

**GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2021(01)****11 FEBRUARY 2021**

## REPORT

**COUNCILLORS' ATTENDANCE:** Councillor Jacob Madsen (Chairperson); Councillors Russell Milligan, Mayor Teresa Harding, Deputy Mayor Marnie Doyle, Kate Kunzelmann and Nicole Jonic, Andrew Fechner (Observer)

**COUNCILLOR'S APOLOGIES:** Nil

**OFFICERS' ATTENDANCE:** Chief Executive Officer (David Farmer), General Manager Corporate Services (Sonia Cooper), Chief Financial Officer (Jeff Keech), Property Services Manager (Brett McGrath), Senior Property Officer (Acquisitions and Disposals)(Alicia Rieck, Manager Procurement (Richard White), Acting General Manager Infrastructure and Environment (Sean Madigan), General Manager Planning and Regulatory Services (Peter Tabulo), General Manager, Community Cultural and Economic Development (Ben Pole), Manager, Marketing and Promotion (Carly Gregory), Manager Economic Development (Cat Matson), Manager, Infrastructure Strategy (Tony Dileo), Manager, Assets and Portfolio Management (Cathy Murray), Integrity and Complaints Manager (Dianne Nikora), Manager, Legal and Governance and General Counsel (Tony Dunleavy), Community Development Manager (Melissa Dower), ICT Digital Transformation Manager (Ian Jones), Media and Communications Manager (Darrell Giles), Theatre Technician (Harrison Cate)

**OTHER ATTENDANCE:** Advisor to the Minister (Steve Greenwood)

**DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

Nil

**BUSINESS OUTSTANDING**

Nil

## CONFIRMATION OF MINUTES

1. REPORT - GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2020(05) OF 3 DECEMBER 2020

This is the report of the Governance and Transparency Committee No. 2020(05) of 3 December 2020.

### RECOMMENDATION

Moved by Deputy Mayor Marnie Doyle:

Seconded by Councillor Nicole Jonic:

**That the report of the Governance and Transparency Committee No. 2020(05) of 3 December 2020 be received and noted.**

#### AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

#### NEGATIVE

Councillors:

Nil

The motion was put and carried.

---

## OFFICERS' REPORTS

---

2. ANNUAL MAINTENANCE RENEWAL - 12D MODEL SOFTWARE

This is a report seeking a Council resolution by Ipswich City Council (Council) to continue the annual maintenance renewal for Council's 12D Model Software with 12D Solutions Pty Ltd.

This proprietary software was first purchased in April 2008 through a one supplier quote process and its continued use is considered essential to Council.

12D Model Software is an embedded, critical and widely used software used by the Infrastructure and Environment Department for terrain modelling, surveying and civil engineering applications.

A resolution of Council is sought to allow the continuation of the renewal of the annual maintenance (Licences are owned by Council) with 12D Solutions Pty Ltd for a further three (3) year term covering the period 01/05/2021 to 30/04/2024, for an estimated total cost of sixty seven thousand and fifty dollars (\$67,050) excluding GST over the full three (3) year period.

RECOMMENDATION

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

- A. That pursuant to s235 (b) of the *Local Government Regulation 2012 (Regulation)* Council resolve it is satisfied that the exception under s235(b) of the Regulation applies and because of the specialised nature of the services which are sought, namely 12D Model Software services and maintenance, it would be impractical or disadvantageous for Council to invite quotes or tenders.**
- B. That Council enter into a contract with 12D Solutions Pty Ltd for the 12D Model Software for a period of three (3) years until 30 April 2024, for an estimated total cost of sixty seven thousand and fifty dollars (\$67,050) excluding GST over the full three (3) year period.**
- C. That under s257 (1) of the *Local Government Act*, Council delegate the power to the Chief Executive Officer to be authorised to negotiate and finalise the terms of the contract to be executed by Council, (including all annual renewals), and to do any other acts necessary to implement Council's decision.**

## AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

## NEGATIVE

Councillors:

Nil

The motion was put and carried.

---

3. EXTENSION OF CONTRACT - 16116 ZIP WATER SYSTEMS PARTS AND SERVICES

This is a report recommending an extension of the Parts and Service Contract with Zip Heaters (Aust) Pty Ltd, to provide continued parts and servicing of the existing Zip Water Systems installed throughout Council's facilities.

The Council is requested to consider and resolve that the exception set out in section 235(a) of the *Local Government Regulation 2012* applies due to the Zip Heaters (Aust) 'Water Systems' proprietary nature. The estimated value of the arrangement is estimated to be thirty-six thousand dollars (\$36,000) excl GST per annum, for three (3) years to December 2023 for the estimated sum of one hundred and eight thousand dollars (\$108,000) excluding GST.

RECOMMENDATION

Moved by Councillor Kate Kunzelmann:

Seconded by Deputy Mayor Marnie Doyle:

- A. That Council resolve it is satisfied that the exception in s235(a) of the *Local Government Regulation 2012 (Regulation)* applies and that Zip Heater (Aust) is the only supplier reasonably available to it to provide Parts and Services for Zip Heater (Aust) Water Systems for the following reason:**
- 1. Due to the proprietary nature of the Zip Heaters (Aust) Water, they are the only supplier to provide parts and servicing for their proprietary systems, which are installed throughout the Council's Facilities.**
- B. That Council enter into a contract with Zip Heater (Aust) for the provision of Parts and Services for Zip Heater (Aust) Water Systems for a period of two (2) years with the option to extend for an additional one (1) year.**
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

---

**4. ACQUISITION OF LAND FOR INF02414 ROAD PURPOSES REDBANK PLAINS ROAD STAGE 3**

This is a report concerning the acquisition of land for road purposes for the Redbank Plains Road Stage 3 Project (The Project).

"The attachment/s to this report are confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*."

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Kate Kunzelmann:

- A. That Council having considered the details contained in this report, support the**

acquisition for strategic road purposes, of the area of land identified in Attachment 1 of this report, described as part of Lot 254 on SP283566 located at 389 Redbank Plains Road, Redbank Plains (“the Land”) by way of resumption agreement with (“the Landowner”). If Council fail to reach an agreement with the landowner for the acquisition of the land, recommendations B, D and E will apply.

- B.** That Council resolve to exercise its power as a constructing authority for strategic road purposes, under the *Acquisition of Land Act 1967*, and take the land (by way of resumption) as the area of land being identified in Attachment 1 of this report, described as part of Lot 254 on SP283566 and located at 389 Redbank Plains Road, Redbank Plains and (“the Land”).
- C.** That Council resolve under s257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer to be authorised to negotiate any agreement with the landowner for the amount of compensation payable by Council under any resumption agreement.
- D.** That Council resolve under s257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer to be authorised to take the land for strategic road purposes (by way of resumption) described as part of Lot 254 on SP283566 located at 389 Redbank Plains Road, Redbank Plains (“the Land”) on behalf of Council, in its capacity as a constructing authority under the *Acquisition of Land Act 1967*.
- E.** That Council be informed of progress in relation to the acquisition of the land.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

---

**5. ACQUISITION OF LAND AND DRAINAGE EASEMENT FOR INF03206 MARY AND WILLIAM STREETS BLACKSTONE TRAFFIC SIGNALISATION PROJECT**

This is a report concerning the acquisition of land for road purposes and an easement for drainage purposes for the delivery of the Mary and William Streets Blackstone traffic signalisation project.

“The attachment/s to this report are confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*.”

RECOMMENDATION

Moved by Councillor Kate Kunzelmann:

Seconded by Deputy Mayor Marnie Doyle:

- A. That Council having considered the details contained in this report support the acquisition for strategic road purposes of the areas of the following properties (shown in Attachments 1-3) (“The Land”) by way of Resumption Agreement with the owner (“The Landowner”) being:**

**Part of Lot 12 on RP209507, 67 Mary Street, Blackstone;**

**Part of Lot 39 on RP110739, 101 Mary Street, Blackstone; and**

**Part of Lot 1 on RP208883, 11 William Street, Blackstone.**

**If Council fails to reach an agreement with the landowner for the acquisition of the land, Recommendations C and D will apply.**

- B. That Council having considered the details contained in this report, support the acquisition of an easement for drainage purposes, of the area of land identified in Attachment 3 (“The Land”), described as Part of Lot 1 on RP208883 located at 11 William Street, Blackstone by way of Resumption Agreement with the owner (“The Landowner”).**

**If Council fails to reach an agreement with the landowner for the acquisition of the land, Recommendations C and D will apply**

- C. That Council resolve to exercise its power as a constructing authority for strategic road purposes and drainage purposes, under the *Acquisition of Land Act 1967*, and take the land and/or easement described in Recommendations A and B of this report dated 10 January 2021, by way of resumption.**

- D. That Council resolve under s257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer to be authorised to take the land and/or easement on behalf of Council, in its capacity as a constructing authority under the *Acquisition of Land Act 1967*. Council for the following purposes:**

- **Strategic road purposes (by way of resumption) as described in Recommendation A; and**
- **Easement for drainage purposes (by way of resumption) as described in Recommendation B.**

- E. That Council be informed of progress in relation to the acquisition of the land.**

AFFIRMATIVE

Councillors:

Madsen

NEGATIVE

Councillors:

Nil

Milligan  
Harding  
Doyle  
Kunzelmann  
Jonic

The motion was put and carried.

---

6. ACQUISITION OF DRAINAGE EASEMENTS FOR INF04089 LOCAL DRAINAGE REHABILITATION PROJECT PRYDE AND HUME STREET, WOODEND

This is a report concerning the acquisition of easements for drainage purposes for the Local Drainage Rehabilitation Project at Pryde and Hume Street Woodend.

“The attachment/s to this report are confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*.”

RECOMMENDATION

Moved by Deputy Mayor Marnie Doyle:

Seconded by Councillor Kate Kunzelmann:

- A. That Council having considered the details contained in this report support the acquisition of easement for drainage purposes of the areas of the following properties (shown in Attachment 1-13) (“The Land”) by way of Resumption Agreement with the owner (“The Landowner”) being:**

Part of Lot 2 on RP92778, 6 Hume Street, Woodend;  
Part of Lot 6 on RP24234, 8 Hume Street, Woodend;  
Part of Lot 5 on RP24234, 10 Hume Street, Woodend;  
Part of Lot 4 on RP24234, 12 Hume Street, Woodend;  
Part of Lot 18 on RP24234, 20 Hume Street, Woodend;  
Part of Lot 19 on RP24234, 22 Hume Street, Woodend;  
Part of Lot 20 on RP24234, 24 Hume Street Woodend;  
Part of Lot 15 on RP24234, 9 Pryde Street, Woodend;  
Part of Lot 4 on RP60842, 9A Pryde Street Woodend;  
Part of Lot 16 on RP24234, 11 Pryde Street, Woodend;  
Part of Lot 17 on RP24234, 13 Pryde Street, Woodend;  
Part of Lot 26 on RP24234, 18 Pryde Street, Woodend;  
Part of Lot 1 on RP92778, 57 O’Sullivan Street Woodend.

If Council fails to reach an agreement with the landowner for the acquisition of the easement, Recommendations B and D will apply.

- B. That Council resolve to exercise its power as a constructing authority for drainage purposes, under the *Acquisition of Land Act 1967*, and take the easements (by way of resumption) as described in Recommendation A of this report dated 10 January 2021.**

- C. That Council resolve under s257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer to be authorised to negotiate any agreement with the landowner for the amount of compensation payable by Council under any resumption agreement.**
- D. That Council resolve under s257(1)(b) of the *Local Government Act 2009* to delegate the power to the Chief Executive Officer to be authorised to take the easements for drainage purposes (by way of resumption) as described in Recommendation A of this report dated 10 January 2021 on behalf of Council, in its capacity as a constructing authority under the *Acquisition of Land Act 1967*.**
- E. That Council be informed of progress in relation to the acquisition of the easements.**

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Madsen

Nil

Milligan

Harding

Doyle

Kunzelmann

Jonic

The motion was put and carried.

---

## 7. UNREASONABLE CUSTOMER CONDUCT POLICY

This report provides recommendations for the adoption of a new Unreasonable Customer Conduct (UCC) policy and the repeal of two existing Library Services policies in relation to UCC behaviours.

### RECOMMENDATION

- A. That the policy "Ipswich Libraries – Acceptable Behaviour Policy" as detailed in Attachment 1 of the report by the Library Services Manager dated 15 December, as per Recommendation B of Item No. 3 of the Policy and Administration Advisory Committee No. 2018(01) of 13 February 2018, adopted at the Council Ordinary Meeting on 27 February 2018, be repealed.
- B. That the policy "Ipswich Libraries – Customer Exclusion Policy" as detailed in Attachment 2 of the report by the Library Services Manager dated 15 December, as per Recommendation C of Item No. 3 of the Policy and Administration Advisory Committee No. 2018(01) of 13 February 2018, adopted at the Council Ordinary Meeting on 27 February 2018, be repealed.
- C. That the policy "Unreasonable Customer Conduct" as detailed in Attachment 3, of the report by the Integrity and Complaints Manager dated 27 January 2021, be



adopted.

### RECOMMENDATION

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

**That this matter be deferred for consideration at the next Council Ordinary Meeting scheduled for 25 February 2021, with revision to the wording of the policy to clarify the intent.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Madsen	Nil
Milligan	
Harding	
Doyle	
Kunzelmann	
Jonic	

The motion was put and carried.

---

### 8. SMART CITY PROGRAM

At the Special Council Meeting of 27 April 2020, Council resolved to adopt a Mayoral Minute by the new Mayor concerning the establishment of the Ipswich City Council Transparency and Integrity Hub.

Recommendation D of that Mayoral Minute was to 'Prepare a report to Council (and for public viewing) on the Smart City Program including detailed project financial data for the past five years and the community outcomes delivered.

In July 2020 as part of the live Ipswich City Council Transparency and Integrity Hub, Council published a summary and detailed financial records related to the Smart City Program.

This report provides relevant information on the Ipswich Smart City Program going back to its inception in the 2015-2016 financial year.

### RECOMMENDATION

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

That the report be received and the contents noted.

### VARIATION TO MOTION:

Mayor Teresa Harding proposed a variation to the motion:

That a report on the Smart City Program be provided to the next Governance and Transparency Committee including:

- detailed project financial data with a breakdown of costs by project level and category ie consultancies, travel, accommodation and deputations.
- information incurred by council entities - Ipswich City Enterprises Pty Ltd, Ipswich City Enterprises Investments Pty Ltd, Ipswich City Properties Pty Ltd and Ipswich City Developments Pty Ltd.
- operational costs and capital costs including the value of these assets.
- community outcomes delivered – value that ratepayers have received for the \$4.6 million.

The seconder of the original motion agreed to the proposed variation.

#### RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Deputy Mayor Marnie Doyle:

- A. That the report be received and the contents noted.**
- B. That a report on the Smart City Program be provided to the next Governance and Transparency Committee scheduled for 11 March 2021 including:**
- detailed project financial data with a breakdown of costs by project level and category ie consultancies, travel, accommodation and deputations.
  - information incurred by council entities - Ipswich City Enterprises Pty Ltd, Ipswich City Enterprises Investments Pty Ltd, Ipswich City Properties Pty Ltd and Ipswich City Developments Pty Ltd.
  - operational costs and capital costs including the value of these assets.
  - Community outcomes delivered – value that ratepayers have received for the \$4.6 million.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

#### NOTICES OF MOTION

Nil

**MATTERS ARISING**

Nil

**PROCEDURAL MOTIONS AND FORMAL MATTERS**

The meeting commenced at 9.41 am.

The meeting closed at 10.08 am.

---