

**GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2021(09)**

**7 OCTOBER 2021**

REPORT

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

**COUNCILLOR'S APOLOGIES:** Nil

**OFFICERS' ATTENDANCE:** Acting Chief Executive Officer (Sonia Cooper), Acting General Manager Corporate Services (Sylvia Swalling), Acting General Manager Infrastructure and Environment (Kaye Cavanagh), Acting General Manager Coordination and Performance (Barbara Dart), General Manager Community, Cultural and Economic Development (Ben Pole), General Manager Planning and Regulatory Services (Peter Tabulo), Manager Development Planning (Anthony Bowles), Manager, Senior Property Officer Tenure (Kerry Perrett), Manager Procurement (Richard White), Senior Digital Media and Content Officer (Jodie Richter), Manager, People and Culture (Talia Love-Linay), Workplace Relations Manager (Nick Sheehan), Manager, Communication and Engagement (Laura Bos), and Theatre Technician (Trent Gray)

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

Nil

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**BUSINESS OUTSTANDING**

Nil

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**CONFIRMATION OF MINUTES**

1. **CONFIRMATION OF MINUTES OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2021(08) OF 2 SEPTEMBER 2021**

**RECOMMENDATION**

Moved by Councillor Kate Kunzelmann:

Seconded by Councillor Marnie Doyle:

**That the minutes of the Governance and Transparency Committee No. 2021(08) held on 2 September 2021 be confirmed.**

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

The motion was put and carried.

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### OFFICERS' REPORTS

#### 2. TRUSTEE LEASE RENEWAL TO AXICOM PTY LTD OVER 22 CHELMSFORD AVENUE, IPSWICH

This is a report concerning the proposed Trustee Lease renewal over part of trust land located at 22 Chelmsford Avenue, Ipswich, described as Lease CC in Lot 24 on I16262 on SP233721 between Ipswich City Council as Trustee (Council) and Axicom Pty Ltd (Axicom).

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

#### RECOMMENDATION

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of Council’s interest as trustee, in land at 22 Chelmsford Avenue, Ipswich more particularly described as part of Lot 24 and Plan I16262, because it is for a lease for a telecommunication tower.
- B. That Council enter into a trustee lease (Council reference number 5360) with Axicom Pty Ltd (Trustee Lessee):
  - (i) at a commencing monthly rent of \$30,000 excluding GST, payable to Council
  - (ii) for a term of ten (10) years, with no options for extension.
- 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 *Local Government Regulation 2009*, in order to implement Council’s decision.

Councillor Jacob Madsen proposed a variation to Recommendation B(i) to change the words ‘monthly rent’ to ‘annual rent’.

#### RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Kate Kunzelmann:

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012 (Regulation)*, Council resolve that the exception at section 236(1)(c)(vi) of the Regulation applies to the disposal of Council’s interest as trustee, in land at 22 Chelmsford Avenue, Ipswich more particularly described as part of Lot 24 and Plan I16262, because it is for a lease for a telecommunication tower.**
- B. That Council enter into a trustee lease (Council reference number 5360) with Axicom Pty Ltd (Trustee Lessee):**
- (i) at a commencing annual rent of \$30,000 excluding GST, payable to Council**
- (ii) for a term of ten (10) years, with no options for extension.**
- 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 *Local Government Regulation 2009*, in order to implement Council’s decision.**

#### AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

#### NEGATIVE

Councillors:

Nil

The motion was put and carried.

### 3. PROCUREMENT - MOBILE DATA ANYWHERE SUBSCRIPTION

This is a report seeking Council resolution to continue the annual subscription renewals for the Mobile Data Anywhere (MDA) solution provided by Mobile Technologies Pty Ltd ABN 93 097 282 436.

This service subscription is used across Council. It is a cloud service that allows Council officers to access their projects online, manage their devices (mobile phones, laptops tablets), and access data anytime from anywhere. It is an important enabler of a flexible and efficient workforce. A new solution is under consideration to better provide Council with a faster, systematic approach to this

service with added cost saving benefits. Until this solution is implemented, an interim Council resolution is sought pursuant to section 235(b) of the *Local Government Regulation 2012* for the continuation of the specialised services provided.

A Council resolution is sought to approve the continuation of the annual renewals for the MDA subscription for up to two (2) x one (1) year periods from 1 November 2021 until 31 October 2023, at an estimated total cost of two hundred and eighty thousand dollars (\$280,000) excluding GST, if all annual renewal options are exercised up until 31 October 2023.

### RECOMMENDATION

Moved by Councillor Kate Kunzelmann:

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 that it would be impractical and disadvantageous to invite quotes or tenders for the provision of the Mobile Data Anywhere Subscription.**
- B. That Council resolve it is satisfied to continue with, and to renew, the annual Mobile Data Anywhere Subscriptions with Mobile Technologies Pty Ltd for an initial period of up to two (2) x one (1) year extension options from 1 November 2021 until 31 October 2023 for an estimated total cost of up to two hundred and eighty thousand dollars (\$280,000) excluding GST.**

#### AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

#### NEGATIVE

Councillors:

Nil

The motion was put and carried.

### 3.1. MATTER ON NOTICE - NUMBER OF MOBILE DEVICES UTILISING THE MOBILE DATA ANYWHERE SUBSCRIPTION IN THE FIELD

Mayor Teresa Harding queried how many mobile devices council had in the field that were utilising the Mobile Data Anywhere Subscription.

**Manager, Procurement to investigate Mayor Harding's query regarding the number of mobile devices in the field that are utilising the Mobile Data Anywhere Subscription and provide a response to councillors prior to the October Council Ordinary Meeting.**

*See minutes attachments for outcome.*

4. PROCUREMENT – VELOCITYEHS WORKPLACE HEALTH AND SAFETY MANAGEMENT SOFTWARE SUBSCRIPTION

This a report seeking a resolution by Council to continue the annual subscription for the VelocityEHS Workplace Health and Safety management software system that is operationally utilised as part of Council's workplace health and safety compliance management.

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 continuation of the key system provided. The proprietary nature of the incumbent supplier's Workplace Health and Safety Management system means that there is only one supplier who is reasonably available to continue providing the system. Further, due to the identified iVolve dependency of the Workplace Health and Safety Management system, it is more cost effective and disadvantageous to Council to tender for a different system until iVolve is able to deliver a final solution.

A resolution of Council is sought to approve the continuation of the annual subscription for the system with VelocityEHS Canada, Inc. each year for up to three (3) years for the period commencing 27 November 2021 and ending 26 November 2024. This is an estimated total cost of approximately ninety-nine thousand dollars (\$99,000.00) excluding GST for the full three (3) year period

RECOMMENDATION

Moved by Deputy Mayor 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 provision of the Workplace Health and Safety Management software system.**
- B. That Council enter into a contractual arrangement with VelocityEHS Canada, Inc. on a yearly basis for up to the next three (3) years at an approximate purchase price of \$99,000.00 excluding GST over the three (3) year period.**

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

The motion was put and carried.

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#### 5. PROCUREMENT - PROFESSIONAL DEVELOPMENT MAYOR AND COUNCILLORS

This is a report concerning the procurement of a professional development course for the Mayor and Councillors, 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 and large sized contractual arrangement, if the local government resolves that the services provided are of a specialised nature.

“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 Jacob Madsen:  
Seconded by Councillor Marnie Doyle:

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolves 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 a bespoke professional development course tailored for the Mayor and Councillors.**
- B. That Council enter into a contractual arrangement (RFQ17345) with the Australian Institute of Company Directors (ABN 11 008 484 197), at a purchase price of \$76,491 excluding GST over the entire term, being an initial term of one (1) year, with no options to extend.**

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

Jonic

The motion was put and carried.

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5.1. MATTER ON NOTICE - CONFIDENTIAL BACKGROUND PAPER

Mayor Teresa Harding queried why the background paper to Item 5 was confidential.

- A. **Manager, Procurement to investigate if the confidential background paper should be confidential in relation to commercial in confidence information or whether the matter can be made available to the public.**
- B. **That a response be provided to all councillors prior to the October Council Ordinary Meeting.**
- C. **That if the paper is able to be made available to the public this be released prior to the October Council Ordinary Meeting.**

*See minutes attachments for outcome*

6. PEOPLE AND CULTURE POLICIES FOR REPEAL

This is a report concerning People and Culture policies for repeal and for adoption. The People and Culture Branch (Corporate Services) has undertaken an audit of all policies under its control and identified policies which have now been replaced by Administrative Directives approved by the Chief Executive Officer.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Mayor Teresa Harding:

- A. **That the policy titled 'Workplace Health and Safety', as detailed in Attachment 1, be repealed and replaced with an updated policy as outlined in Recommendation D and detailed in Attachment 4.**
  - B. **That the policy titled 'Employee Complaints Policy', as detailed in Attachment 2, be repealed.**
  - C. **That the policy titled 'Anti-Discrimination and Equal Employment Opportunity (EEO) Policy', as detailed in Attachment 3, be repealed.**
  - D. **That the updated policy titled 'Workplace Health and Safety', as detailed in Attachment 4 be adopted.**
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**AFFIRMATIVE**

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

**NEGATIVE**

Councillors:

Nil

The motion was put and carried.

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**NOTICES OF MOTION**

Nil

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**MATTERS ARISING**

Nil

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**PROCEDURAL MOTIONS AND FORMAL MATTERS**

The meeting commenced at 9.29 am.

The meeting closed at 9.47 am.

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