

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2022(02)**10 MARCH 2022**

REPORT

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

COUNCILLOR'S APOLOGIES: Deputy Mayor Nicole Jonic

OFFICERS' ATTENDANCE: Acting Chief Executive Officer (Peter Tabulo), Acting General Manager Corporate Services (Jeff Keech), General Manager Infrastructure and Environment (Sean Madigan), Acting Property Services Manager (Kerry Perrett), Chief Information Officer (Sylvia Swalling), Chief of Staff – Office of the Mayor (Melissa Fitzgerald), Senior Policy and Communications Officer (David Shaw), Manager Community and Cultural Services (Don Stewart), Senior Digital Media and Content Officer (Jodie Richter), ICT Category Manager (Jacquie Whitham) and Theatre Technician (Harrison Cate)

LEAVE OF ABSENCE – DEPUTY MAYOR NICOLE JONIC

It was moved by Councillor Jacob Madsen and seconded by Councillor Kate Kunzelmann that a leave of absence be granted for Deputy Mayor Nicole Jonic.

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

The motion was put and carried.

WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY

Councillor 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(01) OF 10 FEBRUARY 2022**

RECOMMENDATION

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

That the minutes of the Governance and Transparency Committee held on 10 February 2022 be confirmed.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. **PROCUREMENT: RENEWAL OF LIQUID PETROLEUM GAS (LPG) FOR BUNDAMBA, GOODNA AND LEICHHARDT AQUATIC CENTRES**

This report recommends the renewal of the supply agreement for Liquid Petroleum Gas (LPG) for Bundamba, Goodna and Leichhardt Aquatic Centres with Origin Energy Retail Ltd to enable continuity of gas supply to these facilities.

This report recommends that Council resolve that the exception under section 235(b) of the *Local Government Regulation 2012* applies and that Council proceeds with the engagement of Origin Energy Retail Ltd to provide LPG Sale and

Supply Agreements for Bundamba Goodna and Leichhardt Aquatic Centres for twelve (12) months.

The estimated sum for this period is one hundred and ninety thousand dollars (\$190,000) excluding GST for the three sites.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Councillor Russell Milligan:

- A. That Council resolve it is satisfied under section 235(b) of the *Local Government Regulation 2012* (regulation) that the exception under section 235(b) of the regulation applies and that Origin Energy Retail Ltd is the only supplier reasonably available to it to provide the LPG supply agreement for Bundamba, Goodna & Leichhardt Aquatic Centres for the following reasons:**
- 1. The number of suppliers for heating LPG is limited.**
 - 2. The equipment at the Council Aquatic Centres is owned by the supplier and Council pays a rent and supply of gas cost.**
 - 3. The cost to Council for a new supplier for the removal and replacement of the current infrastructure at the aquatic centres.**
- B. That Council enter into a supply agreement with Origin Energy Retail Ltd for the provision of the LPG sale and supply agreement for Bundamba, Goodna and Leichhardt Aquatic Centres for a period of twelve (12) months for the estimated sum of one hundred and ninety thousand dollars (\$190,000) excluding GST.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

3. RENEWAL OF LEASE - KIOSK 1 KARALEE SHOPPING VILLAGE, 39 JUNCTION ROAD, CHUWAR - CVS LANE CAPITAL PARTNERS PTY LTD TO IPSWICH CITY COUNCIL

This is a report concerning the renewal of a lease over Kiosk 1, Karalee Shopping Village, 39 Junction Road, Chuwar (the Kiosk) between Ipswich City Council (Council) and CVS Lane Capital Partners Pty Ltd as trustee for CVS Lane Karalee Retail Trust (CVS Lane).

“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 Russell Milligan:

Seconded by Councillor Kate Kunzelmann:

- A. That pursuant to section 9 of the *Local Government Act 2009*, Council extend its interest in the land at 39 Junction Road, Chuwar, more particularly described as Lot 100 on SP298886, for library purposes.**
- B. That Council, with CVS Lane Capital Partners Pty Ltd ACN 155 490 154 as trustee (the Lessor), amend the existing lease 720713750 on the following terms:**
- (i) at an annual rent of \$23,766.92 excluding GST is payable by Council, from the commencement of the amendment; and**
 - (ii) for a further term of three (3) years, with no options for extension.**
- C. That Council resolve to authorise the Chief Executive Officer to take the necessary action in order to implement Council’s decision, including but not limited to making, amending and discharging the contractual arrangement.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. PROCUREMENT: ARCGIS SOFTWARE LICENCING, MAINTENANCE AND ONLINE CREDITS

This a report seeking a resolution by Council to enter into a contract with Esri Australia Pty Ltd for the provision of ArgGIS software licencing and maintenance and online credits 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(a) of the *Local Government Regulation 2012* applies to the provision of licencing, maintenance and other related ancillary items for the operationally necessary products required. The proprietary nature of the incumbent supplier’s products means that there is only one supplier who is reasonably available to provide the support and maintenance for the products.

Further, due to the pending acquisition and 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 final solution.

A resolution of Council is sought to approve the continuation of the online credits, licencing and maintenance for the ArcGIS software products with Esri Australia Pty Ltd for an initial term of one (1) year, two (2) months and two (2) days (commencing 10 June 2021), with options for extension of an additional one (1) year term. This is an estimated total cost of approximately eighty-three thousand, three hundred and ten dollars (\$83,310.00) excluding GST for the full term of the contract if all extension options are exercised.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Kate Kunzelmann:

- 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 licencing and maintenance of the software products and online credits.**
- B. That Council enter into a contractual arrangement (Council file reference 16591) with Esri Australia Pty Ltd, at an approximate purchase price of \$83,310.00 excluding GST over the entire term, being an initial term of one (1) year, two (2) months and two (2) days, with options for extension at the discretion of Council (as purchaser), of an additional one (1) year term.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. PROCUREMENT: ONEMUSIC AUSTRALIA LICENCE FOR THE USE OF MUSIC FOR COUNCILS

This is a report seeking a resolution by Council to enter into a contract with Australasian Performing Right Association Limited Trading as ONEMUSIC AUSTRALIA (OneMusic Australia) for the licencing for the use of Music for Councils so as to maintain copyright compliance in relation to the use and

playback of Licensed Music, Sound Recordings and/or Music Videos at Council premises and events.

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 provision of licencing by OneMusic Australia due to OneMusic Australia being the sole Australian supplier for this single-source service.

A resolution of Council is sought to enter into a contract with OneMusic Australia for an initial term of one (1) year and three (3) months, with options for extension of three (3) additional one (1) year terms. This is an estimated total cost of approximately one hundred and twenty thousand dollars (\$120,000.00) excluding GST for the full term of the contract if all extension options are exercised.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

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 licencing for the use of Music for Councils.**
- B. That Council enter into a contractual arrangement (Council file reference 18458) with Australasian Performing Right Association Limited Trading as ONEMUSIC AUSTRALIA, at an approximate purchase price of \$120,000.00 excluding GST over the entire term, being an initial term of one (1) year and three (3) months, with options for extension at the discretion of Council (as purchaser), of an additional three (3) x one (1) year terms.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

6. INVOLVE PROJECT QUARTERLY STATUS UPDATE

This report provides an update on Council's iVolve Stage 3 Program. Details on the approach of Stage 3 are outlined and while a late start to the Program occurred, remediation of the Delivery Plan has been undertaken, where required,

to meet the 30 June 2022 deadline for delivery of a final Business Case to determine if Council should proceed with an agreed Vendor Solution/s.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Russell Milligan:

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. QUARTERLY REPORTS TO THE DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING

This is a report concerning a request received by the Mayor (on behalf of Council) from the Director-General, Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) for Council to provide a series of quarterly performance reports through to the quarter ending 30 June 2022.

This is the third of the quarterly reports for consideration by the Governance and Transparency Committee and relates to the period October – December 2021. Endorsement of this quarterly report is sought, with the Mayor to send a letter and the quarterly report to the Director-General.

As noted above, Council's obligation to provide quarterly performance reporting ends on 30 June 2022. Direction will be sought from the Director-General by the Chief Executive Officer on concluding this reporting requirement.

RECOMMENDATION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

That Committee endorse the draft letter and quarterly performance reports (October – December 2021) set out in Attachments 1-6.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

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 10.58 am.

The meeting closed at 11.15 am.