollars and seventy-seven cents ($2,463,660.77) excluding GST and the contingency amount as listed in confidential Attachment 1.

C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action*" pursuant to section 238 of the Regulation, in order to implement Council's decision.

D. That owing to the confidential nature of the recommendations, that once adopted by Council, the recommendations be made public.

AFFIRMATIVE Councillors:	NEGATIVE Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	

The motion was put and carried.

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3. PROCUREMENT - PARKING MACHINES AND COMMUNICATION AND MANAGEMENT SYSTEM

This is a report concerning the procurement of the ongoing maintenance of approximately 110 existing parking meters installed throughout Ipswich. It is recommended Council enter into a contract with Australian Parking and Revenue Control Pty Limited (APARC) as APARC is the only supplier reasonably available to provide the ongoing maintenance due to the proprietary nature of the parking meters installed.

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Councillor Jacob Madsen:

A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of maintenance of the current parking meter system.

B. That Council enter into a contractual arrangement with Australian Parking and Revenue Control Pty Limited, at an approximate purchase price of $340,000 per annum excluding GST, or $1,020,000 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), 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.

AFFIRMATIVE Councillors:	NEGATIVE Councillors:
Tully	Nil

Madsen
Harding
Jonic
Antoniolli

The motion was put and carried.

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4. PROCUREMENT - PEDESTRIAN AND PEOPLE COUNTERS

This is a report concerning procurement of pedestrian and people counting technologies which is currently in use across a number of Council facilities. Due to the inherent proprietary nature of the product software, having different branded products is not suitable for a best outcome of usage of this technology.

The specialised nature of the proprietary products means that it is impractical to invite quotes and a Council resolution is sought to exercise the exception under section 235(b) of the *Local Government Regulation 2012.*

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Mayor Teresa Harding:

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

B. That Council enter into a contractual arrangement with Cohera-Tech Pty Ltd, at an approximate purchase price of $100,000.00 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	

The motion was put and carried.

5. PROCUREMENT - QUOTE CONSIDERATION PLAN FOR PROCUREMENT OF ARTWORKS FOR IPSWICH ART GALLERY

This is a procurement report in the form of a Quote Consideration Plan pursuant to the requirements of section 230 of the *Local Government Regulation 2012* which deals with non-standard procurement matters and allows a local government to enter into a medium or large contractual agreement without first inviting written quotes or tenders, through the preparation and adoption of a Quote Consideration Plan.

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Mayor Teresa Harding:

A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare a Quote Consideration Plan for the procurement of artworks for Ipswich Art Gallery.

B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt the Quote Consideration Plan that was prepared for the procurement of artworks for Ipswich Art Gallery.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	

The motion was put and carried.

6. PROCUREMENT - REGIONAL ECOSYSTEM AND BIOCONDITION ASSESSMENT TRAINING

This is a report concerning procurement of regional ecosystem and BioCondition assessment training for identified Council staff and seeking a Council Resolution for sole source exemption under section 235(a) of the *Local Government Regulation 2012* being satisfied that only one supplier is reasonably available to provide this service.

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Mayor Teresa Harding:

A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of Regional Ecosystem and BioCondition Assessment training.

B. That Council enter into a contractual arrangement CO2 Australia Ltd, at an approximate purchase price of $20,000.00 excluding GST to undertake the proposed training.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	

The motion was put and carried.

At 10.39 am Deputy Mayor Nicole Jonic left the meeting due to previously declared interest in Item 7.

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7. PROCUREMENT - WASTE TRANSPORT SERVICES

This is a report concerning the establishment of a contractual arrangement for the provision of Waste Transport Services. The services primarily include the provision of appropriate equipment and qualified operators for the transport and ancillary services of recyclable and municipal general waste materials from the Riverview and Rosewood Recycling & Refuse Centres (RRCs) to Council's nominated disposal sites.

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

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Councillor Andrew Antoniolli:

A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 22524 for the provision of Waste Transport Services to Remondis Australia Pty Ltd (Supplier).

B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of $9,000,000.00 excluding GST over the entire term, being an initial term of two (2) years, with options for extension at the discretion of Council (as purchaser), of an additional one (1) X two years term, plus a one (1) X one (1) year term.

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	NEGATIVE
Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Antoniolli	

All Councillors except Deputy Mayor Nicole Jonic were present when the vote was taken.

The motion was put and carried.

It was noted by the Chief Executive Officer that there was minor error within the confidential attachment 1 section six (6). Part 1 and 2, and should be replaced with 1 and 3.

At 10.47 am Deputy Mayor Nicole Jonic returned to the meeting.

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Andrew Antoniolli informed the meeting that he has a declarable conflict of interest in Item 8 titled Nicholas Street Precinct Tender Consideration Plan.

The nature of the interest is that Councillor Andrew Antoniolli's daughter is in a significant relationship with an individual who is a subcontractor in the Nicholas Street Precinct.

Councillor Andrew Antoniolli invited the other councillors to determine if he can continue to participate in the decision-making process.

After discussion and questions from the members of the committee, Councillor Antoniolli decided that he will leave the meeting place, including any area set aside for the public, and stay away from the place while the matter is discussed and voted on.

Councillor Andrew Antoniolli left the meeting at 10.46am.

8. NICHOLAS STREET PRECINCT TENDER CONSIDERATION PLAN

This is a report concerning the Tender Consideration Plan for the Nicholas Street Precinct, to engage suppliers without first inviting written quotes or tenders. Information detailed within this report shall provide clarity and justification for adoption of the Tender Consideration Plan to utilise the listed suppliers within the plan pursuant to the requirements of section 230 of the *Local Government Regulation 2012.*

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

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Deputy Mayor Nicole Jonic:

A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare a Tender Consideration Plan for the engagement of suppliers listed within the plan for the provision of goods and services as listed in the plan, for the Nicholas Street Precinct.

B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt the Tender Consideration Plan for the engagement of suppliers listed within the plan for the provision of goods and services as listed in the plan for the Nicholas Street Precinct.

C. That in accordance with the Tender Consideration Plan, Council enter into contractual arrangements with the listed suppliers on a schedule of rates with options to request fixed pricing, and it is envisaged that each individual engagement will not exceed $2,000,000 excluding GST during the term, being an initial term of one (1) year, with an option to extend at the discretion of Council (as purchaser), for an additional one (1) year term.

D. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action"* pursuant to section 238 of the Regulation, in order to implement Council's decision.

AFFIRMATIVE NEGATIVE

Councillors:	Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	

All Councillors except Councillor Andrew Antoniolli were present when the vote was taken.

The motion was put and carried.

Councillor Andrew Antoniolli returned to the meeting at 10.48am.

9. COUNCILLOR EXPENSES REIMBURSEMENT POLICY

This is a report concerning a review of the Councillor Expenses Reimbursement and Administrative Support Policy and current superannuation rates for Councillors.

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Deputy Mayor Nicole Jonic:

A. That the revised Policy titled 'Councillor Expenses Reimbursement and Administrative Support Policy' as detailed in Attachment 1 be adopted, for commencement on 1 July 2024.

B. That in accordance with s226 (3)(a) of the *Local Government Act 2009*, the rate of superannuation for Councillors be linked to the rate of superannuation payable to council employees, for commencement on 1 July 2024.

AFFIRMATIVE Councillors:	NEGATIVE Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	

The motion was put and carried.

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10. CHANGE TO COMMITTEE MEMBERSHIP

The Chairperson, Councillor Paul Tully received a request from Councillor Jim Madden requesting consideration for appointment as a member of the Finance and Governance Committee.

RECOMMENDATION

Moved by Councillor Paul Tully:
Seconded by Deputy Mayor Nicole Jonic:

That Councillor Jim Madden be appointed as member of the Finance and Governance Committee.

AFFIRMATIVE Councillors:	NEGATIVE Councillors:
Tully	Nil
Madsen	
Harding	
Jonic	
Antoniolli	

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 10.20 am.

The meeting closed at 10.53 am.

Doc ID No: A9702389

ITEM: 2

SUBJECT: ADOPTION OF ARTIFICIAL INTELLIGENCE POLICY

AUTHOR: SENIOR GOVERNANCE OFFICER

DATE: 14 DECEMBER 2023

EXECUTIVE SUMMARY

This is a report concerning the adoption of an Artificial Intelligence Policy.

RECOMMENDATION/S

That the policy titled 'Artificial Intelligence Policy' as set out in Attachment 1 be adopted

RELATED PARTIES

There was no declared conflict of interest.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Artificial intelligence (AI) is rapidly transforming the way organisations operate. AI-powered systems are being used to automate tasks, generate content, make decisions, drive robotics, and improve efficiency in a wide range of industries. There is more to AI than Generative AI – but Generative AI[1] presents the most immediate concern for Council to address.

AI presents an opportunity if the associated risks are appropriately managed. It can provide significant benefits to government – to both its staff and the users of their services including cost savings, enhanced customer experiences, and increased staff engagement by reducing unrewarding administrative tasks. Federal government departments have already significantly invested in AI. Specifically, patent applications are being assessed by AI to combat AI spam. Failure to consider the judicious use of AI will potentially place Council at a disadvantage both as a supplier of services to its community and as an employer. However, Council will first need to address a range of legal, ethical and operation issues/risks.

Council can best manage the risks associated with the use of AI by developing an AI governance framework (**AI Framework**). Council's AI Framework consists of a policy, procedures, and other documents (as required) that establishes principles and controls to

[1] Generative AI describes algorithms (such as ChatGPT) that can be used to create new content.

ensure organisations use AI in a responsible and ethical manner. An AI Framework will position Council to identify and mitigate the risks posed by the adoption and use of AI technology and also educate its staff.

The implementation of an AI Framework does not mean that Council will be prioritising the development of AI initiatives or solutions merely for the sake of having AI technology. However, as

(a) AI tools, particularly Generative AI (eg. ChatGPT) proliferate; and

(b) AI increasing becomes a 'built-in feature' of software systems/programs used by Council[2]

Council must address the legal, security, ethical and operational risks of AI.

About the AI Framework

Adoption of an AI Policy to establish Council's commitment to the safe, secure and reliable use of AI is the first step in establishing the AI Framework.
The proposed AI Framework consists of:

(a) Artificial Intelligence (AI) Policy (**attached**)

(b) Artificial Intelligence (AI) Procedure

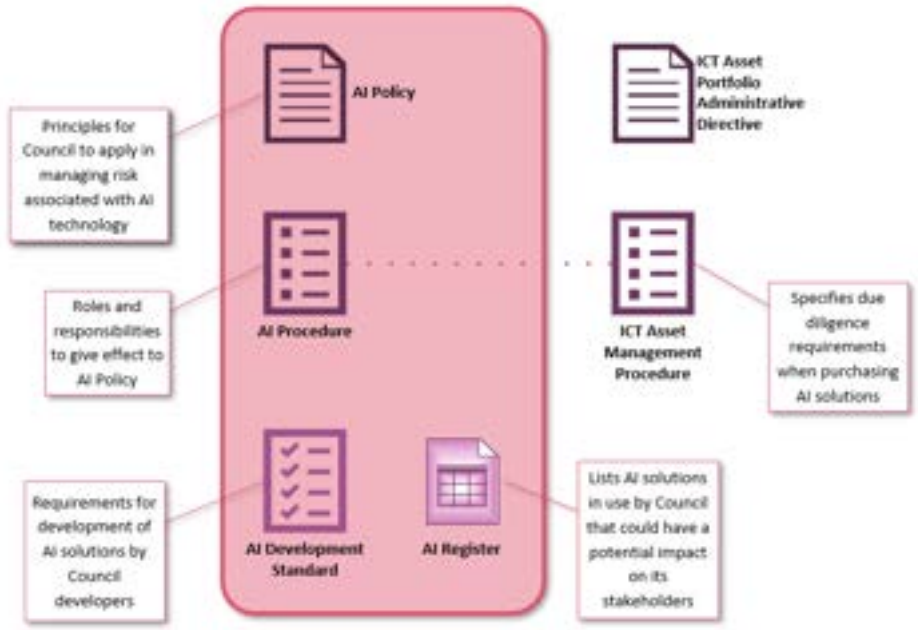
(c) publicly shared AI Register (as per the AI Policy)

(d) other supporting procedures or documents to:

- standardise the development and lifecycle management of AI solutions by Council, and
- ensure that AI risks are properly considered during the ICT due diligence process (when acquiring AI solutions). The complexity of due diligence will depend upon the type of AI involved and its impact.

The current design is below.

[2] Microsoft Copilot – a chatbot developed by Microsoft – is an example. Launched as Bing Chat in February 2023 it is a built-in feature for Microsoft Bing and Microsoft Edge within the Office365 suite.



AI Policy: risk governance

The AI Policy adopts the Australian AI Ethics Principles (**Ethics Principles**) developed by the Department of Industry, Science and Resources. The Ethics Principles 'are designed to ensure AI is safe, secure and reliable'.[3] The Ethics Principles are summarised below:

[3] Australia's AI Ethics Principles | Australia's Artificial Intelligence Ethics Framework | Department of Industry Science and Resources

HUMAN, SOCIETAL AND ENVIRONMENTAL WELLBEING	HUMAN-CENTRED VALUES	FAIRNESS	PRIVACY PROTECTION AND SECURITY
AI systems should benefit individuals, society and the environment	AI systems should respect human rights, diversity, and the autonomy of individuals	AI systems should be inclusive and accessible, and should not involve or result in unfair discrimination against individuals, communities or groups	AI systems should respect and uphold privacy rights and data protection, and ensure the security of data
RELIABILITY AND SAFETY	**TRANSPARENCY AND EXPLAINABILITY**	**CONTESTABILITY**	**ACCOUNTABILITY**
AI systems should reliably operate in accordance with their intended purpose	There should be transparency and responsible disclosure so people can understand when they are being significantly impacted by AI, and can find out when an AI system is engaging with them	When an AI system significantly impacts a person, community, group or environment, there should be a timely process to allow people to challenge the use or outcomes of the AI system	People responsible for the different phases of the AI system lifecycle should be identifiable and accountable for the outcomes of the AI systems, and human oversight of AI systems should be enabled

The AI Policy commits to:

- use AI lawfully, ethically and in accordance with human rights
- apply the Ethics Principles when implementing new technology comprising or incorporating A, creating new AI systems, or using AI in decision making
- being transparent about Council's use of AI
- allowing individuals to challenge the use of an AI system or the outcome from the AI system.

AI Procedure: roles and responsibilities

The AI Procedure will address:

- responsible use of AI by staff, including privacy, legal and security considerations
- responsibilities and accountabilities associated with authorised AI systems
- limits on decision-making involving AI
- problems with AI not acting in ways that were anticipated, and
- mechanisms for dealing with ethical issues concerning application of AI technology.

AI Framework: communications, consultations, and rollout

- On 23 August 2023, the CEO sent an email to all Council staff regarding Council's current position in relation to the use of AI and advising of the development of an AI Framework. A similar email was also sent from the CEO to the councillors.

- An AI WIRE page which provides information and guidance for staff has been created and the page has been replicated on the Councillor Portal. The AI WIRE page and the Councillor Portal will be updated with additional information as the AI Framework is rolled out.

- Internal stakeholders have been consulted regarding the requirements for the AI Procedure, which is in draft. It is anticipated that the remainder of the AI Framework will be in place by 1 August 2024.

- A presentation on the progress of the AI Framework was made to ARMC at its February 2024 meeting.

Successfully deploying AI: information management considerations

Strong information management practices are critical to realising the potential benefits from AI data analytic capability, and the successful implementation of the AI Framework.

If the data on which AI relies is not accurate, this may result in adverse outcomes (e.g. incorrect decision-making, misuse of personal information etc). Over the next two years Council will be undertaking an Information Management Uplift Program that will raise Council's information management maturity (including information quality and security).

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012
Human Rights Act 2019
Information Privacy Act 2009

POLICY IMPLICATIONS

NA.

RISK MANAGEMENT IMPLICATIONS

Council needs to be transparent in regard to its use of AI to maintain the trust and confidence of its stakeholders. The AI Policy and AI Register will be publicly available on the Council's website to show how and where AI is engaged in Council operations.

Without clear direction to the organisation regarding the legal and ethical use of AI, staff may use AI tools or systems in a manner that exposes council to a number of risks, including:

- **Bias** - AI systems can learn bias based upon the training dataset, which can lead to unfair or discriminatory decisions.

- **Inaccuracy:** AI systems can be inaccurate, due to making associations that are incorrect or 'hallucinating' (making things up), which can lead to errors in decision-making.

- **Lack of transparency:** AI systems can be opaque, which can make it difficult to understand how they make decisions.

- **Reliance:** Given that AI systems can be inaccurate and opaque Council needs to establish and communicate a position regarding the reliance that may be placed by staff and decision makers on AI generated output.

- **Decision making:** Council is required to make decisions in a way that is transparent and accountable because its decisions are subject to administrative and judicial review mechanisms.

- **Intellectual property:** the law around the ownership of content produced by an AI system is unclear and may pose risks to Council and its third-party suppliers.

- **Information privacy and confidential information** – potential for disclosure Council's confidential information, or individuals' personal information through the use of AI systems

- **Security** - AI systems can be vulnerable to hacking or used for hacking, which could allow attackers to steal data or disrupt operations

- **Human rights:** there are human rights considerations when using AI, including privacy and the right to equality of access.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications associated with the adoption of the AI Policy. Technological or system initiatives that involve AI will be considered against the AI Ethics Principles by the ICT Branch as part of BAU (in consultation with People and Culture, Governance, and Legal Services).

COMMUNITY AND OTHER CONSULTATION

Consultation regarding the AI Policy has occurred with the following stakeholders:

- Legal Services

- Governance

- People and Culture

- ICT Branch

- Councillors

CONCLUSION

AI is increasingly unavoidable and provides an opportunity if addressed proactively and mindfully. The AI Policy provides the principles to identify and mitigate the risks posed by the adoption and use of AI technology by Council.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Adopting the draft AI Policy
(b) What human rights are affected?	NA
(c) How are the human rights limited?	NA
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	NA
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Artifical Intelligence Policy ⇩

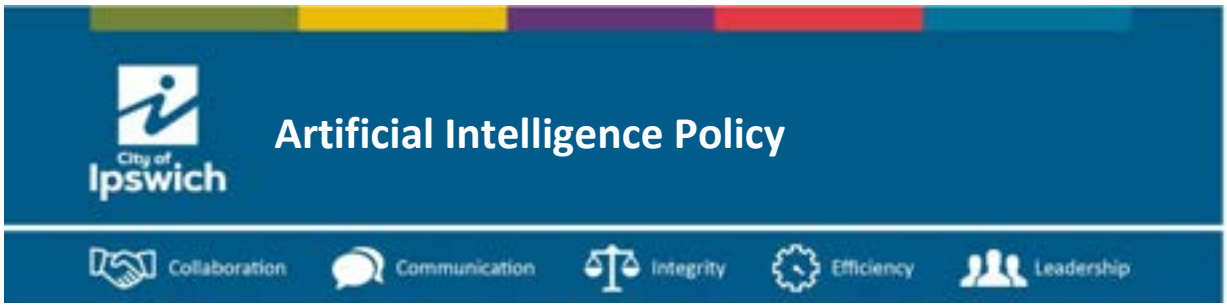
Melissa Friske
SENIOR GOVERNANCE OFFICER

I concur with the recommendations contained in this report.

Shasha Ingbritsen
CORPORATE GOVERNANCE MANAGER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)



Version Control and Objective ID	Version No: 1.0	Objective ID: A9890621
Adopted at Council Ordinary Meeting on		
Date of Review		

1. Statement

Artificial intelligence (**AI**) technology presents an opportunity for Ipswich City Council (**Council**) to enhance its service delivery to the Ipswich community. Whilst AI can create efficiencies which improve service outcomes, Council recognises that it must develop an ethical AI framework to prevent outcomes that negatively affect individuals, communities, groups, or the environment.

To ensure that AI is used ethically and in accordance with human rights, Council will apply Australia's AI Ethics Principles[1] (the **Principles**) to maintain public trust and confidence that Council's use of AI is safe, secure and reliable.

2. Purpose and Principles

Council has established an AI framework to apply Australia's AI Ethics Principles. The AI framework will consist of this policy and other documents that set out council requirements for:

- safeguarding personal information, data, and abide by other applicable laws when using approved AI technology
- evaluating AI technology prior to acquisition or approval for use, and
- managing quality control of the AI technology through the AI Lifecycle.

Section 10 sets out the Principles and section 11 explains how they will be applied in the AI framework.

3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan theme, "A Trusted and Leading Organisation".

4. Regulatory Authority

Anti-Discrimination Act 1991 (Qld)
Human Rights Act 2019 (Qld)
Information Privacy Act 2009 (Qld)

[1] A voluntary framework published by the Commonwealth Department of Industry, Science and Resources.

5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

6. Scope

This policy applies to all undertakings by Council in relation to AI technology, which includes activities undertaken within the AI framework.

7. Roles and Responsibilities

Role	Responsibilities
Corporate Services Department	Strategic planning, due diligence, approval, implementation, and governance of AI technology.
General Managers, Branch Managers, and Section Managers	Responsible for ensuring AI solutions being deployed in their Departments / Branches / Section have been vetted in accordance with this policy, and its supporting governance framework.

8. Key Stakeholders

The following will be consulted during the review process:

- Legal and Governance Branch
- ICT Branch
- People & Culture Branch

9. What is AI?

The term 'AI' is often used interchangeably to describe several technologies within AI that are used in machine-assisted decision-making applications including machine learning, robotic process automation (RPA), natural language programming, deep learning (neural networks), computer vision and robotics.

AI systems embrace a family of technologies that can bring together computing power, scalability, networking, connected devices and interfaces, and data.

These systems can be programmed to perform specific tasks such as reasoning, planning, natural language processing, computer vision, audio processing, interaction, prediction and more. With machine learning, AI systems can improve on tasks over time according to a set of human-defined objectives and can operate with varying levels of autonomy.[2]

10. AI Ethics Principles

a. **Human, societal, and environmental wellbeing:** AI systems should benefit individuals, society, and the environment.

[2] Australian Government: Digital Transformation Agency [18 July 2023] "Adoption of AI in the Public Sector [STA13]", https://architecture.digital.gov.au/adoption-ai-public-sector

b. **Human-centred values:** AI systems should respect human rights, diversity, and the autonomy of individuals.

c. **Fairness:** AI systems should be inclusive and accessible and should not involve or result in unfair discrimination against individuals, communities, or groups.

d. **Privacy protection and security:** AI systems should respect and uphold privacy rights and data protection and ensure the security of data.

e. **Reliability and safety:** AI systems should reliably operate in accordance with their intended purpose.

f. **Transparency and explainability:** There should be transparency and responsible disclosure so people can understand when they are being significantly impacted by AI and can find out when an AI system is engaging with them.

g. **Contestability:** When an AI system significantly impacts a person, community, group or environment, there should be a timely process to allow people to challenge the use or outcomes of the AI system.

h. **Accountability:** People responsible for the different phases of the AI system lifecycle should be identifiable and accountable for the outcomes of the AI systems, and human oversight of AI systems should be enabled.

11. Applying the Ethics Principles

11.1 Implementing new technology comprising or incorporating AI

When considering implementing new technology (either by acquisition or internal development), or approving freeware applications for use, that comprises or incorporates AI, Council will conduct an AI impact assessment against the:

- the Principles
- Information Privacy Policy (and supporting documents); and
- Record Keeping Policy (and supporting documents)

as part of the Information and Communications Technology governance processes. The Information and Communications Technology branch will consult with Council staff with relevant subject matter expertise as necessitated by the specifics of how the technology will be applied.

11.2 Creating an AI system

In circumstances where Council engineers an AI system, Council will maintain a standard which applies relevant Principles to the AI system throughout the AI Lifecycle.

11.3 Decision Making

Council will not use AI to make decisions that are excluded by law or have the potential to:

- contravene administrative law requirements of legality, reasonableness, rationality, and transparency
- contravene privacy, data security or other legal requirements (including human rights obligations)
- compromise accuracy in decision-making
- compromise the exercise of decision-making discretion or judgement, or
- significantly undermine public confidence in government administration.

AI may be used as a tool to assist in the decision-making processes. However, human oversight of the process, particularly the exercise of discretion or judgement, must be preserved.

Where decisions can made using AI safely, accurately, and free from bias, council will be open and transparent about its use and clearly explain a person's right to challenge the use or outcomes of the AI system (see Section 12).

12. Disputes regarding the use of AI by council

Council will publish a register of its AI systems that have the potential to impact a person, community, group, or environment. A person will be able to challenge the use of an AI system, or the outcome from the AI system, by submitting a complaint as outlined in Council's Complaints Management Framework and Customer Charter. Complaints will be dealt with in accordance with the Complaints Management Policy and Procedure.

13. Monitoring and Evaluation

Council will evaluate any complaints received under Section 12 to determine whether amendments to this Policy and supporting operational documents are required. Otherwise, this Policy will be reviewed in accordance with Council's four (4) year review cycle.

14. Definitions

AI Lifecycle means the following stages:

a. design, data, and modelling (such as planning, data collection and model building)
b. development and validation (such as training and testing)
c. deployment
d. monitoring and refinement (including fixing any problems that occur)

Complainant means an individual person, or representative for a community, group or environment who seeks to, or has lodged a complaint.

15. Related Documents

Complaints Management Policy
Human Rights Policy
Information Privacy Policy

Record Keeping Policy

16. Policy Owner

The General Manager, Corporate Services is the policy owner and the Corporate Governance Manager is responsible for authoring and reviewing this policy.

Doc ID No: A10312450

ITEM: 3

SUBJECT: UPDATE ON THE IVOLVE BUSINESS CASE

AUTHOR: ERP PROGRAM MANAGER

DATE: 20 JUNE 2024

EXECUTIVE SUMMARY

This is a report concerning the review and updating of the iVolve Business Case. The amendments to the Business Case aim to guide Council toward successful adoption while addressing risks, maintaining continuity with the original Business Case, and ensuring financial prudence. The report provides a concise overview of these updates and associated risk and impacts.

RECOMMENDATION/S

That the update report on the iVolve Business Case be received and the contents noted.

RELATED PARTIES

There are no discernible related party conflicts of interest associated with this report and its recommendations.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Council's current suite of core technology is costly to maintain with the systems themselves not fully meeting business needs including limited system integration. As a result, workarounds and relatively expensive human effort have been substituted to enable Council to continue to function. Additionally, historically fragmented governance of data and investments, and low levels of technology adoption, led to a proliferation of technologies resulting in a disparate portfolio of technologies and vendors that where costly to manage and operate.

Council could not afford to perpetuate this operating environment. To move forward, the iVolve Project set out to identify and implement a right-sized, fit-for-purpose target state solution that would allow Council to deliver on its strategic, economic, and operational mandate.

Due to the identification of an extreme risk with Council's exiting Oracle eBusiness Finance and Procurement solution, the replacement of the Finance and Procurement solution was identified as a priority within the program. An upgrade to the new Oracle SaaS solution, Fusion was assessed in parallel to an Expression of Interest (EOI) for the broader suite of solutions required across the program. Due to the risk exposure and timing challenges, the decision was made to progress with the Oracle Fusion implementation whilst further assessing the Expression of Interest submissions for the broader program solution.

With the implementation of Fusion in progress and additional information available as part of the EOI, a Business Case review was undertaken to ensure the Business Case reflected the additional information received through the EOI and the greater awareness of Council's requirements. This review was undertaken by Council's iVolve Program Strategic Adviser with the support of the iVolve Program team. The review included a number of workshops, discovery and solution design sessions including the documentation of the Solution Architecture which was tabled and approved by the Architecture Design Authority and formed the basis of the updates to the Business Case.

The Business Case review serves as a critical assessment of the iVolve ERP system implementation program. Its purpose was to highlight key outcomes and considerations, ensuring continued alignment with business objectives and risk management. Rather than amend the original Business Case, the decision was made to update via Annex 1 - 3 which provides the relevant updates and additional information whilst maintaining the integrity of the original Business Case for reference.

The review encompasses several essential aspects:

1. **Delivery Alignment**: Ensuring that the program's delivery timeline and approach are closely aligned with the Council's state of readiness optimising the implementation process and minimising disruptions.
2. **Leveraging Existing Investments**: A focus on the continued assessment of existing technology solutions to evaluate their suitability and identify opportunities for better leveraging the Council's existing investment. This approach ensures efficient utilization of resources and maximizes the value derived from current systems.
3. **Risk-Based Prioritization**: Ensuring priorities are based on both business and technology risk. Identifying potential risks and their impact, to ensure Council can allocate resources effectively and address critical areas first.
4. **Financial Evaluation**: Review of both costs and benefits associated with the implementation to allow informed decisions and allocate resources judiciously.

The Business Case review provides a detailed assessment of the iVolve Program, to assist Council's decision making in the continued implementation of the program.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012

POLICY IMPLICATIONS

This report and its recommendations are consistent with Council Policy.

RISK MANAGEMENT IMPLICATIONS

The review of the iVolve Business Case identified several key risks including:

- The software costs in the original Business Case do not align to the software costs received from the iVolve EOI. The original Business Case costs are also unable to be verified with information available.
- Implementation costs for iVolve will be greater than those identified in the original Business Case potentially impacting Council's ability to deliver fully on the Business Case scope.
- The scope of the Business Case is not sufficient to finalise the scope of each individual future project / stream. As such, additional work will be required through each phase of the program delivery to fully assess the scope of each implementation and future updates of the Business Case will be required.
- Council's business and change readiness may not align to the overall iVolve Program delivery schedule.

FINANCIAL/RESOURCE IMPLICATIONS

Program Budget Information:

	Original Business Case	**Revised Business Case**
Ongoing system / Software Costs (10yr)	$11.9m	$30.8m - $37.6m
Implementation Costs – Delivery Partner	$13.8 (over 5 years)	$12.4m – $15.1m (over 3-4 years)
Implementation Costs Council Resources	$2.8m (over 5 years)	$13.4m – $20.1m (over 3 years)
Contingency	$5.4 (over 10 years)	Assumed within the cost range

System Costs

As per the table above, there is a disparity between the original Business Case and the forecast for ongoing software and systems costs. The current forecast is based on feedback through Council's open market EOI and benchmarked against current software costs (noting there is likely to be some saving through the implementation of new systems against current costs).

Implementation Costs – Council Resources

The original Business Case allowed $2.8m over 5 years for internal resources in the implementation – equating to approx. 4-5 resources fulltime on the project over the 5-year period. It is assumed this included the core program office resources (i.e. Project Manager, Change Manager etc.) and excluded costs for the relevant SMEs. The revised estimate includes allowance for iVolve program office resources in addition to the relevant SME's and

other support resources (i.e. training, comms etc.) to ensure Council have the required skillsets and user representatives.

Cost escalation

The original Business Case utilised CPI of 1.3% year one and 1.7% for year 2-10 on solution and software costs with labour escalated at 2.3%. This is significantly below current (and forecast) rates. As such, and in acknowledgment of recent cost pressures, the revised financials are escalated at an assumed CPI of 4% across all costs.

COMMUNITY AND OTHER CONSULTATION

- iVolve Program Board
- Fusion Project Control Group
- Procurement Branch
- Finance Branch
- Enterprise Project Management Office
- Media and Communications Branch
- Internal Audit
- Strategic Advisor – Strategic Directions

CONCLUSION

Given the forward nature of this forecast, work is ongoing to ascertain the final technology stack and how Council can best consolidate solutions to minimise both system and implementation costs whilst delivering the required business and technology outcomes.

There may also be opportunities (currently under exploration) to extend the life of existing solutions which may delay the need for further investment in some streams whilst having limited impact on overall system capability and functionality. The Program will also continue to work closely with the Customer Experience program to ensure any opportunities to align technology requirements can be exploited to minimise costs and increase speed of implementation (and benefit realisation) across both initiatives.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS
RECEIVE AND NOTE REPORT
The Recommendation states that the report be received, and the contents noted. The decision to receive and note the report does not limit human rights. Therefore, the decision is compatible with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	CONFIDENTIAL Finance and Governance Committee - iVolve Business Case

Gerard Nelson

ERP PROGRAM MANAGER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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

Doc ID No: A10352717

ITEM: 4

SUBJECT: URBAN UTILITIES STATEMENT OF STRATEGIC INTENT (SOSI) AND PARTICIPATIONS RETURNS POLICY (PRP) AND PARTICIPATION AGREEMENT (PA)

AUTHOR: CHIEF FINANCIAL OFFICER

DATE: 2 JULY 2024

EXECUTIVE SUMMARY

This is a report in relation to the following two matters regarding Urban Utilities (UU):

1. Approval of proposed amendments to the Participation Agreement and the Participation Returns Policy.

2. Approval of UU's Statement of Strategic Intent 2029 ("SOSI")

RECOMMENDATION/S

A. That Council approve the amendments to the Participation Agreement between the Central SEQ Distributor-Retailer Authority (trading as Urban Utilities) and Ipswich City Council as a Participant to the Participation Agreement as per Confidential Attachment 1 to this report.

B. That Council approve the amended Participation Return Policy per Confidential Attachment 3 to this report.

C. That Council approve Urban Utilities' 2029 Statement of Strategic Intent contained in Confidential Attachment 4 to this report.

That the Chief Executive Officer be authorised to sign a Variation Agreement that formalises the approved amendments to the Participation Agreement and Participation Returns Policy, and to do any other acts necessary to implement Council's decisions in accordance with section 13(3) of the *Local Government Act 2009*.

RELATED PARTIES

The Central SEQ Distributor-Retailer Authority trading as Urban Utilities (UU)
Participating Local Governments

- Brisbane City Council
- Ipswich City Council
- Lockyer Valley Regional Council

- Scenic Rim Regional Council

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Participation Agreement and Participation Returns Policy

The Central SEQ Distributor-Retailer Authority (trading as UU) was established on 1 July 2010 as a statutory body to be a distributor-retailer under the provision of the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009* and as a service provider under the *Water Supply (Safety and Reliability) Act 2008*. In accordance with the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, UU entered into a Participation Agreement ("the Agreement") with its five participating local governments (the Participants) at formation in 2010.

The purpose of this report is to provide an overview of proposed amendments to the Participation Agreement and Participation Return Policy, referenced in the Attachments.

- The new Participation Agreement for approval is included as Attachment 1, with a tracked changes version included as Attachment 2.

- The new Participation Returns Policy for approval is included as Attachment 3

The Participation Agreement outlines the responsibilities and obligations of UU and its Participants and includes, but is not limited to, the rights of each Participant, decision making and dispute resolution, the Board's role, composition, appointment, remuneration and powers, corporate planning, reporting and profit distribution.

The Participation Returns Policy outlines foundational participation return principles on how participation returns will be calculated.

Section 28 (3) of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* allows for a Participation Agreement to be amended subject to agreement of all participants and the passing of a resolution to that effect by each Participant.

The proposed new Participation Return Policy requires a special majority of participating Councils only.

Statement of Strategic Intent

The Urban Utilities Board is required to provide a Statement of Strategic Intent (SOSI) to Participants about the future strategic direction of UU that covers a five year period.

The SOSI must include UU's:

i. operating objectives, based on those outlined under clause 3.1 of the participation agreement;

ii. purpose and vision;

iii. strategic priorities, both financial and non-financial, and strategies to delivery, including how successful delivery will be measured;

iv. forecast infrastructure investment;

v. five-year financial forecasts and supporting key financial metrics, including any key assumptions used to determine the financial forecasts; and

vi. *strategic risks.*

The term of the current SOSI concludes on 30 June 2024. Urban Utilities have drafted the new 2024 to 2029 SOSI that is included in Attachment 4.

The SOSI, both the current and any proposed subsequent versions, must be approved by the Special Majority of Participants. The approved SOSI must be adopted by the Board and provided to each Participant within 20 business days of adoption by the Board.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld)

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications associated with this report.

COMMUNITY AND OTHER CONSULTATION

The contents of this report did not require any community consultation. UU have consulted with the CEO's of the Participating Councils in relation to an overview for the proposed SOSI and the Commercial Reference Group (CFO's from Participating Councils) in relation to the proposed changes to the Participation Agreement and Participation Returns Policy. The Legal Services Branch has also been consulted as part of reviewing and providing feedback on the draft Participation Agreement and Participation Returns Policy.

CONCLUSION

Following review of the Participation Agreement and Participation Returns Policy, including consultation with the Participants, UU is seeking approval of the update policies by all Participants in accordance with the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* and the Participation Agreement.

As required, UU must provide a SOSI about the future direction of UU for a five year period, and this SOSI must be approved by a special majority of Participants.

HUMAN RIGHTS IMPLICATIONS

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HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Approval of proposed amendments to the Participation Return Policy and the Participation Agreement. Approval of UU's Statement of Strategic Intent 2029("SOSI")
(b) What human rights are affected?	*No human rights are affected by this decision. This is because the tenders are all companies (only individuals have human rights). Further, the subject matter of the contract will not impact on the human rights of any third parties.*
(c) How are the human rights limited?	*Not applicable*
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	*Not applicable*
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	New Participation Agreement For Participant Approval
2.	Participation Agreement with Tracked changes
3.	New Participation Returns Policy for Participant Approval
4.	Statement of Strategic Intent FY2029

Jeffrey Keech
CHIEF FINANCIAL OFFICER

I concur with the recommendations contained in this report.

Wade Wilson
MANAGER, EXECUTIVE SERVICES

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10210929

ITEM: 5

SUBJECT: PROCUREMENT: CLOUDLIBRARY LIBRARY ERESOURCES

AUTHOR: PROCUREMENT OFFICER (ICT)

DATE: 18 JUNE 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to enter into a contractual arrangement with OCLC (UK) Limited (OCLC) for the provision of electronic Resource (eResources) platforms CloudLibrary, CloudLink and ComicsPlus.

As a result of an acquisition of the suite of CloudLibrary products by OCLC UK Limited from previous owners, Bibliotheca Australia Pty Ltd in April 2024, a Council resolution for an exception under Section 235(b) of the Local Government Regulation 2012 applying to specialised services is sought to ensure continuity of service under the new product owners. The product has been part of library offerings to borrowers since 2017 and enjoys solid and increasing usage.

Previously the supply of CloudLibrary platforms was contracted under Contract 21689 Cloud Library Electronic Library Resources with Bibliotheca Australia Pty Ltd, under exception s234 of the Local Government Regulations – engaged via the Local Buy Local Government Arrangement.

OCLC acquired the CloudLibrary elements of Bibliotheca Australia Pty Ltd organisation, and Contract 21689, following Legal advice, was novated to OCLC in May 2024 for the remaining two (2) months of the Contract to ensure continuity of these library e-resources. OCLC assumed all rights, benefits, and obligations associated with the previous contract. OCLC is a nonprofit organisation who have maintained the same user-friendly interface, extensive catalogue, and convenient access to digital content through CloudLibrary and have assured customer experience will not be impacted in any way. OCLC do not hold a Local Government Arrangement membership with LocalBuy.

This subscription product is utilised by multiple Australian Libraries to provide content to their communities and Council is able to leverage consortia agreements with other south-east Queensland Libraries, thereby rendering it more costly and disadvantageous to Council to tender for other products.
A resolution of Council is sought to approve the annual subscription for the CloudLibrary eResources with OCLC for a term of up to three (3) years as an initial one (1) year term with an additional two (2) X one (1) year options to allow annual analysis of utility and value for money. This is an estimated total cost of approximately six-hundred thousand dollars ($600,000) excluding GST for the term of the three year contract.

RECOMMENDATION

A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised AND/OR confidential nature of the services that are sought and it would be impractical AND/OR disadvantageous to invite quotes OR tenders for the provision of CloudLibrary Library eResources.

B. That Council enter into a contractual arrangement (Council file reference number 5185) with OCLC (UK) Limited, at an approximate purchase price of $600,000 excluding GST over the entire term, being an initial term of one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.

RELATED PARTIES

OCLC (UK) Limited ACN 096 353 847

Ipswich City Council

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

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Libraries have provided CloudLibrary for eAudiobooks and eBooks to the Ipswich community since 2017. In 2022, the CloudLink subscription consortia model was added and in 2023 the eComics resource was also included. The specialised nature of the CloudLink and ComicPlus proprietary software, and the current integration into existing library systems, improve accessibility to library resources for Council residents. The CloudLink consortia also allows Ipswich City Council users to access resources from other Council libraries, thereby demonstrating added value for money. All products have a significant following and solid usage increasing from 25,121 loans in 2021 to 38,511 in 2023, with an increase of over 13,000 users over that same period. All members are provided an excellent customer experience via a bespoke mobile app or online interface.

CloudLibrary and ComicsPlus are platforms that provide eAudiobooks, eBooks and eComics content to members via the CloudLibrary app. CloudLink forms part of a subscription consortia model which provides our borrowers access to collections from other libraries, thereby increasing loans and number of titles available for loan, without the additional expense.

Pursuant to formal advice from both companies that the CloudLibrary suite of products were acquired by OCLC UK Limited from Bibliotheca Australia Limited, Legal Services supported the novation of Contract 21689 from May 2024 provided that Council enter into a new contract for the goods and services subsequent to the expiry of the existing contract on 30 June 2024, and does so pursuant to the leveraging of an appropriate exception.

Council seek to continue providing the Ipswich Community with a tried and trusted product and engage OCLC directly under exception s235(b) of the Local Government regulations to ensure continuity of these specialised library services. To return to market to source, evaluate and implement an alternative solution of similar functionality and capabilities with the same available products and services would be counterproductive, costly, untimely and unlikely to lead to a better procurement outcome. This renders OCLC the only supplier reasonably available for the continued provision of the CloudLibrary, CloudLink and ComicsPlus eResource platforms currently in use by Council ensuring continued customer satisfaction with a popular service.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Regulation 2012
Local Government Act 2009

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendation within this report is not approved is that council will not be able to renew the subscription, and the community will be left without access to CloudLibrary, CloudLink and ComicsPlus eResources.

Risks associated with engaging directly with OCLC will be managed via procurement evaluation and Council terms and conditions over the life of the contract. The term of the contract will be an initial 12months term + two (2) one (1) year options to extend, with extension at Councils discretion based on OCLC performance and ability to meet the continuity requirements of the arrangement.

The CloudLibrary, CloudLink and ComicsPlus applications have not been identified as being addressed by Council's iVolve Project.

Accordingly, the risk of investing in this software at this time is low and can be addressed (if required) by a yearly review as the iVolve Project progresses.

Application	iVolve Scope Alignment	iVolve Impact Rating	Impact Treatment
CloudLibrary, CloudLink and ComicsPlus	Low – not likely to be part of core systems	Low	Not identified as being in the Core system, or in the initial 5-year roadmap

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications as the items are included in Library branch existing budget.

The total value of the contractual arrangement will be approximately $600,000.00 excluding GST if the subscription to CloudLibrary, CloudLink and ComicsPlus is continued as required for up to three (3) years.

This was planned expenditure which was expected to be engaged through the previous supplier of the CloudLibrary suite of products, and there was intention to continue engaging the previous supplier under Preferred Supplier Arrangement (PSA). This request for exception under Section 235(b) has only been triggered by the acquisition of the products by OCLC, and Council has negotiated the continuation of the same solution to meet the needs of users.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the Libraries and Customer Services Branch who support the recommendations of this report. This report does not require community consultation.

CONCLUSION

In order for Council to receive continued provision for the functions performed by the CloudLibrary, CloudLink and ComicsPlus platforms, it is recommended that Council provide the requested approval in relation to the proposed contractual arrangement with OCLC (UK) Limited for up to three (3) years as required.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state the Council enter into contractual arrangement with OCLC (UK) Limited for up to three (3) years for the continued procision of CloudLibrary, CloudLink and ComicsPlus eResource Platforms.
(b) What human rights are affected?	
(c) How are the human rights limited?	Nor Applicable
(d) Is there a good reason for limiting the	Not Applicable

relevant rights? Is the limitation fair and reasonable?	
(e) Conclusion	The decision is consistent with human rights.

Katie McIntosh
PROCUREMENT OFFICER (ICT)

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

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.

Ben Pole
GENERAL MANAGER, COMMUNITY, CULTURAL AND ECONOMIC DEVELOPMENT

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Doc ID No: A10344415

ITEM: 6

SUBJECT: PROCUREMENT: INCREASE IN CONTRACT VALUE- MICROSOFT EA LICENCEING

AUTHOR: PROCUREMENT OFFICER (ICT)

DATE: 28 JUNE 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to increase the approved value of existing contract 18620 for the provision of Microsoft Enterprise Licencing by $414,000+GST.

The contract commenced 1 August 2022 and since this time the number of Council Full Time Employees has increased further than initially estimated. Council's original estimated expenditure was approved at $4.431M excluding GST for the total contract period of 3 years with no option for extension. This was adopted at Council Ordinary Meeting of 30 June 2022.

The new estimated sum is $4,845,000 excluding GST and does not affect the term of the contract.

RECOMMENDATION/S

A. That Council approve an increase in expenditure for the provision of Microsoft EA Licencing Renewal with supplier Data#3 Limited from $4,431,000 to $4,845,000 excluding GST for the current contracted period up to 31 July 2025. This constitutes an increase of $414,000 excluding GST.

B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "contractual action" pursuant to section 238 of the Regulation, in order to implement Council's decision.

RELATED PARTIES

Ipswich City Council

Data#3 Limited

There are no discernible conflicts of interest, and none have been declared.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Following a Request For Information and Tender process, in August 2022 Council entered into a contractual arrangement (reference number 18620) via Local Buy Arrangement BUS274 under s234 of the *Local Government Regulation* with Data#3 Limited (Data#3) for the provision of Microsoft Enterprise Licences. This is an essential business requirement for Council's use of Microsoft software.

A competitive process was conducted as part of the initial contract engagement, and Data#3 continues to perform as a Strategic Partner for Council, reviewing licencing options to ensure best value for money, while achieving compliance with Microsoft, remains a focus.

Council's original estimated expenditure was approved at $4.431M excluding GST for the total contract period of 3 years with no option for extension. This was adopted at Council Ordinary Meeting of 30 June 2022.

As we are about to enter the third and final year of the term the annual true-up has been completed and additional costs has been provided to Council. Due to the significant increase of approximately 400 FTEs since commencement of the contract the originally anticipated expenditure for this contractual arrangement has also seen an uplift.

The purpose of this report is to approve the increase in contract value by $414,000 to the new contract value of approximately $4,845,000 +GST in order to accommodate the increased spend incurred on the contract.

The ordered products for the first 2 years total approximately $3.045M.
The estimated true-up and year 3 value is estimated to be up to $1.8M excluding GST.
There will be a true-up completed at the end of the third and final year of the contract and the value is included in the above estimate.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendation within this report is not approved is that Council will not be able to pay this upcoming years invoices in full and services may be removed or the contract terminated. Council would be left without access to Microsoft software, an essential requirement for this business.

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications as the increased expenditure has been budgeted for as an operational expense within the ICT Branch Budget.

The total contract value will be approximately $4,845,000 excluding GST.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the ICT Branch who support the recommendations of this report. This report does not require community consultation.

CONCLUSION

In order for Council to maintain compliance and remain within contract terms, it is recommended that Council approve the requested increase to the approved contract value.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	The recommendation stated that Council approve the increase in contract value for contract 18620 Microsoft EA Licencing to $4,845,000 +GST.
(b) What human rights are affected?	No human rights are affected by this decision. This is because the contract is with a company (only individuals have human rights). Further, the subject matter of the contract will not impact on the human rights of any third party.
(c) How are the human rights limited?	Not applicable
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
(e) Conclusion	The decision is consistent with human rights.

Katie McIntosh
PROCUREMENT OFFICER (ICT)

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Fiona Bristow
ICT BUSINESS MANAGER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10262989

ITEM: 7

SUBJECT: PROCUREMENT: ARCGIS ONLINE CREATOR & MOBILE WORKER SOFTWARE LICENCING, MAINTENANCE (2024)

AUTHOR: ICT CATEGORY SPECIALIST

DATE: 19 JUNE 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to enter into a contract with Esri Australia Pty Ltd for the provision of ArcGIS Online Creator and Mobile Worker software licensing, maintenance that are operationally utilised as part of Council's existing spatial services.

This matter is required as officers seek Council resolution that the exception under section 235(b) of the *Local Government Regulation 2012* applies to the specialised nature of the ArcGIS Online Creator and Mobile Worker licencing, maintenance and other related ancillary items for these operationally necessary products. The proprietary nature of the incumbent supplier's products means that the products are specialised in nature and Esri Australia Pty Ltd are the only supplier able to provide the support and maintenance for the products. It would be impractical and disadvantageous for Council to invite quotes or tenders as no other supplier is able to provide these specialised products. Further, due to the current implementation of an enterprise spatial solution by Council, it is more costly and disadvantageous to Council to tender for other software products when delivery of the enterprise spatial project will provide a replacement solution.

A resolution of Council is sought to approve the continuation of the licencing and maintenance for the ArcGIS software products including Online Creator and Mobile Worker licensing with Esri Australia Pty Ltd for a term of one (1) year (commencing 14 August 2024), with no extension option. This is an estimated total cost of approximately thirty-five thousand dollars ($35,000) excluding GST for the full term of the contract.

RECOMMENDATION

A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised AND/OR confidential nature of the services that are sought and it would be impractical AND/OR disadvantageous to invite quotes OR tenders for the provision of the ArcGIS Software licencing including, ArcGIS Online Creator and Mobile Worker licencing and maintenance of the software products and related ancillary items.

B. That Council enter into a contractual arrangement (Council file reference 5186) with Esri, Australia Pty Ltd, at an approximate purchase price of $35,000.00

excluding GST over the entire term, being an initial term of one (1) year, with no extension option.

RELATED PARTIES

- Esri Australia Pty Ltd
- Ipswich City Council
- There are no conflicts of interest identified and declared in relation to the contents of this report.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Esri Australia Pty Ltd (ESRI) is an international supplier of geographic information system software, web GIS and geodatabase management applications, headquartered in the USA, with a registered office located in Brisbane QLD. ESRI is a long established and well-reputed company, with its mapping & spatial analytics technology being widely known and used across the globe.

The supplier's proprietary ArcGIS products have been in use at Council as part of Council's spatial services tool suite since prior to June 2021, and the continued use of the current ArcGIS products utilised is required whilst awaiting full implementation of the new enterprise spatial solution by Council due to be achieved 2025. The current contractual arrangement 16591 with ESRI is expiring on 13 August 2024, with the ArcGIS Online Creator and Mobile Worker products identified, by the GIS Spatial Program Team, as required to support implementation of the enterprise GIS Spatial solution.

As such, it would be counterproductive, costly and untimely to source and implement a new product when it is already intended that the current product be superseded at full implementation of the enterprise solution. This renders the ArcGIS online creator and mobile workers products specialised in nature, with the ESRI the only supplier reasonably available for the provision of the licencing, maintenance and other related ancillary items for the proprietary ArcGIS products currently in use by Council whilst awaiting final delivery of the enterprise solution. It is anticipated that the full GIS Spatial solution will be implemented by June 2025 so no extension options are requested for this ESRI engagement.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

The risk to Council if the recommendation within this report is not approved is that Council will not be able to continue receiving the operational benefit of the ArcGIS key spatial products currently in use at Council until such time as an enterprise spatial solution is implemented.

The ArcGIS products have not been scoped as part of the core systems being addressed by Council's iVolve Project, however the critical integration aspects of the replacement enterprise GIS system have been identified and form part of iVolve consideration to ensure optimal integration of the product into the core systems.

Accordingly, the risk of investing in this software at this time is low and can be addressed in the integration business requirements for the iVolve Project.

Application	iVolve Scope Alignment	iVolve Impact Rating	Impact Treatment
Esri Australia Pty Ltd ArcGIS Online creator software product and Mobile worker licences	Low – not likely to be part of core systems	Low	Not identified as being in the Core system, or in the initial 5-year roadmap

FINANCIAL/RESOURCE IMPLICATIONS

There are no new resourcing or budgeting implications, as the annual ArcGIS Online Creator and Mobile worker software licencing, maintenance cost is budgeted as an operational expense within the ICT, Planning and Regulatory Services and Asset Services Branch Budgets.

This report seeks a resolution of Council for an approximate total cost of thirty-five thousand dollars ($35,000) excluding GST to enter into a contract for ArcGIS software licencing including, ArcGIS Online Creator and Mobile Worker licensing and maintenance for an initial term of one (1) year, with no extension option.

COMMUNITY AND OTHER CONSULTATION

The Procurement Branch has consulted with the ICT Branch, Asset Services Branch, Planning and Regulatory Services who support the recommendations of this report. This report does not require community consultation.

CONCLUSION

In order for Council to receive continued provision of the functions performed by the ArcGIS products as part of Council's current spatial implementation, it is recommended that Council

provide the requested approval in relation to the proposed contractual arrangement with Esri Australia Pty Ltd for a term of one (1) year with no extension option to allow for an outcome in relation to the implementation of an enterprise solution.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that Council enter into a contractual arrangement for one (1) year, with no extension option with ESRI Australia for the continued provision of ArcGIS Online Creator and Mobile worker software licencing, maintenance.
(b) What human rights are affected?	No human rights are affected by this decision as the contracts will be with a Company. Further, the subject matter of the contract will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable.
(e) Conclusion	The decision is consistent with human rights.

Earaj Khan
ICT CATEGORY SPECIALIST

I concur with the recommendations contained in this report.

Nicolle Culey
ICT CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Angela Jackson
CHIEF INFORMATION OFFICER

I concur with the recommendations contained in this report.

Tony Dileo

MANAGER, INFRASTRUCTURE STRATEGY

I concur with the recommendations contained in this report.

Nathan Rule
MANAGER, CITY DESIGN

I concur with the recommendations contained in this report.

Graeme Martin
ACTING GENERAL MANAGER (ASSET AND INFRASTRUCTURE SERVICES)

I concur with the recommendations contained in this report.

Alisha Connaughton
ACTING GENERAL MANAGER (PLANNING AND REGULATORY SERVICES)

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10336838

ITEM: 8

SUBJECT: PROCUREMENT - CULTURE AMP EMPLOYEE EXPERIENCE SURVEY PLATFORM

AUTHOR: GOODS AND SERVICES CATEGORY MANAGER

DATE: 26 JUNE 2024

EXECUTIVE SUMMARY

This is a report seeking a resolution by Council to engage Culture Amp Pty Ltd. Culture Amp has been contracted with Council (contract 16674) for the past three years to provide a platform supporting improved Employee Experience (EX) through whole of Council employee satisfaction surveys, benchmarking analysis, results and support.

The annual Employee Experience Survey is a deliverable under the People and Culture Strategy 2021 - 2026 and is also a key focus of our CEO and Executive Leadership Team.

This matter is required as officers seek Council resolution that the exception under section 235(b) of the *Local Government Regulation 2012* applies to the specialised services provided by the Culture Amp platform. The proprietary nature of the incumbent supplier's product means that there is only one supplier who is reasonably available to provide the required product.

RECOMMENDATION

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

B. That Council enter into a contractual arrangement Culture Amp Pty Ltd, at an approximate purchase price of $295,740.00 excluding GST over the entire term, being an initial term one (1) year, with options for extension at the discretion of Council (as purchaser), of an additional two (2) X one (1) year terms.

RELATED PARTIES

Ipswich City Council

Culture Amp Pty Ltd (ABN 12 138 600 987)

There were no conflicts of interest declared.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

Council has engaged Culture Amp Pty Ltd for the past three years for the use of the Culture Amp platform which includes the services of co-designing EX surveys, providing campaign support to maximise employee engagement, analysing results, providing benchmark comparative data and advising on proven strategies to improve overall EX based on the survey results. Surveys include annual organisation-wide engagement surveys, onboarding surveys for new employees at weeks 1 and 12, and exit surveys for all employees leaving Council. The platform also supports transparent action planning based on survey results and 1-on-1 meetings between supervisors and their direct reports.

The most recent EX Survey was conducted during September 2023 and was positively received with a participation rate of 77%. The engagement score of 65% represents an uplift across council of 2 percentage points on the 2022 results and 6 percentage points since 2021, showing steady growth.

Debriefs and action planning has continued with managers supported by their Employee Experience Group (EXG) members to take meaningful action to improve the EX. ELT continue to take action on communicating a motivating vision and communicating business decisions that are affecting resources. As a result of insights from survey feedback, ELT commenced a targeted campaign in April 2024 bringing the council's purpose statement, vision and values together with a focus on how decisions are made, and priorities agreed.

In order to retain the benefits derived from previous survey data and allow for comparison of results, and to continue to improve EX, People and Culture wish to continue working with this supplier to provide this service. Continuing with the same supplier will ensure consistency of data / metrics obtained over the last 3 years, thus making it unreasonable to seek quotes from other suppliers. Ongoing service provision by Culture Amp will also leverage user capability built over the last three years, and mitigates the risk of employee disengagement resulting from a system change.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Regulation 2012
Local Government Act 2009

POLICY IMPLICATIONS

People and Culture Strategy 2021-2026

Customer Experience Strategy

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

RISK MANAGEMENT IMPLICATIONS

Alternate product purchases would not support integrated historical survey benchmarking, action planning continuity or pre-existing 1-on-1 meeting data which have been developed over the previous three years of usage.

FINANCIAL/RESOURCE IMPLICATIONS

This procurement is included within the established business unit budget.

COMMUNITY AND OTHER CONSULTATION

Acting Organisational Development Manager

Manager, People and Culture

Acting Manager, Procurement

CONCLUSION

In order to grow from previous EX surveys and further develop the Council team it is recommended to continue using Culture Amp Pty Ltd to provide this service.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A and B state that Council continue contractual arrangement with Culture Amp Pty Ltd for up to three (3) years for providing employee experience surveys, results, analysis and support.
(b) What human rights are affected?	No human rights are affected by this decision. This is because the tenders are all companies (only individuals have human rights). Further, the subject matter of the contact will not impact on the human rights of any third parties.
(c) How are the human rights limited?	Not applicable.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable.
(e) Conclusion	The decision is consistent with human rights.

Tim Steinhardt
GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Tyler Wellensiek
ACTING ORGANISATIONAL DEVELOPMENT MANAGER

I concur with the recommendations contained in this report.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10327750

ITEM: 9

SUBJECT: PROCUREMENT: EXTENSION AND INCREASE IN SPEND ON COMMERCIAL CLEANING - CONTRACT 13902

AUTHOR: GOODS AND SERVICES CATEGORY MANAGER

DATE: 25 JUNE 2024

EXECUTIVE SUMMARY

This is a report concerning the recommendation to approve the final one (1) year extension (December 2024 to December 2025) option and increased expenditure under contract 13902 Commercial Cleaning.

This increase is due to a growth in scope and inclusion of additional assets along with an increase in CPI costs which have risen above the anticipated forecast.

Council's original estimated expenditure was approved at $6.9M excluding GST for the total contract period of two (2) years with the option to extend the contract by three (3) x one (1) year periods. This was adopted at Council Ordinary Meeting of 22 October 2020 (Objective ID. A10327181)

Prior to the contract execution it was proposed to extend the scope of the contract to include the cleaning of, the then soon to be opened, Tulmur Place. The estimated new sum of the contract including all extensions was estimated to be $8,331,317.82 ex. GST. This proposal was approved under a CEO Briefing Note in November 2020 (Objective ID. A6646565).

RECOMMENDATION/S

A. That Council approve an increase in expenditure for the provision of Commercial Cleaning with the supplier, Total Building Maintenance (TBM) from $6,900,000 to $10,500,000 excluding GST for the current contracted period up to December 2024 and include future 1 x 12 month extension option to December 2025. This constitutes an increase of $3,600,000 excluding GST.

B. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action"* pursuant to section 238 of the Regulation, in order to implement Council's decision.

RELATED PARTIES

- Supplier: Total Building Maintenance (ACN 057 669 173)

- There are no discernible conflicts of interest, and none have been declared.

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

Commercial Cleaning is an essential business requirement that covers a large asset base, which continues to grow, including community accessible public facilities, parks, open spaces and more.

Council released a Request for Tender 13902 Commercial Cleaning on 15 August 2020 to the open market which closed on 8 September 2020. Council received eighteen (18) submissions. The Evaluation Panel undertook an evaluation of the submission as per Confidential: Commercial Cleaning (13902) – Strategy and Tender Evaluation Plan (STEP) (Objective ID. A6433425).

The purpose of this report is to approve the increased spend of the Commercial Cleaning Contract 13902 over the original $6.9M approved by Council Resolution at Council Ordinary Meeting dated 20 October 2020 and $8.33M approved by CEO Briefing Note in November 2020, due to a growth in scope and inclusion of additional assets which will increase the spend as follows:

- Estimated Spend to December 2024 $7.3M.
- Estimated Spend on cleaning the communal areas with “The Venue” which is expected to come online late 2024. Value $200,000.
- Estimated spend to December 2025, if final extension option is entered into, $10.5M including “The Venue”.

- Tender 13902 - Commercial Cleaning recommendation was adopted at Council Ordinary Meeting (22 October 2020) to award Total Building Maintenance (TBM) the contract at an estimated sum of $6.9M ex GST for a period of 2 years with 3 x 12 month extensions (2+1+1+1).

- A CEO Briefing Note was presented and approved in November 2020 prior to contract execution and a proposed commencement date of 2 December 2020. The briefing note documented an increase in scope and spend to include the cleaning of Tulmur Place at a rate of $24,217.61 ex GST per month and $290k ex. GST per year. The estimated new sum of the contract including all extension was $8,331,317.82 ex GST.

- The CEO Briefing Note also proposed that procurement would seek Council resolution prior to any extension being exercised that would take the value of the contract past the sum of $6,936,740.79 that was adopted at Council Ordinary Meeting (22 October 2020).

- Contract Extension for 2023/2024 was approved by the CEO on 21 November 2023 and was estimated to take the value of the contract to $6.7M (not including the final extension for 2025 if exercised). (Objective ID. A9474365)

- The 2023-2024 extension request did not take into consideration the addition of NSP assets which would take the contract spend over $6.9M during the 2023-2024 year to an estimated figure of $7.3M.

- Procurement sought advice from the Deputy General Counsel in relation to the small increase in spend over the original $6.9M during the 2023-2024 and he supported procurement to proceed with obtaining CEO approval on the understanding further Council resolution would be sought after caretaker period in 2024.

- A CEO Approval Form was presented and approved on 1 December 2023 to allow for the inclusion of additional NSP Assets. Contract 13902 allows for the inclusion of new Council assets as they come online as this is an operational contract administration function. (Objective ID. A9583134)

- Continuation of this service is an essential business requirement that covers a large asset base (which continues to grow as new assets / spaces come online) including community accessible public facilities, parks, open spaces and Nicholas Street Precinct.

- This is a highly operational, non-contentious contract and the risk of approving this spend is low.

- Total Building Maintenance – Queensland highlight strong support for employing local staff and supporting local business, they are also located within the local government area promoting Council's Buy Ipswich Approach.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy issues with this report.

RISK MANAGEMENT IMPLICATIONS

Primary risk is an interruption to the cleaning services for frontline, public facing facilities and negative community feedback on the Nicholas Street Precinct.

DRAFT

FINANCIAL/RESOURCE IMPLICATIONS

The revised cost to provide Commercial Cleaning services relating to Council's infrastructure and assets under this agreement are estimated to cost $10,500,000 (ex GST) for the total contract, including allowable contract extension up to 1 December 2025.

The revised cost to the end of this current term, 1 December 2024 is estimated at $7.3M (ex GST).

Funding is available from within existing budget areas.

COMMUNITY AND OTHER CONSULTATION

- This report does not require Community consultation.
- The Procurement Branch will consult with the key internal stakeholders prior to the due date of the final extension from 1 December 2024 to 1 December 2025.

CONCLUSION

Council to approve the increase as listed above for Contract 13902 Commercial Cleaning.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
What is the Act/Decision being made?	That Council approve an increase in expenditure for the provision of Commercial Cleaning with the supplier, Total Building Maintenance (TBM) from $6,900,000 to $10,500,000 excluding GST for the current contracted period up to December 2024 and include future 1 x 12 month extension option to December 2025. This constitutes an increase of $3,600,000 excluding GST
What human rights are affected?	Nil
How are the human rights limited?	Not applicable
Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	Not applicable
Conclusion	The decision is consistent with human rights.

Tim Steinhardt
GOODS AND SERVICES CATEGORY MANAGER

I concur with the recommendations contained in this report.

Ross Muller
ACTING MANAGER, PROCUREMENT

I concur with the recommendations contained in this report.

Matt Anderson
GENERAL MANAGER (ASSET AND INFRASTRUCTURE SERVICES)

I concur with the recommendations contained in this report.

James Hepburn
PRECINCT DIRECTOR

DRAFT

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Doc ID No: A10304435

ITEM: 10

SUBJECT: PROPOSAL TO ACQUIRE PROPERTY LOCATED AT 2B THOMPSON STREET BUNDAMBA FOR DRAINAGE PURPOSE

AUTHOR: SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

DATE: 18 JUNE 2024

EXECUTIVE SUMMARY

This is a report concerning the proposed acquisition of a residential property in Bundamba. The property is encumbered by drainage infrastructure that has been the subject of historical and ongoing concerns to the land.

RECOMMENDATION

A. That Council resolve to purchase or acquire land located at 2B Thompson Street, BUNDAMBA, more particularly described as Lot 4 on Registered Plan 116873 (Council file reference 6179), for drainage purpose.

B. That in the first instance, the method of acquisition shall be as a purchase by agreement with the affected person/s pursuant to the *Property Law Act 1974.*

C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take "*contractual action"* pursuant to section 238 of the Regulation, in order to implement Council's decision.

D. That Council be kept informed as to the progress and outcome of the acquisition.

RELATED PARTIES

- Landowners - Kevin Holland and Sylvia Holland
- There are no declarations of conflicts of interest

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

An open drain traverses the land of 2B Thompson Street, Bundamba (the Property), situated inside the northern boundary of the property. The drain is "v" shaped and conveys

stormwater from the adjoining Lorikeet Street Reserve through the property and into Bundamba Creek via a culvert beneath Bergins Hill Road.

Over the past seventeen (17) years, the owners of the property have raised numerous concerns with Council regarding the damage and changes to their land caused by traversing stormwater and incidental works by Council.

There is no drainage easement over the property, meaning that Council has no legal rights to enter the property without the landowners' permission. Something that has been problematic in the past.

The landowners wrote to Council's CEO in December 2023, requesting immediate consideration of their matter. The landowners state they wish to see the property restored to its condition prior to Council's excavation works, or as close to, noting changes to the local catchment over the years.

Council's Asset and Infrastructure Services General Manager and a senior officer from Works and Field Services, met with the landowners at the property in March 2024 to discuss a way forward. Following on from this meeting, support has been provided by the CEO for the voluntary procurement of the property with the intention to demolish the residence thereafter.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Regulation 2012
Local Government Act 2009
Property Law Act 1974
Land Title Act 1994

POLICY IMPLICATIONS

The matter of the report is consistent with Council's approved *Property Acquisition and Disposal Policy.*

RISK MANAGEMENT IMPLICATIONS

The risk of not resolving to acquire the property means that Council continue to be without legal access to the drain for the maintenance of the infrastructure and overland flow path.

FINANCIAL/RESOURCE IMPLICATIONS

Estimated funding for the property acquisition and demolition of the residence will be accounted for by Asset and Infrastructure Services in the 2024-2025 budget.

COMMUNITY AND OTHER CONSULTATION

Council records indicate that the landowners have been raising concerns about the property and the impacts from the stormwater since 2006. In that time there has been significant involvement from political representatives and Council officers in attempts to find a long-term resolution.

CONCLUSION

The voluntary acquisition of 2B Thompson Street, Bundamba will provide Council legal access to drainage infrastructure and a direct connection from the upstream catchment of Lorikeet Street Reserve through to Bundamba Creek.

HUMAN RIGHTS IMPLICATIONS

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HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	That Council resolve to acquire property located at 2B Thompson Street, Bundamba for the purpose of drainage.
(b) What human rights are affected?	No human rights are affected by this decision. The method of purchase will be by voluntary acquisition, with the landowners having no obligation to sell their property to Council. End of assessment.
(c) How are the human rights limited?	N/A
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	N/A
(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

	CONFIDENTIAL
1.	Current Title Search
2.	Proposed Easement Acquisition
3.	Landowner Letter to CEO - December 2023
4.	Property Plan

Bianca Gaudry
SENIOR PROPERTY OFFICER (ACQUISITIONS AND DISPOSALS)

I concur with the recommendations contained in this report.

Alicia Rieck
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.

Matt Smith
GENERAL MANAGER (CORPORATE SERVICES)

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Doc ID No: A10335277

ITEM: 11

SUBJECT: AMENDING SUBORDINATE LOCAL LAW - OFF STREET REGULATED PARKING, 134 PARKLAND DRIVE SPRINGFIELD CENTRAL

AUTHOR: SENIOR PROJECT MANAGER (CORPORATE SERVICES)

DATE: 1 JULY 2024

EXECUTIVE SUMMARY

This is a report concerning the proposal to make *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024 and* a consolidated version of *Subordinate Local Law No. 5.1 (Parking) 2013* following public consultation on one proposed amendment.

The purpose of the amendment is to regulate off street parking at 134 Parkland Drive Springfield Central pursuant to the resolution of Council on 23 May 2024. Regulated off street parking has been in place at this site since January 2024 when *Interim Local Law No.1 (Parking) 2024* commenced. It is due to expire on 25 July 2024 as an interim local law expires after 6 months. The change proposed to the local law in this report will allow this regulation to continue.

RECOMMENDATIONS

A. That it be noted that 4 submissions were received during the public consultation period for the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* and actioned as per the report.

B. That the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* does not contain any anti-competitive provisions.

C. That Council make proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* as set out in Attachment 1 of the report, as advertised.

D. That pursuant to Section 32 of the *Local Government Act 2009*, Council adopt the consolidation version of *Subordinate Local Law No.5.1 (Parking) 2013*, as set out in Attachment 3 of the report.

RELATED PARTIES

The YMCA Springfield Community Centre and Springfield Central State High School are the primary stakeholders impacted by any changes to the parking at 134 Parkland Drive, Springfield Central. A former council employee is the current coordinator at the YMCA Springfield Community Centre.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

At its meeting of 23 May 2024, the Council resolved as follows:

RESOLUTION C2024/02/048

A. That Council propose to make *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024*, as set out in Attachment 3 of the report dated 1 May 2024.

B. That Council approve proceeding to public consultation for the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024*, as detailed in Recommendation A.

C. That Council note that a review of the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* has been undertaken and no anti-competitive provisions have been identified.

D. That, following public consultation, as detailed in Recommendation B, a report be provided to a future Council meeting to progress the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* to the final stage of the formal local law-making process, in accordance with the *Local Government Act 2009* and Council's *Local Law-Making Process Policy.*

ACTION TAKEN ON RECOMMENDATIONS

Recommendation A & B – Proposed Subordinate Local Law & Public Consultation

Council undertook public consultation on the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* **(Attachment 1)**, *details of which are:*

- The public consultation period was 7 to 30 June 2024.
- Submissions were invited by lodging them on Shape Your Ipswich, via council@ipswich.qld.gov.au or delivered to 1 Nicholas Street, Ipswich on or before 30 June 2024.
- The Public Consultation Notice (**Attachment 2**) was advertised in the Ipswich News Today (and any local subsidiaries of INT) on 13 June 2024.

- A Shape Your Ipswich page was available to provide background, copies of relevant local laws and a form for people to make their submissions online or print off.
- A copy of the Public Consultation Notice was displayed in Council's foyer at 1 Nicholas Street, Ipswich.
- A copy of *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* was made available for inspection at the concierge at 1 Nicholas Street, Ipswich.
- A copy of the Public Consultation Notice and links to Shape Your Ipswich were emailed to key stakeholders for distribution through their own networks (YMCA Springfield Community Centre, Springfield Central State High School).
- Copies of the Public Consultation Notice were made available at the YMCA Springfield Community Centre and Springfield Central State High School for display.
- An Ipswich City Council media release and an organic Council social media post were completed.

Outcomes of the public consultation are:

Shape Your Ipswich

There were 111 unique visitors to the project page with 130 visits on the page (meaning some visitors came back more than once)

Total Submissions made	# support	#against
3	3	Nil

Submissions made by email or in person:

Total Submissions made	# support	#against
1	1	Nil

Key observations of submissions:

- All submissions were properly made in accordance with the public consultation notice.
- All were supportive of the amendment to ensure that more equitable parking continues at the site following the introduction of the Interim Local Law earlier this year.

- While submission numbers are low it is acknowledged that the amendment would only affect a small proportion of the Ipswich LGA population on a daily or routine basis.

Council has considered the submissions and that they are all in support of the proposed amendment. With no further amendments required the amending local law can proceed as advertised.

Recommendation C – Anti-competitive Provisions

Council conducts a review of whether the proposed local law contains an anti-competitive provision. This review has been conducted and it was found that that proposed local law does not contain any anti-competitive provisions.

LIST OF LIKELY ANTI-COMPETITIVE PROVISIONS

PROPOSED *SUBORDINATE LOCAL LAW (AMENDING) SUBORDINATE LOCAL LAW 5.1 (PARKING) 2024*

Local Law: *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024*

Purpose: The purpose of the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* is to add an off-street regulation parking area to Schedule 4 of *Subordinate Local Law No. 5.1 (Parking) 2013*.

General Effect: This is to facilitate equitable use by the community, of the off-street parking area at the Springfield Central Community Centre, 134 Parkland Drive, Springfield Central.

Anti-Competitive Provisions	**Relevant Criteria**	**Explanatory Comments**
No anti-competitive provisions identified in the proposed interim local law.	N/A	N/A

The amendments listed in the *Subordinate Local Law (Amending) Subordinate Local Law (Parking) 2024* have now been consolidated into *Subordinate Local Law No. 5.1 (Parking) 2013*(**Attachment 3**). This consolidation highlights in the Endnotes under Table of reprints that this is now Reprint 2 with the amending local law listed. Procedurally, Council now needs to:

- Acknowledge the public consultation outcome; and that there are no anti-competitive provisions [Recommendations A and B]; and

- Adopt the *Subordinate Local Law (Amending) Subordinate Local Law (Parking) 2024* as it was advertised during the public consultation period *[Recommendation C]; and*

- Adopt the consolidated *Subordinate Local Law No. 5.1 (Parking) 2013* [Recommendation D].

Following completion of the above recommendations, pursuant to the *Local Government Act 2009* and Council's Local Law-Making Policy (**Attachment 4**) a copy of the adopted laws will be sent to the Minister, a notice advertised in the Government Gazette our website and local laws register updated.

NOTE: the adopted laws will commence as of Friday 26 July as this is when the gazettal notice is due to be published.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions:
Local Government Act 2009
Local Government Regulation 2012
Ipswich City Council Local Law-Making Policy
Guidelines for Drafting Local Laws (Legislative Standards Act 1992)

POLICY IMPLICATIONS

The inclusion of an additional off street regulated area does have policy implications, but it is consistent with the regulatory approval of other off street regulated parking areas in Ipswich and other LGAs across Queensland. It's important to note that the amendment of the law facilitates the opportunity to regulate parking at the site, it does not set in place the number of hours or other requirements. The hours of parking can be adjusted by council to meet the needs of the community over time.

RISK MANAGEMENT IMPLICATIONS

The current *Interim Local Law (Parking) 2024* expires on 25 July 2024. Should the report's recommendations not be adopted at the July Council meeting, 134 Parkland Drive, Springfield Central will cease to be an off-street regulated parking area as of 25 July 2024.

FINANCIAL/RESOURCE IMPLICATIONS

There are some financial implications with the installation of signage (which was completed when the interim local law commenced early in 2024) and the management of any regulation at this site. These are to be addressed operationally through existing budget and resourcing.

COMMUNITY AND OTHER CONSULTATION

- Public consultation has occurred and documented previously in this report.

- A briefing note was sent to the Mayor and all Councillors early in June on the consultation details as well as an additional email to the Mayor and Division 2

Councillors once the consultation period commenced with a link to the live Shape Your Ipswich page.

- Legal and Governance assisted with required resolutions and local law-making procedures
- Compliance branch staff assisted in the development of information and materials required for public consultation period

CONCLUSION

Off street regulated parking has been in place at 134 Parkland Drive, Springfield Central since January 2024 when *Interim Local Law No.1 (Parking) 2024* commenced. It is due to expire on 25 July 2024 as an interim local law expires after 6 months. Following a public consultation period, the amending and consolidated local laws recommended in this report will allow this regulation to continue.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS	
OTHER DECISION	
(a) What is the Act/Decision being made?	Recommendations A-D are seeking the adoption of the amending local law and a consolidated local law relating to one amendment for the inclusion of an off-street regulated parking area at 134 Parkland Drive, Springfield Central following a formal local law-making process (Local Government Act and Council Policy)
(b) What human rights are affected?	*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*
(c) How are the human rights limited?	Yes the proposed Subordinate Local Law will restrict the time persons are able to park in the area and thus restricting their freedom of movement and ability to remain in the location longer than the time indicated on regulatory signs.
(d) Is there a good reason for limiting the relevant rights? Is the limitation fair and reasonable?	The limitations is to allow proportionate access to the available parking for all persons by enforcing a timed limitation on the length of stay. It doesn't prohibit parking in the area. The proposed Subordinate Local Law is being considered due to a request from the community. Parking in the area was occupied all day with long term parking preventing mobility impaired persons from accessing the services at the YMCA community centre and limiting their human rights to participate in public life. The proposed Subordinate Local Law will allow equitable access to the available free parking spaces.The success of the Interim Local Law and positive feedback of the amended local law (subject of report) supports that the limitation is fair and reasonable.

(e) Conclusion	The decision is consistent with human rights.

ATTACHMENTS AND CONFIDENTIAL BACKGROUND PAPERS

1.	Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024 ⇩
2.	Public Consultation Notice ⇩
3.	Consolidated Version Subordinate Local Law No. 5.1 (Parking) 2013 ⇩
4.	Local Law-Making Policy ⇩

Barbara Dart
SENIOR PROJECT MANAGER (CORPORATE SERVICES)

I concur with the recommendations contained in this report.

Alisha Connaughton
ACTING GENERAL MANAGER (PLANNING AND REGULATORY SERVICES)

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Ipswich

City Council

Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024*.

2 Commencement

This subordinate local law commences on the date notice of the making of the subordinate local law is published in the gazette.

3 Subordinate local laws amended

This subordinate local law amends *Subordinate Local Law No. 5.1 (Parking) 2013*.

Part 2 Amendment of Subordinate Local Law No. 5.1 (Parking) 2013

3A Amendment of sch 4 (Off-street regulated parking areas)

Schedule 4, after 'Map O – Rosewood Library (15 Railway Street, Rosewood) -

Insert -

Map P – Springfield Central Community Centre car park (134 Parkland Drive, Springfield Central)



City of Ipswich

PUBLIC NOTICE

NOTICE OF PUBLIC CONSULTATION ON PROPOSED *SUBORDINATE LOCAL LAW (AMENDING) SUBORDINATE LOCAL LAW NO. 5.1 (PARKING) 2024*

(SECTION 29 OF THE *LOCAL GOVERNMENT ACT 2009* AND SECTION 12.2 OF *IPSWICH CITY COUNCIL'S LOCAL LAW-MAKING POLICY)*

Proposed making of local law

1. Ipswich City Council (**council**) proposes to make *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024*.
2. *Local Law No. 5 (Parking) 2013* authorises the making of the proposed *Subordinate Local Law (Amending) Subordinate Local Law 5.1 (Parking) 2024*.

Purpose and general effect of the proposed subordinate local law

3. The purpose of the proposed *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* is to add an off-street regulation parking area to Schedule 4 of *Subordinate Local Law No. 5.1 (Parking) 2013*.
4. This is to facilitate equitable use by the community, of the off-street parking area at the Springfield Central Community Centre, 134 Parkland Drive, Springfield Central (**the off-street parking area**).
5. The effect of the addition will enable the regulation of the off-street parking area.

Consultation period and properly made submissions

6. Written submissions by any person in support of, or objecting to, *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* are invited commencing on 7 June 2024 and closes on 30 June 2024 (**the consultation period**).
7. During the consultation period council will make a copy of the proposed law available for inspection and purchase at council's public office at 1 Nicholas Street, Ipswich. Alternatively, copies will be available free of charge online at Shapeyouripswich.com.au/parking-parkland-drive-springfield-central
8. Written submissions must be received on or before 30 June 2024 stating:
    a. The grounds of the submission (do you support or object to *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024*; and
    b. The facts and circumstances relied on in support of the grounds (why you support or object).
9. Submissions may be lodged via:
    a. Council's Shape Your Ipswich Shapeyouripswich.com.au/parking-parkland-drive-springfield-central; or
    b. Email to council@ipswich.qld.gov.au; or
    c. Delivered in person to Ipswich City Council, 1 Nicholas Street, Ipswich.
10. Please note that only properly made submissions will be considered. A submission is properly made when it is the written submission of any person about *Subordinate Local Law (Amending) Subordinate Local Law No. 5.1 (Parking) 2024* that meets the criteria of 8 and 9 above. No acknowledgement will be issued on receipt of submissions.

Further information can be found at Shapeyouripswich.com.au/parking-parkland-drive-springfield-central

SONIA COOPER, CHIEF EXECUTIVE OFFICER
PO BOX 191, IPSWICH QLD 4305

Ipswich

City Council

Subordinate Local Law No. 5.1 (Parking) 2013

54815920v1

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Part 1 Preliminary

1 Short Title

This subordinate local law may be cited as Subordinate Local Law No. 5.1 (Parking) 2013.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No.5 (Parking) 2013*.

3 Object

The object of this subordinate local law is to assist with the implementation of *Local Law No.5 (Parking) 2013* by specifying those matters that are necessary for the implementation of a regulated parking system in the local government's area.

4 Definitions – the dictionary

Particular words used in this subordinate local law are defined in –

(1) Schedule 1 (Dictionary) of this subordinate local law;

(2) *Local Law No. 5 (Parking) 2013*; and

(3) *Local Law No. 1 (Administration) 2013*.

Part 2 Declaration of parking areas

5 Declaration of traffic areas

For the purposes of section 6(1) (Declaration of traffic areas) of the authorising local law, each part of the local government area outlined in the maps in schedule 3 are declared to be traffic areas.

6 Off-street regulated parking areas

For the purposes of section 7 (Off-street regulated parking areas) of the authorising local law, each area of land listed in schedule 4 is specified to be an off-street regulated parking area.

Part 3 Permits

7 Information required for permit application

For the purposes of section 6(1)(c)(v) (Application for a permit) of *Local Law No. 4 (Permits) 2013*, an application for a permit of the type specified in column 1 of schedule 2 must be accompanied by the information, material and documents prescribed in column 2 of schedule 2.

8 Conditions of permit

For the purposes of section 9(3) (Conditions of a permit) of *Local Law No. 4 (Permits) 2013*, the conditions set out in column 3 of schedule 2 which relate to the permit types specified in column 1 of schedule 2 will apply to any permit granted by the local government unless otherwise specified in the permit document.

9 Parking permits issued by the local government

(1) For the purposes of section 10 (Parking in accordance with a permit) of the authorising local law, the following persons may be issued a permit for a permit regulated activity –

(a) a contractor or worker undertaking work on adjoining premises;

(b) a local government employee or contractor carrying out local government related activities; and

(c) a person who resides in the street or immediate vicinity of the place for which the permit is granted or a visitor to the premises.

(2) In this section, a person is not carrying out local government related activities or conducting activities on behalf of the local government merely because of the fact that the person is an employee, Councillor or contractor of the local government.

Example for subsection (2) –

Mr Smith is an employee of the local government. The mere fact of Mr Smith's employment by the local government is not sufficient for him to obtain a permit under section 9(1) of this local law. Further details will need to be specified about the nature of the activities for which the permit is required, in the application for the permit.

(3) An application for a permit under section 9(1)(c) by a resident of a single residential dwelling can only be made if it can be demonstrated that insufficient existing off-street parking is provided at the premises.

(4) An application for a permit under section 9(1)(c) by a resident of a multiple residential dwelling can only be made if the multiple residential building contains 20 or less dwelling units.

10 Commercial vehicle identification labels

(1) For the purposes of section 11(3) (Commercial vehicle identification labels) of the authorising local law, the vehicles that may be issued with a commercial vehicle identification label are –

(a) vehicles used for commercial purposes; and

(b) reasonably required to use a loading zone for the loading or unloading of goods,

irrespective of the nature of the vehicle in relation to design, size or classification.

Part 4 Minor traffic offence infringement notice penalties

11 Infringement notice penalty amounts

For section 13 (Parking Infringement notice penalties) of the authorising local law, the infringement notice penalty amount for an offence mentioned in column 1 of schedule 5 is the corresponding amount stated in column 2 of schedule 5.

Schedule 1 Dictionary

section 4

multiple residential has the same meaning as in the planning scheme.

penalty unit has the same meaning as in the *Penalties and Sentences Act 1992.*

Planning Act means the *Planning Act 2016* (Qld) and includes the predecessor legislation to that Act.

planning scheme means the planning scheme made or amended from time-to-time under a Planning Act.

single residential has the same meaning as in the planning scheme.

Schedule 2 Information and permit conditions

sections 7 and 8

Column 1 Permit Type	Column 2 Information required	Column 3 Standard Conditions
Works zone permit (section 9(1)(a))	(a) name, address, number and email address of the applicant; (b) reason for permit, including details of the work being carried out and a copy of any relevant development permit or other approval authorising the work to be carried out; (c) location and real property description of site where works are being carried out; (d) period of time the permit is sought for, including dates and times of day; (e) details of the vehicle, including registration details, make, model and colour, if known; (f) prescribed fee; and (g) any other relevant information.	The driver of the vehicle displaying this permit may park in areas specified in the permit on roads within the local government area contrary to time restrictions and payment of fees subject to the following conditions— (a) This permit must be displayed prominently on the dashboard of the vehicle near the kerb when in use with all details of the permit visible. (b) The driver or occupants must be engaged in duties specified in the permit near the parking location. (c) The vehicle cannot remain parked for longer than is reasonable in the circumstances. (d) The vehicle must be immediately removed from the parking space if requested by an authorised person or a Police Officer. (e) This permit does not apply to No Stopping, No Parking, Clearway or other locations where parking is prohibited under the Transport Operations (Road Use Management – Road Rules) Regulation 1999 unless specified in the permit. (f) This permit must not be used for personal or unrelated purposes. (g) A Works zone permit must not be used where a road closure permit has also been issued over the particular area.
Authorised local government employee or contractor permit (section 9(1)(b))	(a) name, address, number and email address of applicant; (b) confirmation of status of employment or contract with the local government;	The driver of the vehicle displaying this permit may park in local government regulated parking bays (including metered parking bays), parking areas and loading zones on roads within the local government area contrary to time restrictions and payment of fees subject to the following conditions-

Column 1 Permit Type	Column 2 Information required	Column 3 Standard Conditions
	(c) reason for permit, including details of the local government related activities being carried out; (d) location and real property description of site where activities are being carried out; (e) period of time the permit is sought for, including dates and times of day; (f) details of the vehicle, including registration details or local government fleet registered vehicle number, make, model and colour, if known; (g) prescribed fee, if applicable; and (h) any other relevant information.	(a) This permit must be displayed prominently on the dashboard of the vehicle near the kerb when in use with all details of the permit visible. (b) If the permit is to be used by a local government employee, the employee must drive a local government fleet registered vehicle. (c) The driver or occupants must be engaged in local government duties near the parking location. (d) The vehicle cannot remain parked for longer than is reasonable in the circumstances. (e) The vehicle must be immediately removed from the parking space if requested by an authorised person or a Police Officer. (f) This permit does not apply to No Stopping, No Parking, Clearway or other locations where parking is prohibited under the *Transport Operations (Road Use Management – Road Rules) Regulation 1999*. (g) This permit must not be used for personal or unrelated purposes.
Residential (single residential) permit (section 9(1)(c))	(a) name, address, number and email address of applicant; (b) reason for permit; (c) details of any existing off-street parking for the premises, including the number and a sketch plan detailing the location and design of the off-street parking; (d) if the applicant	The driver of the vehicle displaying the permit may park in a nominated street in a regulated parking area subject to the following conditions – (a) The permit must be displayed prominently on the dashboard of the vehicle with all details of the permit visible. (b) The permit is strictly for residential use only. (c) The local government cannot guarantee a permit holder a specific parking bay or that on-street parking will be available for use at any time. (d) The vehicle must be immediately removed from the parking space if requested by an authorised person or a Police Officer.

Column 1 Permit Type	Column 2 Information required	Column 3 Standard Conditions
	is a visitor to the subject premises – the location and real property description of the premises which they are visiting; (e) period of time the permit is sought for, including dates and times of day; (f) details of the vehicle, including registration details, make, model and colour, if known; (g) prescribed fee, if applicable; and (h) any other relevant information.	(e) Only 2 Residential (single residential permits) can be issued in relation to the one premises at any one time.
Residential (multiple residential) permit section 9(1)(c)	(a) name, address, number and email address of applicant; (b) reason for permit; (c) details of existing off-street parking for the premises; (d) details of the multiple residential building, including the number of dwelling units in the building;	The driver of the vehicle displaying the permit may park in a nominated street in a regulated parking area subject to the following conditions – (a) The permit must be displayed prominently on the dashboard of the vehicle with all details of the permit visible. (b) The permit is strictly for residential use only. (c) The local government cannot guarantee a permit holder a specific parking bay or that on-street parking will be available for use at any time. (d) The vehicle must be immediately removed from the parking space if requested by an authorised person or a Police Officer.

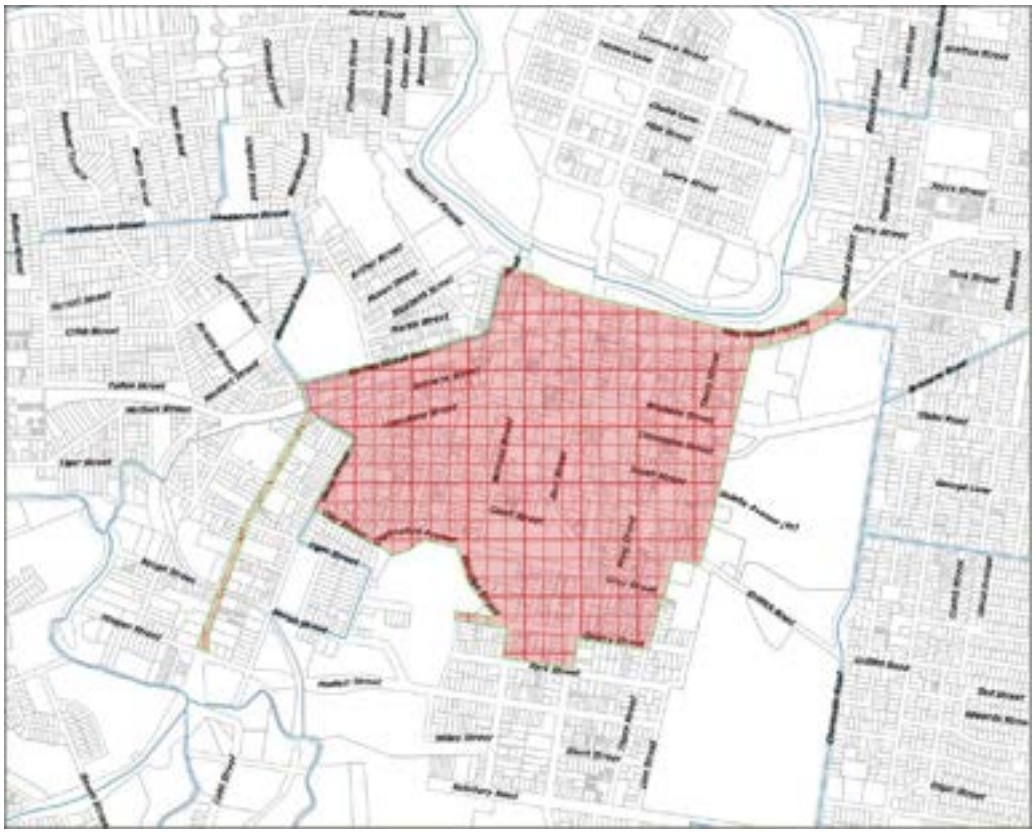
Column 1 Permit Type	Column 2 Information required	Column 3 Standard Conditions
	(e) if the applicant is a visitor to the subject premises – the location and real property description of the premises which they are visiting; (f) period of time the permit is sought for, including dates and times of day; (g) details of the vehicle, including registration details, make, model and colour, if known; (h) prescribed fee, if applicable; and (i) any other relevant information.	(e) Only 2 Residential (multiple residential permits) can be issued in relation to the one premises at any one time.
Heavy vehicle parking permit (section 12 of authorising law)	(a) name, address, number and email address of applicant; (b) reason for permit, including an explanation of why it is necessary that the heavy vehicle be parked or stored in the subject location and cannot be parked or stored anywhere else; (c) location and real	(a) The permit holder must ensure that the permit is displayed prominently on the dashboard of the vehicle with all details of the permit visible. (b) The permit is retained by the permit holder and produced on demand of an authorised person. (c) A copy of the permit is retained by the landowners, and produced on demand from an authorised person. (d) The bitumen sealed pavement of the existing road associated with the current driveway access point must be maintained and reinstated to its original form, should the permitted use cause excessive damage to the existing road surface. Any works performed in this regard shall meet

Column 1 Permit Type	Column 2 Information required	Column 3 Standard Conditions
	property description of site where the heavy vehicle will be parked or stored; (d) period of time the permit is sought for, including dates and times of day; (e) details of the vehicle, including registration details, make, model and colour, if known; (f) prescribed fee, if applicable; and (g) any other relevant information.	the standards and be to the satisfaction of the local government. (e) No major service, repair or maintenance activities are to be conducted on the subject Heavy Vehicle upon the premises or adjacent road/road reserves. (f) No vehicles, tyres or any other material associated with the parking of the heavy vehicle, is to be stored on the land at any time. (g) If the heavy vehicle returns to the site loaded, no unloading is to take place anywhere on the subject land. (h) The permit holder must ensure that the heavy vehicle parking does not cause a nuisance or disturbance, including by the hours at which the heavy vehicle arrives or departs from the land and by the operation of motors or refrigeration. (i) if the heavy vehicle is to be parked in a rural area, no more than [INSERT NUMBER] of heavy vehicles are to be parked on the premises at any one time.

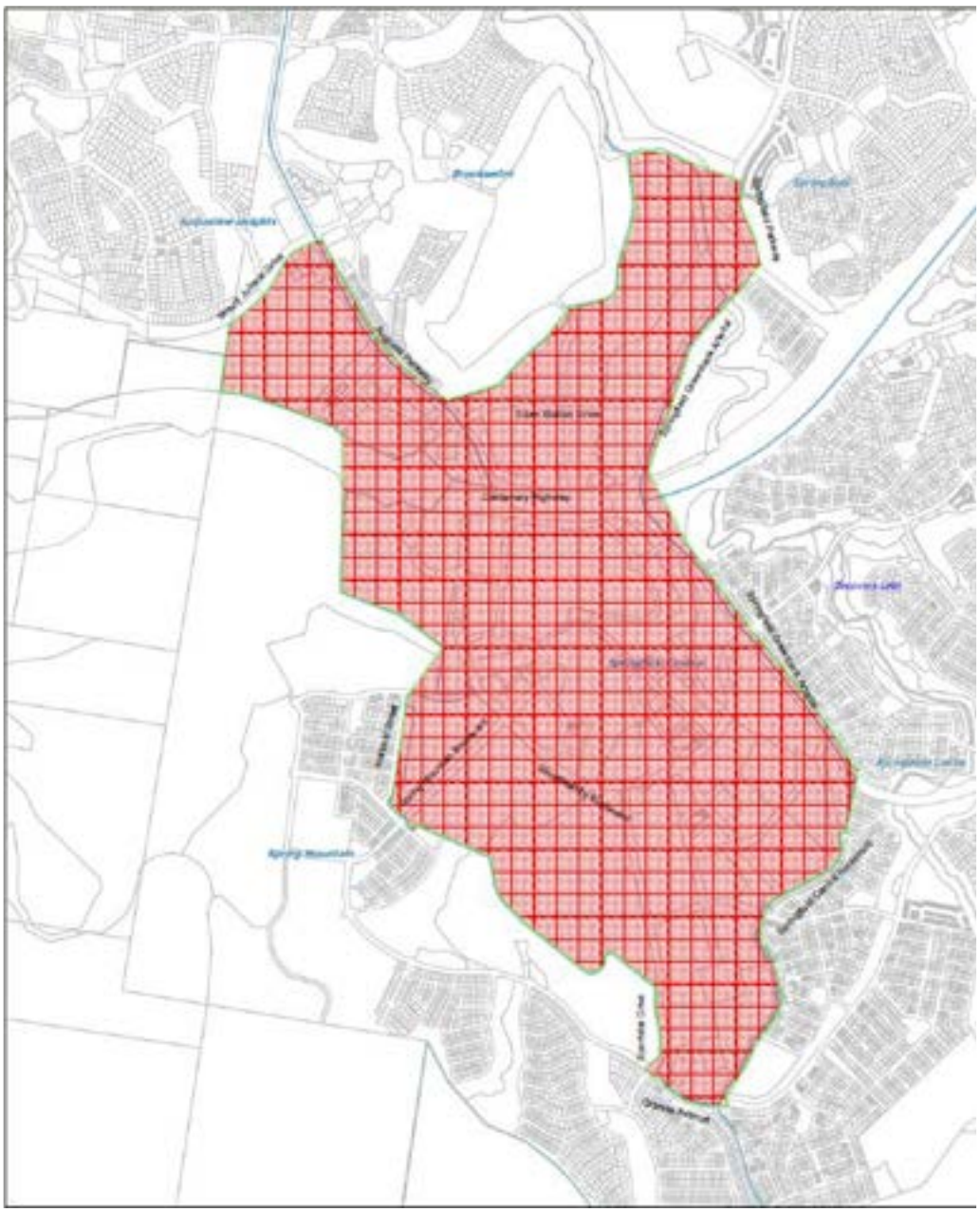
Schedule 3 Declared traffic areas

section 5

Map A – Ipswich CBD Traffic Area

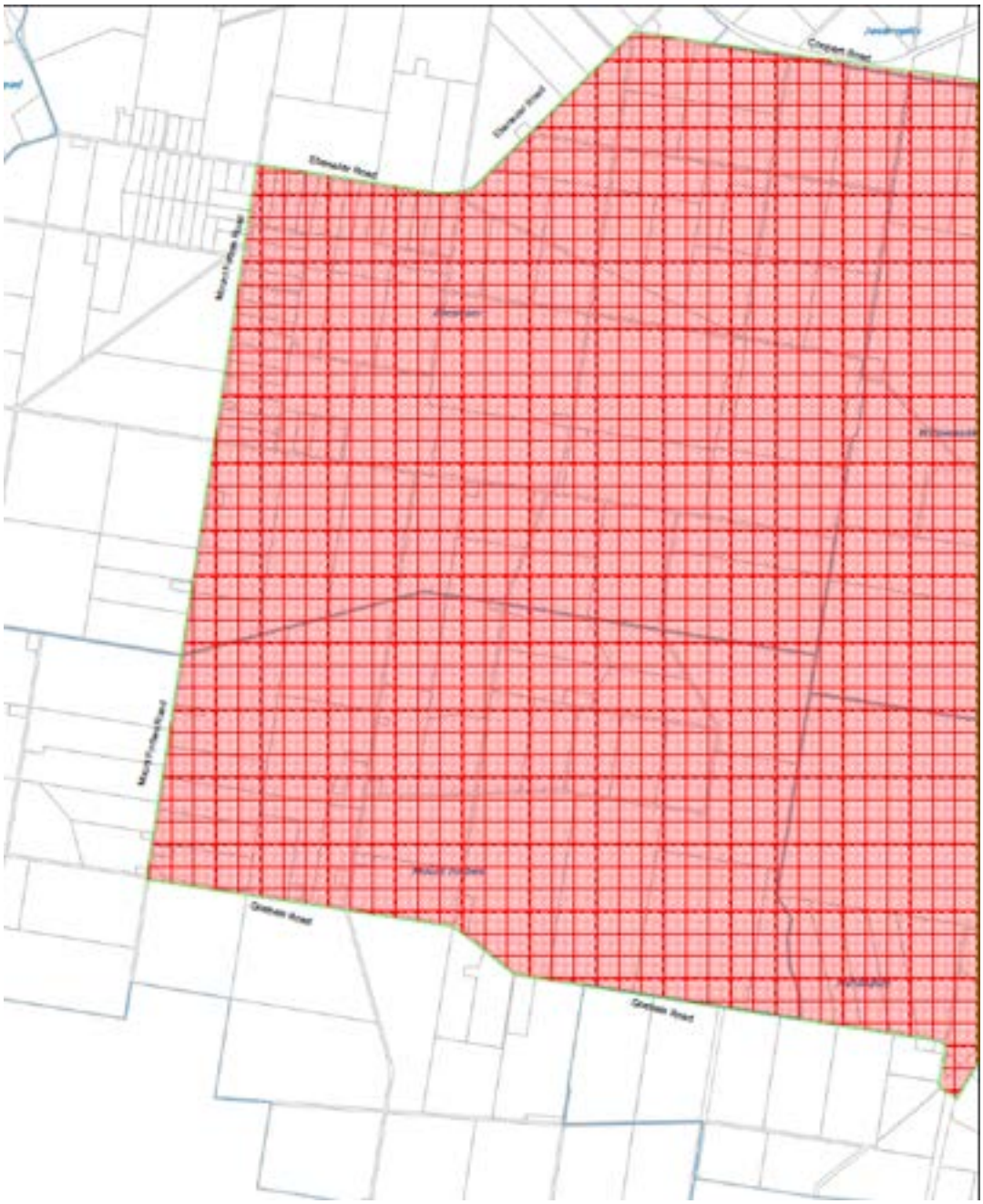


Map B – Springfield Traffic Area



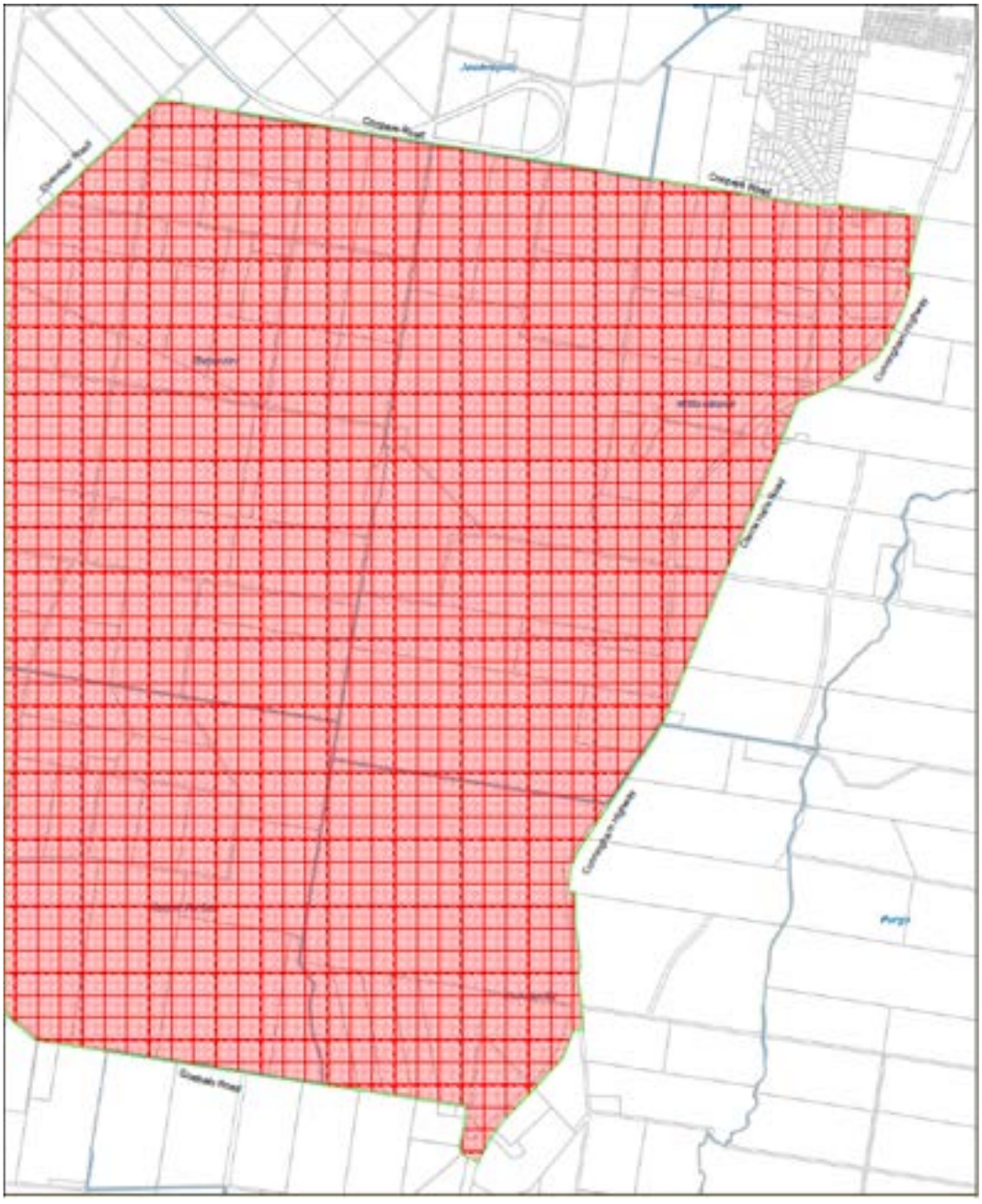
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Map C – Willowbank Traffic Area - A



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Map D – Willowbank Traffic Area – B



54815920v1

Schedule 4 Off-street regulated parking areas

section 6

Map A – Foote Lane car park (3 Foot Lane, Ipswich)



54815920v1

Map B – Roderick Street Council car park (37, 39 and 45 Roderick Street and 69-71 East Street, Ipswich)



54815920v1

Map C – Car park behind RSL building located at 63 Nicholas Street, Ipswich (opposite Civic Hall)



54815920v1

Map D – Civic Hall car park (50 Nicholas Street, Ipswich – entrance to car park from Limestone Street)



54815920v1

Map E – Eastern West Street car park (3-5 West Street, Ipswich)



54815920v1

Map F – Western West Street car park (205, 213A and 215A Brisbane Street, Ipswich – entrance to car park from West Street)



54815920v1

Map G – Laneway between Ipswich City Council Library and Administration Building (40-50 South Street, Ipswich)



54815920v1

Map H – Denmark Hill car park (5 Deebing Street, Ipswich)



54815920v1

Map I – Bob Gamble car park / Riverheart Parklands Stage 2 (2 Blackall Street, Ipswich)



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Map J – Marsden Parade car park (corner of Marsden Parade and Brisbane Street, Ipswich)



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Map K – Robelle Domain & Lagoon, Springfield Central



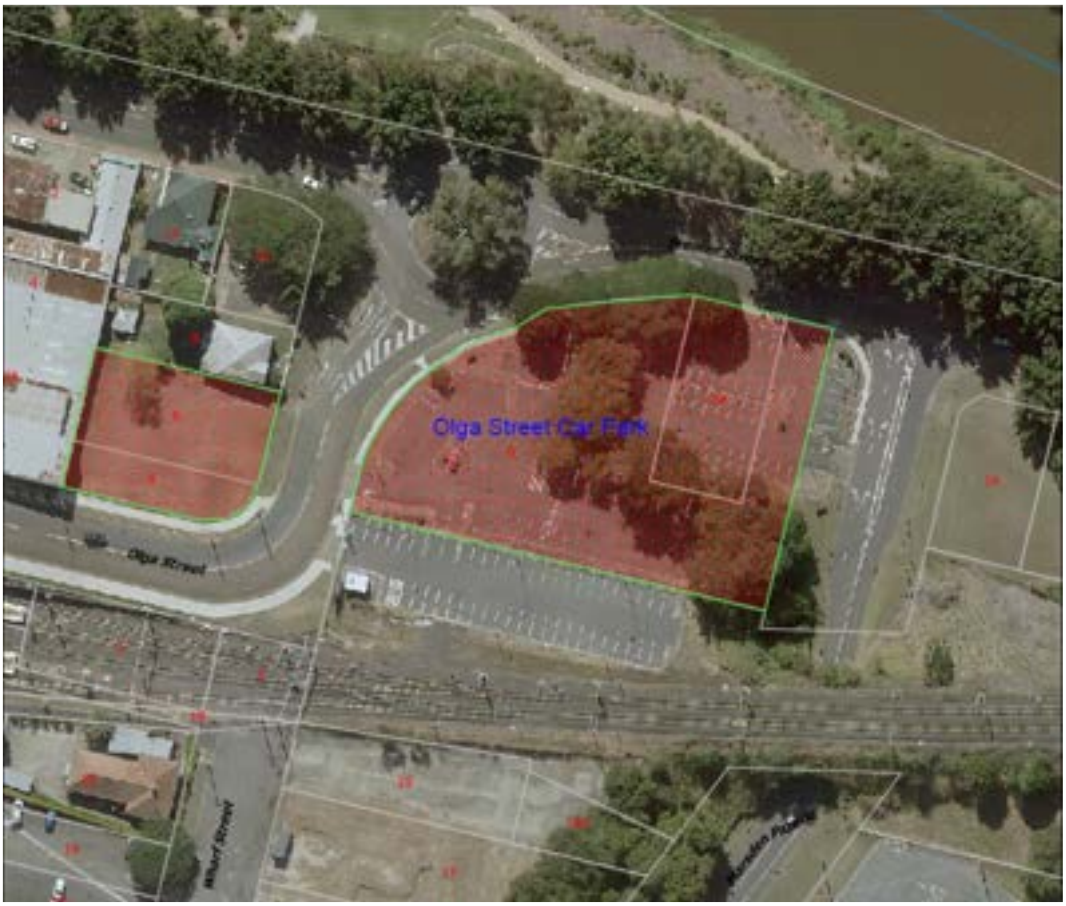
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Map L – Queens Park, Ipswich



54815920v1

Map M – Olga Street car park, Ipswich



54815920v1

Map N – Limestone Park – Salisbury Road car park



54815920v1

Map O – Rosewood Library (15 Railway Street, Rosewood)



54815920v1

Map P – Springfield Central Community Centre car park (134 Parkland Drive, Springfield Central)



54815920v1

Schedule 5 Infringement notice penalty amounts

section 11

Column 1 Minor Traffic Offence	Column 2 Infringement notice penalty amount (in penalty units)
Transport Operations (Road Use Management – Road Rules) Regulation 1999	
S 167 – No Stopping signs	1
S 168 – No Parking signs	1
S 169 – No Stopping on a road with a yellow edge line	1
S 170 – Stopping in or near an intersection	0.75
S 171 – Stopping on or near a children's crossing	1
S 172 – Stopping on or near a pedestrian crossing	1
S 173 – Stopping on or near a marked foot crossing	1
S 174 – Stopping at or near bicycle crossing lights	0.75
S 175 – Stopping on or near a level crossing	1
S 176 – Stopping on a clearway	1
S 177 – Stopping on a freeway	1
S 178 – Stopping in an emergency stopping lane	1
S 179 – Stopping in a loading zone	1
S 180 – Stopping in a truck zone	0.75
S 181 – Stopping in a works zone	0.75
S 182 – Stopping in a taxi zone	1
S 183 – Stopping in a bus zone	2
S 185 – Stopping in a permit zone	1
S 186 – Stopping in a mail zone	1
S 187 – Stopping in a bus lane, tram lane, transit lane, truck lane	1
S 188 – Stopping in a shared zone	0.75
S 189 – Double parking	1
S 190 – Stopping in or near a safety zone	0.75
S 191 – Stopping near an obstruction	0.75
S 192 – Stopping on a bridge or in a tunnel	1
S 193 – Stopping on a crest or curve outside a built-up area	1
S 194 – Stopping near a fire hydrant	1
S 195 – Stopping at or near a bus stop	1
S 196 – Stopping at or near a tram stop	1
S 197 – Stopping on a path, dividing strip or nature strip	0.75
S 198 – Obstructing access to and from a footpath, driveway	0.75
S 199 – Stopping near a post box	0.75
S 200 – Stopping on road – heavy and long vehicles	2
S 201 – Stopping on a road with bicycle parking sign	0.5
S 202 – Stopping on a road with motor bike parking sign	0.5
S 203 – Stopping in a parking area for people with disabilities	2
S 205 – Parking for longer than indicted on a permissive parking sign	0.75
S 206 – Time extension for people with disabilities	0.5
S 208 – Parallel parking on a road	0.75
S 209 – Parallel parking in a median strip parking area	0.75
S 210 – Angle parking	0.75
S 211 – Parking in parking bays	0.75
S 212 – Entering and leaving a median strip parking area	0.75
S 213 – Making a vehicle secure	0.75

Column 1 Minor Traffic Offence	Column 2 Infringement notice penalty amount (in penalty units)
Transport Operations (Road Use Management) Act 1995	
S 74 – Contravention of official traffic sign installed by local government	0.75
S 106 – Paid Parking offences	0.75

Endnotes

1 Index to Endnotes
2 Date to which amendments incorporated
3 Key
4 Table of reprints
5 List of Legislation

2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before [insert date of gazettal].

3 Key

Key to abbreviations in list of legislation and annotations

Key Explanation
amd = amended
ch = chapter
def = definition
div = division
hdg = heading
ins = inserted
om = omitted
p = page
pt = part
renum = renumbered
rep = repealed
s = section
sch = schedule
sdiv = subdivision

4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this local law –

Reprint No.	Amending Local Law	Date of commencement
1	*Subordinate Local Law (Amending) Subordinate Local Law No.5.1 (Parking) 2019*	01.11.2019

2	*Subordinate Local Law (Amending) Subordinate Local Law No.5.1 (Parking) 2024*	[insert date of gazettal]

5 List of Legislation

Original Local Law
Subordinate Local Law No. 5.1 (Parking) 2013
date of gazettal 5 July 2013

6 List of annotations

54815920v1

Local Law-Making Policy

Collaboration Communication Integrity Efficiency Leadership

Version Control and Objective ID	Version No: 1	Objective ID: A5974497
Adopted at Council Ordinary Meeting on	10 December 2019	
Date of Review	10 December 2023	

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IPSWICH CITY COUNCIL | Local Law-Making Policy

1. Statement

Council commits to making local laws that align with State Government legislation, are relevant and contemporary, and provide the community with transparency on how local laws are reviewed and made.

2. Purpose and Principles

Section 29(1) of the *Local Government Act 2009*, states that a local government may decide its own process for making a local law. The purpose of this policy is to define the process publicly for making a local law. The Local Government Principles from the *Local Government Act 2009* are applied.

a) transparent and effective processes, and decision-making in the public interest; and

b) sustainable development and management of assets and infrastructure, and delivery of effective services; and

c) democratic representation, social inclusion and meaningful community engagement; and

d) good governance of, and by, local government; and

e) ethical and legal behaviour of councillors and local government employees.

There are four types of local laws that a Local Government can make:

- a local law that incorporates a model local law; and
- an "other" local law; and
- an interim local law; and
- a local law that is a subordinate local law.

The process for each type of law is below.

3. Strategic Plan Links

This policy aligns with the following iFuture 2021-2026 Corporate Plan theme:

- A Trusted and Leading Organisation

4. Regulatory Authority

- *Local Government Act 2009*
- *Legislative Standards Act 2002*

5. Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

6. Scope

This policy applies to the making of:

- each local law that incorporates a model local law; and
- each local law that is a subordinate local law; and
- each other local law; and
- an interim local law.

7. Roles and Responsibilities

Council – Responsible for the making of the local law by resolutions.

Legal Services – Responsible for the coordination of making/amending/repealing a law.

Council Staff – Responsible for input into making/reviewing a law.

Community/External Stakeholders – feedback and input where the process indicates public consultation.

State Government – feedback and input where the process indicates State Government interest checks are to be undertaken.

8. Key Stakeholders

- Staff working in areas across Council that utilise the law requirements as part of their day to day operations such as customer service, applications and assessment, service request management and enforcement of local law breaches.
- Residents, businesses and visitors to the Ipswich local government area.

9. Making a local law that incorporates a model local law

The process (model local law-making process) stated in this policy must be used to make a local law that incorporates a model local law into the local laws of the local government.

9.1 By resolution, propose to incorporate the model local law.

9.2 If the model local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.

9.3 If there is an existing local law about a matter in the model local law that would be inconsistent with the matter in the model local law:

- amend or repeal the existing local law so that there is no inconsistency.

9.4 By resolution, incorporate the model local law.

9.5 Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

9.6 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centres and available on Council's website.

9.7 Within 14 days after the notice is published in the gazette, give the Minister:

- a copy of the notice; and
- a copy of the local law in electronic form; and
- if the local law contains 1 or more anti-competitive provisions:
  - advice of each anti-competitive provision; and
  - the reasons for their inclusion.

9.8 Update the register of local laws.

10. Making a local law ("other local law-making process")

The process (other local law-making process) stated in this policy must be used to make a local law (a proposed local law) other than:

- a local law that incorporates a model local law; or
- an interim local law; or
- a subordinate local law.

10.1 By resolution, Council proposes to make the proposed local law.

10.2 Consult with relevant government entities about the overall State interest in the proposed local law.

10.3 Consult with the public about the proposed local law for at least 21 days (the consultation period) by:

- publishing a notice (a consultation notice) about the proposed local law at least once in a newspaper circulating generally in the local government's area; and
- displaying the consultation notice in a conspicuous place at the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- making a copy of the proposed local law available for inspection at the local government's public office during the consultation period; and
- making a copy of the proposed local law available on Council's website; and
- making copies of the proposed local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following:

- the name of the proposed local law; and
- the purpose and general effect of the proposed local law; and
- the length of the consultation period and the first and last days of the period; and
- that written submissions by any person supporting or objecting to the proposed local law may be made and given to the local government on or before the last day of the consultation period stating:
  - the grounds of the submission; and
  - the facts and circumstances relied on in support of the grounds.
- If the local government decides, by resolution, that the proposed local law only amends an existing local law to make a minor change, the local government may proceed to step 10.6 without satisfying step 10.3 or step 10.5.

10.4 If the proposed local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 10.3, and this step 10.4, may be undertaken contemporaneously.

10.5 Accept and consider every submission properly made to the local government. A submission is properly made to the local government if it:

- is the written submission of any person about the proposed local law; and
- states:
  - the grounds of the submission; and
  - the facts and circumstances relied on in support of the grounds; and
- is given to the local government on or before the last day of the consultation period.

10.6 By resolution, decide whether to:

- proceed with the making of the proposed local law as advertised; or
- proceed with the making of the proposed local law with amendments; or
- make the proposed local law as advertised; or
- make the proposed local law with amendments; or
- not proceed with the making of the proposed local law.

If the local government resolves to proceed with the making of the proposed local law with amendments, and the amendments are substantial, the local government may again:

- consult with the public at step 10.3; and
- accept and consider every submission properly made to the local government at 10.5.

For the avoidance of doubt, if an amendment changes an anticompetitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anticompetitive provisions for the amended anti-competitive provision.

10.7 Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

10.8 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centres and available on Council's website.

10.9 Within 14 days after the notice is published in the gazette, give the Minister:

- a copy of the notice; and
- a copy of the local law in electronic form; and
- if the local law contains 1 or more anti-competitive provisions:
  - advice of each anti-competitive provision; and
  - the reasons for their inclusion.

10.10 Update the local government's register of its local laws.

11. Making an interim local law

The process (interim local law-making process) stated in this policy must be used to make an interim local law (which is a local law that will only have effect for 6 months or less).

11.1 By resolution, Council proposes to make the proposed interim local law and its expiry date.

11.2 Consult with relevant government entities about the overall State interest in the proposed local law.

11.3 If the proposed interim local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 11.2 2, and this step 11.3, may be undertaken contemporaneously.

11.4 By resolution, decide whether to:

- make the proposed interim local law with or without amendments; or

- not proceed with the making of the proposed interim local law.

11.5 Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

11.6 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centre's and available on Council's website.

11.7 Within 14 days after the notice is published in the gazette, give the Minister:

- a copy of the notice; and
- a copy of the local law in electronic form; and
- if the local law contains 1 or more anti-competitive provisions:
  - advice of each anti-competitive provision; and
  - the reasons for their inclusion.

11.8 Update the local government's register of its local laws.

12. Making a subordinate local law

A subordinate local law must be made using the following process. The local government may start the process for making a subordinate local law even though the process for making the local law (including a model local law) on which the subordinate local law is to be based (the proposed authorising law) has not finished.

The local government may undertake 12.1 to 12.4 of the subordinate local law-making process before the proposed authorising law is made if:

- in making the proposed authorising law, the local government has to satisfy:
  - the model local law-making process; or
  - the other local law-making process; and
- if the proposed authorising law is made under the other local law-making process:
  - The notice about the subordinate local law under 12.2 of the subordinate local law-making process is published no earlier than the notice about the proposed authorising law under 10.3 of the other local law-making process is published.

For the avoidance of doubt, a subordinate local law made by the local government using the process detailed in this resolution may provide for the local government to, from time to time, by resolution, reference or incorporate information.

For example, under the Local Government Regulation 2012*:*

- the identification guidelines for the identification of anti-competitive provisions are a document made by the department and available for inspection on the department's website; and
- the public interest test procedures are a document made by the department and available for inspection on the department's website.

12.1 Council, by resolution, proposes to make the proposed subordinate local law.

12.2 Public consultation is undertaken about the proposed subordinate local law for at least 21 days (the consultation period) by:

- publishing a notice (also a consultation notice) about the proposed subordinate local law at least once in a newspaper circulating generally in the Ipswich local government area; and
- displaying the consultation notice in a conspicuous place in the local government's public office for the consultation period; and
- making a copy of the proposed subordinate local law available for inspection at the local government's public office during the consultation period; and
- making a copy of the proposed local law available on Council's website; and
- making copies of the proposed subordinate local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following:

- the name of the proposed subordinate local law; and
- the name of:
  - the local law allowing the proposed subordinate local law to be made; or
  - if the local government has started the process for making a subordinate local law even though the process for making the proposed authorising law on which the subordinate local law is to be based has not finished — the proposed authorising law; and
- the purpose and general effect of the proposed subordinate local law; and
- the length of the consultation period and the first and last days of the period; and
- that written submissions by any person supporting or objecting to the proposed subordinate local law may be made and given to the local government on or before the last day of the consultation period stating:
  - the grounds of the submission; and
  - the facts and circumstances relied on in support of the grounds.
- If the local government decides, by resolution, that the proposed subordinate local law only amends an existing subordinate local law to make a minor change, and the amendment does not affect an anti-competitive provision, the local government may proceed to step 12.5 without satisfying any of step 12.2 to step 12.4 inclusive.

12.3 If the proposed subordinate local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 12.2, and this step 12.3, may be undertaken contemporaneously.

12.4 Accept and consider every submission properly made to the local government. A submission is properly made to the local government if it:

- is the written submission of any person about the proposed subordinate local law; and

- states:
  - the grounds of the submission; and
  - the facts and circumstances relied on in support of the grounds; and
- is given to the local government on or before the last day of the consultation period.

12.5 By resolution, decide whether to:

- proceed with the making of the proposed subordinate local law as advertised; or
- proceed with the making of the proposed subordinate local law with amendments; or
- make the proposed subordinate local law as advertised; or
- make the proposed subordinate local law with amendments; or
- not proceed with the making of the proposed subordinate local law.

If the local government resolves to proceed with the making of the proposed subordinate local law with amendments, and the amendments are substantial, the local government may again:

- consult with the public at step 12.2; and
- accept and consider every submission properly made to the local government at step 12.4.
- For the avoidance of doubt, if an amendment changes an anticompetitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anticompetitive provisions for the amended anti-competitive provision.

12.6 Let the public know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009.*

12.7 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at Council's Customer Service Centre and available on Council's website.

12.8 Within 14 days after the notice is published in the gazette, give the Minister:

- a copy of the notice; and
- a copy of the subordinate local law in electronic form; and
- if the subordinate local law contains 1 or more anti-competitive provisions:
  - advice of each anti-competitive provision; and
  - the reasons for their inclusion.

12.9 Update the local government's register of its local laws.

13. Monitoring and Evaluation

- Local Laws should be reviewed at least once every four years to be relevant and contemporary.
- Evaluation could occur through surveys with key stakeholders on how the process works.

14. Definitions

Local Law has the same meaning as defined in Section 26 of the *Local Government Act 2009*.

Subordinate Local Law has the same meaning as defined in Section 26 of the *Local Government Act 2009*.

Model Local Law has the same meaning as defined in Section 26 of the *Local Government Act 2009.*

Other Local Law-Making Process means any other type of local law-making process, with the exception of the following local law-making processes: (a) a local law that incorporates a model local law; (b) an interim local law; (c) a subordinate local law.

Interim Local Law has the same meaning as defined in Section 26 of the *Local Government Act 2009*.

Minor change means an amendment that will not change the policy intent and includes changes to the name of an Act or a spelling/grammatical error.

15. Policy Owner

The General Manager (Corporate Services) is the policy owner and the Manager, Legal and Governance (General Counsel) is responsible for the authorising and reviewing this policy.