

GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2022(08)**15 SEPTEMBER 2022****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 Infrastructure and Environment (Sean Madigan), General Manager, Community, Cultural and Economic Development (Ben Pole), General Manager Planning and Regulatory Services (Peter Tabulo), Procurement Manager (Richard White), Senior Digital Media and Content Officer (Jodie Richter), Chief Information Officer (Sylvia Swalling), Manager, Marketing and Promotions (Carly Gregory), Community Development Manager (Melissa Dower), Chief Financial Officer (Jeff Keech), Acting Property Services Manager (Alicia Rieck), Senior Property Officer (Tenure)(Bianca Gaudry), Property Support Officer (Michelle McNamara), Manager Community and Cultural Services (Don Stewart), Chief of Staff, Office of the Mayor (Melissa Fitzgerald), Senior Policy and Communications Officer (David Shaw) and Theatre Technician (Trent Gray)

WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor Jacob Madsen delivered the Acknowledgement of Country.

**STATEMENT ON BEHALF OF IPSWICH CITY COUNCIL ON THE PASSING OF
HER MAJESTY, QUEEN ELIZABETH II**

Councillor Russell Milligan made the following statement:

On behalf of Ipswich City Council and the residents of Ipswich, I wish to acknowledge the passing of Her Majesty, Queen Elizabeth the Second.

This loss has been felt deeply across our community.

In this period of mourning and reflection, we remember Her Majesty's long life of devoted and dedicated service to the peoples of the Commonwealth.

May she rest in peace.

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

In accordance with section 150EQ of the *Local Government Act 2009*, Deputy Mayor Jacob Madsen informed the meeting that he has a declarable conflict of interest in Item 9 titled Procurement – Nicholas Street Precinct Carpark Upgrade.

The nature of the interest is that Councillor Madsen is a member of the Ipswich Trades Hall and Labour Day Committee Executive which manages the Ipswich Trades Hall which is adjacent to the CBD redevelopment works that Council is undergoing.

Councillor Jacob Madsen advised that he will leave the meeting room (including any area set aside for the public) while this matter is being discussed and voted on.

BUSINESS OUTSTANDING

Councillor Marnie Doyle arrived at the meeting at 10.59 am.

1. REVISED ALCOHOL CONSUMPTION AND SALE IN PUBLIC PLACES POLICY

This is a report seeking Council approval to repeal the existing 'Alcohol Consumption and Sale in Public Places Policy' and adopt the revised 'Alcohol Consumption and Sale in Public Places Policy', managed by Community and Cultural Services Branch within the Community, Cultural and Economic Development Department

RECOMMENDATION

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

- A. That the Policy titled, 'Alcohol Consumption and Sale in Public Places Policy' (current) as detailed in Attachment 1 be repealed.**
- B. That the updated information to the policy titled, 'Alcohol Consumption and Sale in Public Places Policy' be noted and the policy adopted as detailed in Attachment 3.**

AFFIRMATIVE

Councillors:
Madsen
Milligan
Harding
Doyle
Kunzelmann

NEGATIVE

Councillors:
Nil

Jonic

The motion was put and carried.

CONFIRMATION OF MINUTES

2. **CONFIRMATION OF MINUTES OF THE GOVERNANCE AND TRANSPARENCY COMMITTEE NO. 2022(07) OF 11 AUGUST 2022**

RECOMMENDATION

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

That the Minutes of the Governance and Transparency Committee held on 11 August 2022 be confirmed.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

3. **ACQUISITION OF LAND FOR ROAD PURPOSE FOR INF04368 HUNTER STREET BUS RELOCATION**

This is a report concerning the acquisition of land for road purpose for the proposed upgrade and relocation of the bus shelter in front of Ipswich State High School located at 1 Hunter Street, Brassall, described as Lot 581 on SP145243.

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

RECOMMENDATION

Moved by Councillor Russell Milligan:
Seconded by Councillor Kate Kunzelmann:

- A. That Council resolve to purchase or acquire part of land located at 1 Hunter Street, Brassall, more particularly described as part of Lot 581 on SP145243 ("the land" (Council file reference 5572), for road 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 should purchase by agreement fail, Council shall, as "*constructing authority*" pursuant to Section 5(1)(b)(i) of the *Acquisition of Land Act 1967*, proceed to acquire the subject land.
- D. That Council be kept informed as to the progress and outcome of the acquisition.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

4. DISPOSAL OF COUNCIL FREEHOLD LAND IN TRUST LOCATED AT LOT 34 REDBANK PLAINS ROAD, SWANBANK AND 186-190 SWANBANK COAL ROAD, SWANBANK

This is a report concerning the requirement for Lot 34 Redbank Plains Road, Swanbank, described as Lot 34 on SP257496 and 186-190 Swanbank Coal Road, Swanbank, described as Lot 2 on SP251825, owned by Ipswich City Council ('Council') in Trust to be opened as road. The opening of the land as road is to facilitate the road extension to be constructed by EMKC³ (the "Developer").

"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 Marnie Doyle:

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation), Council resolve that the exception at section 236(1)(b)(i) of the Regulation applies to the disposal of Lot 34 Redbank Plains Road, Swanbank, more particularly described as Lot 34 on SP257496, and 186-190 Swanbank Coal

Road, Swanbank, more particularly described as Lot 2 on SP251825 for road purpose (Council file reference 5601), because the State of Queensland (represented by the Department of Resources) ('DoR') is a government agency.

- 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

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

5. NEW LEASE OVER 31-33 NIMMO STREET, BOOVAL TO QUEENSLAND ROLLINGSTOCK PRESERVATION GROUP INC.

This is a report concerning the proposed new lease over Council freehold land located at 31-33 Nimmo Street, Booval, described as Lot 2 on SP279178 (the Land), between Ipswich City Council (Council) and Queensland Rollingstock Preservation Group Inc. (QRPg).

"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 Kate Kunzelmann:

Seconded by Deputy Mayor Jacob Madsen:

- A. That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception at section 236(1)(b)(ii) of the Regulation applies to the disposal of interest in land at 31-33 Nimmo Street, Booval, more particularly described as Lot 2 on SP279178 for maintenance and restoration of rollingstock assets (locomotives, carriages, wagons, track maintenance, etc) purposes because Queensland Rollingstock Preservation Group Inc. (Lessee) is a not-for-profit community organisation.
- B. That Council enter a lease (Council file reference number 5592) with the Lessee:

- (i) at a commencing annual rent of \$1,000.00 excluding GST, payable to Council, and
 - (ii) for an initial term of three (3) years, with an option for extension of an additional one (1) x two (2) years.
- 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.

Councillor Marnie Doyle proposed an alternative recommendation:

That a report from council officers providing detailed advice on risk of impact to residents of amenity, outlining any mitigating factors and taking into consideration the development application for residential currently in progress, be submitted to the October Governance and Transparency Committee.

RECOMMENDATION

Moved by Councillor Kate Kunzelmann:

Seconded by Deputy Mayor Jacob Madsen:

That a report from council officers providing detailed advice on risk of impact to residents of amenity, outlining any mitigating factors and taking into consideration the development application for residential currently in progress, be submitted to the October Governance and Transparency Committee.

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

6. RENEWAL OF LEASE TO BRISBANE CITY COUNCIL FOR THE RIVERVIEW ASPHALT PLANT

This is a report concerning the renewal of the Lease over Part of 2B Kenneth Street, Riverview, described as Lease B in Lot 1 on RP215975, between Ipswich City Council (Council) as Lessor and Brisbane City Council (BCC) as Lessee.

“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 as Lessor resolve that the exception at section 236(1)(c)(iii) of the Regulation applies to the disposal of leasehold interest in Part of land at 2B Kenneth Street, Riverview, more particularly described as Lease B in Lot 1 on RP215975, because it is for renewal of a lease to the existing lessee.
- B. That Council renew the lease (L-1224) with Brisbane City Council (Lessee):
 - (i) at a commencing annual rent of \$145,000 excluding GST, payable to Council, and
 - (ii) for a term of ten (10) years, with an option for extension of an additional one (1) x five (5) years.
- C. That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolves 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.

Deputy Mayor Jacob Madsen proposed the following variation to Recommendation B(ii):

- (ii) for a term of ten (10) years, with no further option for extension.

RECOMMENDATION

Moved by Councillor Nicole Jonic:

Seconded by Councillor Marnie Doyle:

- A. **That pursuant to section 236(2) of the *Local Government Regulation 2012* (Regulation), Council as Lessor resolve that the exception at section 236(1)(c)(iii) of the Regulation applies to the disposal of leasehold interest in Part of land at 2B Kenneth Street, Riverview, more particularly described as Lease B in Lot 1 on RP215975, because it is for renewal of a lease to the existing lessee.**
- B. **That Council renew the lease (L-1224) with Brisbane City Council (Lessee):**
 - (i) at a commencing annual rent of \$145,000 excluding GST, payable to Council, and**
 - (ii) for a term of ten (10) years, with no further option for extension.**
- C. **That pursuant to Section 257(1)(b) of the *Local Government Act 2009*, Council resolves 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.

Attachments

1. Updated officer's report including tracked changes  
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7. PROCUREMENT: 18997 SOUTH STATION RD, RACEVIEW - PAVEMENT REHABILITATION

This is a report concerning the recommendation to award Tender 18997 South Station Rd – Pavement Rehabilitation and to seek Council's approval to enter into a contract with the nominated supplier as per confidential Attachment 2 to undertake the pavement reconstruction / rehabilitation works on South Station Rd, Raceview between Harding Street and the carpark entrance to the north.

After an open market request for tender process, an evaluation panel has recommended one supplier for pavement rehabilitation as set out in Recommendation B below. The recommendation provides Council with a company located in an adjacent 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 Nicole Jonic:

Seconded by Councillor Russell Milligan:

- A. **That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 18997 South Station Rd, Raceview – Pavement Rehabilitation.**
- B. **That Council enter into a contractual arrangement with the Supplier for the lump sum amount of one million nine hundred and fourteen thousand five**

hundred and fifty-one dollars and fourteen cents (\$1,914,551.14) excluding GST and the contingency amount as listed in confidential Attachment 2.

- 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:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

8. PROCUREMENT: COHGA WEAVE MAPPING SOLUTIONS

This is a report seeking a resolution by Council to enter into a contract with Cohga Pty Ltd for the provision of the Cohga Weave Mapping Solutions 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 services provided by these operationally necessary products. The proprietary nature of the incumbent supplier’s products means that there is only one supplier who is reasonably available to provide the continued subscription to this suite of 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 recommendation in relation to the functional requirements serviced by this product.

A resolution of Council is sought to enter into a contractual arrangement with Cohga Pty Ltd for a term of up to one (1) year for the continued subscription to the Cohga Weave Solutions. This is an estimated total cost of approximately one-hundred and five thousand dollars (\$105,000.00) excluding GST for the term of the contract

RECOMMENDATION

Moved by Councillor Nicole Jonic:

Seconded by Councillor Marnie Doyle:

- 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 disadvantageous to invite quotes for the provision of the Weave Mapping Solution.**
- B. That Council enter into a contractual arrangement (Council file reference number 19265) with Cohga Pty Ltd on a yearly or shorter basis as required for up to one (1) year at an approximate purchase price of \$105,000.00 excluding GST over the one (1) year period.**

AFFIRMATIVE

Councillors:

Madsen

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Deputy Mayor Jacob Madsen asked Councillor Russell Milligan (Deputy Chairperson) to assume the chair due to Deputy Mayor Madsen's declared conflict of interest in Item 9 and left the meeting at 11.20 am.

9. PROCUREMENT - NICHOLAS STREET PRECINCT CARPARK UPGRADE

This is a report concerning the proposed upgrading of the Nicholas Street Precinct public car parking access systems. A previous report (14 February 2022 Ordinary Council meeting of 24 February 2022) was presented to Council for the same subject matter. Council resolved to enter into a contract with the supplier, under Section 235 (b) of the Local Government Regulation 2012.

The Procurement Branch at that time, were of the understanding that the application of the section 235 (b) exemption was appropriate in the circumstances, however, recent advice notes that the application of Section 235 (a) of the Local Government Regulation 2012 should be applied to this arrangement, resulting in this revised submission.

The previous decision (24 February 2022) in relation to this matter is listed below:

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 products and services related to the upgrade to the existing SKIDATA parking access system in the Nicholas Street Precinct public carpark.
- 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.

The upgrades to the current installed system will provide Council and the community a number of benefits and advantages as the numbers of the public accessing the carpark increase with the activation of the Ipswich CBD.

RECOMMENDATION

Moved by Councillor Marnie Doyle:

Seconded by Mayor Teresa Harding:

- A.** That the previous decision of Council, as per Item 16.5 titled Nicholas Street Precinct Parking Access System Upgrade, adopted at the Council Ordinary Meeting of 24 February 2022, be repealed.
- B.** 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 products and services related to the upgrade to the existing SKIDATA parking access system in the Nicholas Street public carpark.
- C.** That Council enter into a contractual arrangement (Council file reference 18352) with Skidata Australasia Pty Ltd, at an approximate purchase price of \$215,000.00 excluding GST over the entire term, being a term of two (2) years, with no options for extension.

AFFIRMATIVE

Councillors:

Milligan

Harding

Doyle

Kunzelmann

Jonic

NEGATIVE

Councillors:

Nil

All Councillors except Deputy Mayor Jacob Madsen were present when the vote was taken.

The motion was put and carried.

Deputy Mayor Jacob Madsen returned to the meeting at 11.22 am and resumed the Chair.

10. INVOLVE PROJECT QUARTERLY STATUS UPDATE

The purpose of this report is to provide an update on the iVolve Stage 3 Program controls and milestones.

Two key Change Requests were approved in this reporting period:

1. Change Request (CR03) re-baselined the iVolve Stage 3 project timeline, deliverables, and EOI market strategy approach.
2. Change Request (CR04) brings into scope the additional packages to remediate the current Oracle risk:
 - a. A Request for Quote (RFQ) to Oracle for procurement of Oracle Products (Licences/SaaS).
 - b. A Request for Tender (RFT) to secure a Delivery Partner for professional services.
 - c. A Request for Tender (RFT) to appropriate vendors for an Integration Platform.

The approval of these Change Requests results in the iVolve project currently reporting an Amber Status for overall project health.

The procurement activities have made good progress:

- **Oracle Product RFQ.** The RFQ was sent to Oracle on 12 July 2022. A response has been received and the Evaluation team is currently reviewing the response.
- **Delivery Partner RFT.** The Tender has been sent to market on 18 August 2022 and Council is currently responding to vendor questions.
- **Integration Platform RFT.** The specification was produced on 20 July 2022 and Procurement are drawing up the associated tender documentation in coordination with project representatives.
- **iVolve EOI.** The specification is currently going through the approval process.

There remains pressure on the timeline especially around the Delivery Partner RFT with two (2) key risks raised around:

1. Allowing only three weeks for a Delivery partner vendor to respond, there is a risk that this schedule allocation may not be enough;

2. The Delivery Partner RFT is being undertaken as an open market event and while Council has requirements for responding vendors to be identified Oracle Delivery Partner for the Oracle Licences being purchased, there are still up to 22 possible vendors. There is a risk that there may not be enough time allocated in the plan to evaluate all possible delivery partners which could impact resourcing and schedule (however the likelihood of all vendors submitting a compliant bid for assessment is low).

The project continues to monitor these risks.

RECOMMENDATION

Moved by Councillor Russell Milligan:

Seconded by Mayor Teresa Harding:

That the report be received and the contents noted.

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 10.57 am.

The meeting closed at 11.31 am.

