

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2023(01)

9 FEBRUARY 2023

REPORT

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

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Chief Executive Officer (Sonia Cooper), General Manager Corporate Services (Matt Smith), General Manager Planning and Regulatory Services (Peter Tabulo), Acting General Manager Coordination and Performance (Barb Dart), Acting General Manager Infrastructure and Environment (Graeme Martin), Acting Manager Procurement (Ross Muller), Resource Recovery Manager (David McAlister), Acting Property Services Manager (Alicia Rieck), Manager, Community and Cultural Services (Don Stewart), Natural Environment and Land Manager (Phil A Smith), Program Manager Flood Recovery (Matt Mulrone), Chief of Staff Office of the Mayor (Melissa Fitzgerald), Chief Information Officer (Sylvia Swalling), Manager, Libraries and Customer Services (Samantha Chandler), Senior Communications and Policy Officer (Jodie Richter), Senior Media Officer (Darrell Giles), Senior Media Officer (Lucy Stone), Customer Strategy and Experience Manager (Anne Cahill) and Theatre Technician (Harrison Cate)

WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor Jacob Madsen (Chairperson) delivered the Acknowledgement of Country.

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

1. CONFIRMATION OF MINUTES OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2022(11) OF 29 NOVEMBER 2022

RECOMMENDATION

Moved by Mayor Teresa Harding:
Seconded by Councillor Russell Milligan:

That the Minutes of the Governance and Transparency Committee held on 29 November 2022 be confirmed.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. QUARTER 2 - OPERATIONAL PLAN 2022-2023 QUARTERLY PERFORMANCE

This is a report concerning an assessment of Council's progress towards implementation of the 2022-2023 Operational Plan with notable achievements that have occurred during quarter two (Q2) (October to December).

RECOMMENDATION

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

That the Quarter 2 Operational Plan 2022-2023 Quarterly Performance report be received and noted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

NEGATIVE

Councillors:

Nil

Kunzelmann
Jonic

The motion was put and carried.

3. QUARTERLY REPORT TO THE DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING

This is a report concerning a request from the Director-General, Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) for Council to provide a series of quarterly performance reports.

This report represents the October to December 2022 quarter and is reflective of the scope requested by the Director-General in June 2022.

RECOMMENDATION

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

That the Committee endorse the draft letter to the Director-General (DSDILGP) containing the quarterly update for October to December 2022 as set out in Attachment 1.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. UPDATE TO COUNCIL'S MEETING CONDUCT POLICY, MEETING PROCEDURES POLICY AND PUBLIC PARTICIPATION POLICY

This is a report concerning recent minor updates to the State Government's *Model Meeting Procedures* and *Best Practice Example - Standing Orders for Local Government and Standing Committee Meetings* and updating Council's Meeting Procedures Policy, Meeting Conduct Policy and Public Participation Policy so they are not inconsistent with the State Government model as per legislative requirements.

RECOMMENDATION

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

- A. That the updated policy titled ‘Meeting Conduct’ as outlined in Attachment 3, be adopted.**
- B. That the updated policy titled ‘Meeting Procedures’ as outlined in Attachment 6, be adopted.**
- C. That the updated policy titled ‘Public Participation at Ordinary Council Meetings’ as outlined in Attachment 9 and the revised ‘Public Participation Application Form’ as outlined in Attachment 11, be adopted.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. DISPOSAL OF INTEREST IN LAND FOR EASEMENT PURPOSES OVER PART OF 1 HAIG STREET, BRASSALL

This is a report concerning the disposal of an interest in land to grant a new easement for a sewerage purpose in favour of Urban Utilities. This easement will connect to the existing Urban Utilities sewerage treatment plant that is currently being upgraded located at 13 Haig Street, Brassall, described as Lot 1 on RP115168.

“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 Nicole Jonic:
 Seconded by Councillor Russell Milligan:

- A. That Council resolve pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation) that the exemption referred to in section 236(1)(c)(iv) of the Regulation applies for the disposal of the easement interest**

of part of 1 Haig Street, Brassall, described as Lot 4 on RP8227 (“the Land”), by way of a new easement arrangement for sewerage purposes between Council and Urban Utilities.

- B. That pursuant to s257(1)(b) of the *Local Government Act 2009* Council resolve to delegate the power to the Chief Executive Officer to be authorised to negotiate and finalise the terms of the proposed easement as detailed in Recommendation A of this report 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.

6. PROCUREMENT: RATES MODELLING SOFTWARE (EASYREV) MAINTENANCE AND SUPPORT AGREEMENT - EXTENSION TO CONTRACT 12472

This is a report seeking Council Resolution by Ipswich City Council (Council) to undertake a direct engagement with Harbour Software Pty Ltd (Harbour Software). It is proposed, to extend the current contract by a further three (3) years on a 1+1+1 arrangement, for the continuation of the Rates Modelling Software (EasyRev) maintenance and support. It is intended that this software is replaced under the iVolve Project during the upcoming implementation process. The current software has been used by the Treasury Department since 2016 and is a key tool to provide the capture, analysis and calculation of rating scenarios. The current contract expires on 30 April 2023.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Russell Milligan:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite quotes for the provision of the Rates Modelling Software (EasyRev) maintenance and support.**

- B. That Council enter into a contractual arrangement (Council file reference number 12472) with Harbour Software Pty Ltd, at an approximate purchase price of \$24,000.00 (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:
Madsen	Nil
Milligan	
Harding	
Doyle	
Kunzelmann	
Jonic	

The motion was put and carried.

7. PROCUREMENT: SUPPLY OF UNBOUND PAVEMENT MATERIAL FOR MAINTENANCE OF COUNCIL'S UNSEALED ROADS

This is a report concerning an increase in the approximate value for the Procurement of Supply of Unbound Pavement Material for Maintenance of Council's Unsealed Roads.

RECOMMENDATION

Moved by Councillor Russell Milligan:
Seconded by Councillor Nicole Jonic:

- A. That Council vary the contractual arrangement with CW & EJ Russell for an additional approximate purchase price of \$3,000,000 excluding GST over the entire term of up to three (3) years, 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.**
- 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.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Madsen	Nil
Milligan	
Harding	
Doyle	

Kunzelmann
Jonic

The motion was put and carried.

8. PROCUREMENT: CUSTOMER EXPERIENCE MATURITY ASSESSMENT

This is a report concerning the procurement of a supplier to conduct annual maturity assessments of Council's Customer Experience Strategy over a three (3) year period from 2023 to 2025 without first inviting written quotes or tenders. Section 235(b) of the *Local Government Regulation 2012* allows a local government to enter into a medium or large sized contractual arrangement, if the local government resolves that the services provided are of a specialised nature.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Russell Milligan:

- 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 for the provision of the annual Customer Experience Maturity Assessment.**
- B. That Council enter into a contractual arrangement (Council file reference number 19806) with Ipsos Pty Ltd, at an approximate purchase price of \$70,000 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.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

9. PROCUREMENT: WASTE MANAGEMENT SOFTWARE SOLUTION CONTRACTS
12759 AND 14024

This a report seeking a resolution by Council to vary contract 14024 with existing supplier Mandalay Technologies Pty Ltd and contract 12759 with existing supplier 3 Logix Pty Ltd to add further extension options until 30 June 2026 to continue the uninterrupted provision of Council's core community waste collection service systems whilst awaiting an iVolve outcome to be determined. The contracts are for the provision of Council's transfer station operations system and waste collection vehicle operational system respectively.

This matter is required as officers seek Council resolution that the exception under section 235(a) of the *Local Government Regulation 2012* applies to the uninterrupted continuation of these key systems for the operational functionality required. The specialised nature of these systems provided means that the incumbent suppliers are the only suppliers reasonably available to continue the provision of these systems for the duration. Further, due to the identified iVolve relevance of the systems, it is more costly and disadvantageous to Council to go to tender until the iVolve impact is assessed and understood.

A resolution of Council is sought to vary the contractual arrangements with both suppliers to allow further optional extensions until 30 June 2026. This will increase the total value of the contract 14024 to approximately two hundred and fifty-five thousand dollars (\$255,000.00) excluding GST, and the total value of contract 12759 to approximately two million, one hundred and sixty thousand dollars (\$2,160,000.00) excluding GST for the full extended term of the contracts if all extension options are exercised.

RECOMMENDATION

Moved by Councillor Nicole Jonic:

Seconded by Councillor Marnie Doyle:

- 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 ongoing provision of the transfer stations operations system and related ancillary items provided by Mandalay Technologies Pty Ltd (Mandalay).**
- B. **That the contractual arrangement 14024 with Mandalay for the transfer stations operations system and related ancillary items be extended for a further optional period(s) until 30 June 2026 at an approximate value of \$77,281.00 + GST over the additional term (increasing the approximated contract value to \$255,000.00 + GST over the entire extended term of the contract if all options are utilised).**

- C. That Council enter into a Deed of Variation with Mandalay to appropriately amend the existing contractual arrangement.
- D. 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 ongoing provision of the waste collection vehicle operations system and related ancillary items provided by 3 Logix Pty Ltd (3 Logix).
- E. That the contractual arrangement 12759 with 3 Logix for the waste collection vehicle operations system and related ancillary items for a further optional period(s) until 30 June 2026 at an approximate value of \$309,355.00 + GST over the additional term (increasing the approximated contract value to \$2,160,000.00 + GST over the entire extended term of the contract if all options are utilised).
- F. That Council enter into a Deed of Variation with 3 Logix to appropriately amend the existing contractual arrangement.
- G. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolve to delegate to the Chief Executive Officer the power to take “*contractual action*” pursuant to section 238 of the Regulation, in order to implement Council’s decision.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

10. PROCUREMENT: DISC PROFILE SOLUTION

This is a report concerning a contractual arrangement with INTEGRO Learning Company Pty Ltd (INTEGRO), to provide continued servicing of the DISC profile solution.

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 INTEGRO being the authorised Australian distributor of Wiley’s Everything DiSC assessment tools. The value of the arrangement is estimated to be \$60,000 excluding GST per

annum, for three (3) years to February 2026 up to the sum of \$200,000 excluding GST.

RECOMMENDATION

Moved by Councillor Nicole Jonic:

Seconded by Councillor Marnie Doyle:

- 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 INTEGRO is the only supplier reasonably available to provide the John Wiley & Sons Everything DiSC assessment tool through INTEGRO for the current DiSC system for the following reason:**
- 1. As the current DiSC profile system is under an arrangement between the John Wiley & Sons and INTEGRO which has established a sole supplier arrangement for the DiSC John Wiley & Sons Everything DiSc profile system.**
- B. That Council enter into a contractual arrangement with INTEGRO for the provision of the DiSC profile system for a period of one (1) year with the option to extend for an additional two (2) years.**

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 10.43 am.

The meeting closed at 10.58 am.
