



UNCONFIRMED MINUTES OF COUNCIL ORDINARY MEETING

23 FEBRUARY 2023

Held in the Council Chambers, Administration Building
1 Nicholas Street, Ipswich

The meeting commenced at 9.01 am

ATTENDANCE AT COMMENCEMENT	Mayor Teresa Harding (Chairperson); Councillors Deputy Mayor Jacob Madsen, Sheila Ireland, Paul Tully, Marnie Doyle, Andrew Fechner, Kate Kunzelmann, Russell Milligan and Nicole Jonic
WELCOME TO COUNTRY	Aunty Jill Davidson (Yuggera elder) delivered the Welcome to Country
OPENING PRAYER	Pastor Peter Clarke – Beacon Community Baptist Church
APOLOGIES AND LEAVE OF ABSENCE	Nil
5. CONDOLENCES	Nil
6. TRIBUTES	Nil
7. PRESENTATION OF PETITIONS	Nil
8. PRESENTATIONS AND DEPUTATIONS	Presentation of Employee Support Award to Ipswich City Council on behalf of the Australian Defence Force Attachments 1. Presentation speech for Australian Defence Force Employee Support Award 
9. PUBLIC PARTICIPATION	Nil
10. MATTER OF PUBLIC INTEREST	Mayor Teresa Harding: One Year on from the Flood Attachments 1. One Year on from the Flood 

11. DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

COUNCILLOR
ANDREW FECHNER

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Andrew Fechner informed the meeting that he has a declarable conflict of interest in the following item:

- Item 15.6 titled Ipswich Central Redevelopment Committee's Report

The nature of the interest is that Councillor Fechner stands to gain a benefit or suffer a loss due to his business interest in both A1A Events Pty Ltd and Bar Heisenberg Pty Ltd which is located in the top of town at 164 Brisbane Street, Ipswich.

Councillor Andrew Fechner 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.

COUNCILLOR JACOB
MADSEN

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 the following item:

- Item 15.6 titled Ipswich Central Redevelopment Committee's Report

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 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.

COUNCILLOR JACOB
MADSEN

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 the following item:

- Item 14.2 titled Suspected Inappropriate Conduct of a Councillor

The nature of the interest is that Councillor Madsen is the subject councillor referred to in this report.

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.

COUNCILLOR PAUL
TULLY

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Paul Tully informed the meeting that he has a declarable conflict of interest in Item 3 of Item 15.1 titled Warrill Park Lawn Cemetery – Master Plan Report.

The nature of the interest is that Councillor Tully is a Trustee of the Goodna Cemetery Trust appointed by the State Government.

Councillor Paul Tully invited the other councillors to determine if he can continue to participate in the decision process.

It was moved by Mayor Teresa Harding and seconded by Councillor Sheila Ireland that Councillor Paul Tully does not have a declarable conflict of interest in the matter because there is no personal or financial benefit to the councillor and therefore a reasonable person would trust that the final decision is made in the public interest.

The eligible councillors present at the meeting decided that Councillor Paul Tully may participate in the meeting in relation to the matter, including by voting on the matter.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Doyle

Fechner

Kunzelmann

Milligan

Jonic

Councillor Tully did not take part in the vote on this matter.

The motion was put and carried.

12. CONFIRMATION OF MINUTES**12.1
CONFIRMATION OF
MINUTES OF
ORDINARY MEETING**

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

**That the Minutes of the Ordinary Meeting held on
19 January 2023 be confirmed.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Madsen	
Ireland	
Tully	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion was put and carried.

**13. MAYORAL
MINUTE**

Nil

14. BUSINESS OUTSTANDING**14.1
DEVELOPMENT
APPLICATION
(17522/2021/PDA)
RECOMMENDATION -
PROPOSED
COMMUNITY USE
(CHILD CARE CENTRE)
AT 7001 GRAMPIAN
DRIVE, DEEBING
HEIGHTS**

Moved by Mayor Teresa Harding:

- A. That Council approve Development Application No. 17522/2021/PDA, being the Material Change of Use for Community Use (Child Care Centre), subject to conditions as contained in Attachment 2 of this report.

Statement of Reasons

Council has reached its position having regard to the confirmation that the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) are satisfied that cultural heritage matters have been addressed through the obligations under the Aboriginal Cultural Heritage Act 2003. The Queensland Police Service (QPS) Report has confirmed the results of the analysis of the bone fragments found near the subject site were of non-human origin and the advice from Economic Development Queensland (EDQ) that they have considered the

assessment of cultural heritage matters and they are satisfied that matters relating to cultural heritage have been appropriately addressed. This has been reflected in the following correspondence.

- The Correspondence dated 18 November 2022 from the Assistant Commissioner, Queensland Police Service.
- The Correspondence dated 16 December 2022 from the Minister for Economic Development Queensland.
- The Correspondence dated 22 December 2022 from the Executive Director Planning Services of Economic Development Queensland.

The motion lapsed for want of a seconder.

SUSPENSION OF MEETING PROCEDURES

In accordance with section 10.2.1 and 10.2.2 of Council's Meeting Procedures Policy Mayor Harding moved a procedural motion to suspend meeting procedures to allow debate on Item 14.1.

Moved by Mayor Teresa Harding:

Seconded by Councillor Sheila Ireland:

That the provision of these meeting procedures be suspended, as is necessary, for the purpose of discussion on Item 14.1 - Development Application (17522/2021/PDA) Recommendation - Proposed Community Use (Child Care Centre) at 7001 Grampian Drive, Deebing Heights.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Councillor Paul Tully foreshadowed that he would move the following alternate motion in relation to Item 14.1:

- A. That the email letter from Aunty Kris Bunda (Yowie) to the Mayor and other Councillors on 22 February 2023 regarding the proposed Development Application 7001 Grampian Drive, Deebing Heights be formally received and tabled.
- B. That as the application cannot be refused at this stage under the advice from the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning, the matter be referred back to the Minister for his decision for the following reasons:
- (1) There have been 163 objections to the proposed development.
 - (2) The competing First Nations' claims in relation to the property and adjacent land cannot be properly assessed with the sole resources of the Ipswich City Council and having regard to the fact that no final native title determination has been made in respect of the area.
 - (3) The Queensland Police Report of 10 August 2022, which was conducted from photographs and not a physical examination of the skeletal remains, indicates that all except 4 of the bones and bone fragments were assessed as of non-human origin but no final assessment of those 4 remaining bones and bone fragments has ever been made.
 - (4) That Professor David Lambert from Griffith University has confirmed that "the only way to be absolutely sure about the origins of such remains is to sequence their genomic DNA".
 - (5) That First Nations' oral history is that there was a massacre on and/or near the development site adjacent to the former Deebing Creek Aboriginal Mission and cemetery, and that "there is more than a reasonable likelihood that human remains and/or artefacts are on the development site", according to the formal submission opposing the development tabled at the meeting of Council on 23 February 2023.
 - (6) That appropriate State Government consultation occur with the First Nations' people associated with this site to ensure proper cultural consultation occurs including

Ground Penetrating Radar to establish the nature and extent of burials on or near the site including the examination of “anomalies” previously identified during earlier tests.

- C. That the submission from Aunty Kris Bunda (Yowie) be included in the reference back to the Minister.

RESUMPTION OF MEETING PROCEDURES

Moved by Mayor Teresa Harding:
Seconded by Councillor Paul Tully:

That provision of these meeting procedures be resumed to continue with the order of business.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

14.1 DEVELOPMENT APPLICATION (17522/2021/PDA) RECOMMENDATION - PROPOSED COMMUNITY USE (CHILD CARE CENTRE) AT 7001 GRAMPIAN DRIVE, DEEBING HEIGHTS

Moved by Councillor Paul Tully:
Seconded by Councillor Nicole Jonic:

- A. That the email letter from Aunty Kris Bunda (Yowie) to the Mayor and other Councillors on 22 February 2023 regarding the proposed Development Application 7001 Grampian Drive, Deebing Heights be formally received and tabled.
- B. That as the application cannot be refused at this stage under the advice from the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning, the matter be referred back to the Minister for his decision for the following reasons:
- (1) There have been 163 objections to the proposed development.
 - (2) The competing First Nations’ claims in relation to the property and adjacent land cannot be properly

assessed with the sole resources of the Ipswich City Council and having regard to the fact that no final native title determination has been made in respect of the area.

- (3) The Queensland Police Report of 10 August 2022, which was conducted from photographs and not a physical examination of the skeletal remains, indicates that all except 4 of the bones and bone fragments were assessed as of non-human origin but no final assessment of those 4 remaining bones and bone fragments has ever been made.
- (4) That Professor David Lambert from Griffith University has confirmed that “the only way to be absolutely sure about the origins of such remains is to sequence their genomic DNA”.
- (5) That First Nations’ oral history is that there was a massacre on and/or near the development site adjacent to the former Deebing Creek Aboriginal Mission and cemetery, and that “there is more than a reasonable likelihood that human remains and/or artefacts are on the development site”, according to the formal submission opposing the development tabled at the meeting of Council on 23 February 2023.
- (6) That appropriate State Government consultation occur with the First Nations’ people associated with this site to ensure proper cultural consultation occurs including Ground Penetrating Radar to establish the nature and extent of burials on or near the site including the examination of “anomalies” previously identified during earlier tests.

- C. That the submission from Aunty Kris Bunda (Yowie) be included in the reference back to the Minister.

Councillor Andrew Fechner proposed the following supplementary motion:

That unlike any other location within the Ripley Valley PDA, the Deebing Creek Mission and its surrounds is an important and sacred place with extra legislative and governance layers, namely the *Aboriginal Cultural Heritage Act 2003* and the agreed Cultural Heritage Management Plan (CHMP) which need to be fully and appropriately

assessed in an open and transparent manner which adequately reflects and addresses the extensive community concerns.

Councillor Paul Tully proposed that the supplementary motion be included as reason No. 7 in the formal motion.

The seconder of the original motion agreed to the proposed supplementary motion and of its inclusion as reason No. 7.

Moved by Councillor Paul Tully:

Seconded by Councillor Nicole Jonic:

- A. That the email letter from Aunty Kris Bunda (Yowie) to the Mayor and other Councillors on 22 February 2023 regarding the proposed Development Application 7001 Grampian Drive, Deebing Heights be formally received and tabled.**
- B. That as the application cannot be refused at this stage under the advice from the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning, the matter be referred back to the Minister for his decision for the following reasons:**
- (1) There have been 163 objections to the proposed development.**
 - (2) The competing First Nations' claims in relation to the property and adjacent land cannot be properly assessed with the sole resources of the Ipswich City Council and having regard to the fact that no final native title determination has been made in respect of the area.**
 - (3) The Queensland Police Report of 10 August 2022, which was conducted from photographs and not a physical examination of the skeletal remains, indicates that all except 4 of the bones and bone fragments were assessed as of non-human origin but no final assessment of those 4 remaining bones and bone fragments has ever been made.**
 - (4) That Professor David Lambert from Griffith University has confirmed that "the only way to be absolutely sure about the origins of such remains is to sequence their genomic DNA".**

- (5) That First Nations' oral history is that there was a massacre on and/or near the development site adjacent to the former Deebing Creek Aboriginal Mission and cemetery, and that "there is more than a reasonable likelihood that human remains and/or artefacts are on the development site", according to the formal submission opposing the development tabled at the meeting of Council on 23 February 2023.
- (6) That appropriate State Government consultation occur with the First Nations' people associated with this site to ensure proper cultural consultation occurs including Ground Penetrating Radar to establish the nature and extent of burials on or near the site including the examination of "anomalies" previously identified during earlier tests.
- (7) That unlike any other location within the Ripley Valley PDA, the Deebing Creek Mission and its surrounds is an important and sacred place with extra legislative and governance layers, namely the *Aboriginal Cultural Heritage Act 2003* and the agreed Cultural Heritage Management Plan (CHMP) which need to be fully and appropriately assessed in an open and transparent manner which adequately reflects and addresses the extensive community concerns.

C. That the submission from Aunty Kris Bunda (Yowie) be included in the reference back to the Minister.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

ADJOURN MEETING

Moved by Councillor Paul Tully:

That the meeting be adjourned at 9.47 am to reconvene at 10.20 am.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

The meeting reconvened at 10.20 am.

14. BUSINESS OUTSTANDING – CONDUCT MATTERS

At 10.21 am Deputy Mayor Jacob Madsen left the meeting room due to a previously declared interest in Item 14.2.

DECLARATION OF INTEREST

MAYOR TERESA
HARDING

In accordance with section 150EW of the *Local Government Act 2009*, Councillor Andrew Fechner informed the Chairperson he believes Mayor Teresa Harding (Chairperson) has a declarable Conflict of Interest in Item 14.2 titled Suspected Inappropriate Conduct of a Councillor because Mayor Harding was an aggrieved party to the complaint.

Councillors sought clarification from Mayor Harding as to whether she believes she has a declarable Conflict of Interest in the matter.

Mayor Teresa Harding clarified that she believes that she does not have a personal Interest in the matter and tabled advice from the Department of Local Government in support of this.

Mayor Harding declared that in accordance with section 150EZ of the *Local Government Act 2009* she did not discuss or influence the other councillors in relation to this matter.

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Fechner:

That Council determines that Mayor Harding has a declarable conflict of interest in relation to Item 14.2 titled “Suspected Inappropriate Conduct of a Councillor” because of her substantial prior involvement in the matter and that in accordance with Section 150ES(3)(a)(ii) of the *Local Government Act 2009*, the Mayor must not participate in the decision and must leave the meeting in relation to such matter because a reasonable person may believe that the final decision may not be made in the public interest.

The reasons for such decision are:

1. Sections 150P and 150R of the Local Government Act 2009 (the Act) require Councillors in certain circumstances to refer or notify certain matters to the Office of the Independent Assessor; however, as this matter was specifically referred to the OIA as a “complaint”, it must have been under Section 150O of the Act which does not require mandatory reporting.
2. Even if mandatory reporting was required, the Mayor was the “aggrieved party” in this matter, the outcome of which could specifically benefit the Mayor in the future.
3. This is encompassed in the departmental advice to the Mayor on the 14th of February 2023 as follows:

“If, however, a councillor refers or notifies conduct of a councillor which is about conduct that was towards the referring councillor, then that referring councillor not only has a personal interest in the outcome of a matter, but may also be a relevant witness in the matter.”

“It is a matter for Council to determine, but it is recommended that both a subject councillor in an inappropriate conduct matter, and a notifier or referrer that also has a personal interest in relation to the matter, should leave the room and not be present for the discussion or decision in relation to the matter

(including dealing with conflict of interest in relation to the matter)."

4. The complaint specified what penalty should be imposed on Cr Madsen which demonstrates a clear and personal interest in the final outcome of this matter.

In all of the circumstances, the personal interest of the Mayor in this matter and its outcome is considered to be quite substantial and clearly requiring this determination.

AFFIRMATIVE

Councillors:

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:


Nil

The motion was put and carried.

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

Mayor Teresa Harding did not take part in the vote on this matter.

Attachments

- Information tabled by Mayor Harding relating to declaration of interest 

At 10.38 am Mayor Teresa Harding left the meeting room.

ASSUMING THE CHAIR

Moved by Councillor Paul Tully:

Seconded by Councillor Andrew Fechner:

That Councillor Russell Milligan assume the Chair in the Chairperson's (Mayor Teresa Harding) absence.

AFFIRMATIVE

Councillors:

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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

Councillor Russell Milligan assumed the Chair at 10.33 am.

DECLARATION OF INTEREST

COUNCILLOR NICOLE JONIC

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Nicole Jonic informed the meeting that she has a declarable conflict of interest in Item 14.2 titled Suspected Inappropriate Conduct of a Councillor.

The nature of the interest is that Councillor Jonic had discussions with Councillor Madsen in relation to the generalities of the unfairness she has felt in relation to complaints made against her as well.

Councillor Nicole Jonic invited the other councillors to determine if she can continue to participate in the decision process.

It was moved by Councillor Paul Tully and seconded by Councillor Sheila Ireland that having regard to the nature of the discussions of a general nature rather than the specifics of the matter before Council today, Councillor Jonic be permitted to remain in the meeting in relation to the matter, including by voting on the matter.

The eligible councillors present at the meeting decided that Councillor Nicole Jonic may participate in the meeting in relation to the matter, including by voting on the matter.

AFFIRMATIVE

Councillors:

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

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

The motion was put and carried.

Councillor Jonic did not take part in the vote on the matter.

DECLARATION OF INTEREST

COUNCILLOR SHEILA IRELAND

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Sheila Ireland informed the meeting that she has a declarable conflict of interest in Item 14.2 titled Suspected Inappropriate Conduct of a Councillor.

The nature of the interest is that in relation to Item 14.2, Councillor Sheila Ireland and Deputy Mayor Jacob Madsen were both in the photos and made comments and she was not aware that the OIA had two complaints against her until receiving a letter from the OIA to say that the complaints against Councillor Ireland had been dismissed as she didn't mention Council or funding.

Councillor Sheila Ireland invited the other councillors to determine if she can continue to participate in the decision process.

It was moved by Councillor Paul Tully and seconded by Councillor Nicole Jonic that Councillor Sheila Ireland does not have a declarable conflict of interest in the matter because there is no personal or financial benefit to the councillor and therefore a reasonable person would trust that the final decision is made in the public interest.

Councillor Tully clarified further that even though at one point issues coalesced between Councillor Jacob Madsen and Councillor Sheila Ireland, Councillor Sheila Ireland has been separated from this by a clear decision from the OIA that Councillor Sheila Ireland hasn't transgressed anything.

AFFIRMATIVE

Councillors:

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

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

The motion was put and carried.

Councillor Ireland did not take part in the vote on this matter.

14.2 SUSPECTED INAPPROPRIATE

- A. That the suspected inappropriate conduct of Councillor Jacob Madsen be handled in a way determined by the Council.

**CONDUCT OF A
COUNCILLOR**

- B. That once determined, the reasons for the decision of the Council be included in the resolution.

Moved by Councillor Paul Tully:

Seconded by Councillor Nicole Jonic:

That Council, having considered the matter regarding Councillor Madsen referred from the Office of the Independent Assessor (OIA) to the Council's Chief Executive Officer (CEO) on 21 December 2022, decides as follows:

- 1. In accordance with Section 150AF(b) of the *Local Government Act 2009* (the Act), the Council decides that the matter should be investigated on the basis of the information which has been provided to Councillors in respect of this matter.**
- 2. In accordance with Section 150AF(3) of the Act, the reason for such decision is that given the nature and circumstances of the two complaints or information to the OIA in respect of such matter, the Council considers that it has sufficient information to properly decide the matter, without prejudice to the rights of Councillor Madsen or any other person.**

AFFIRMATIVE

Councillors:

Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:

Nil

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

The motion was put and carried.

Moved by Councillor Paul Tully:

Seconded by Councillor Nicole Jonic:

That having investigated such matter, and in accordance with section 150AG(1)(a) of the *Local Government Act 2009* (the Act), the Council decides that Councillor Madsen

has not engaged in inappropriate conduct on the following grounds (a) to (f):

- (a) That Councillor Madsen had the right to make the reported comments in accordance with Section 21 of the *Human Rights Act 2019* which states:

"21 Freedom of expression

- (1) *Every person has the right to hold an opinion without interference.*
- (2) *Every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Queensland and whether -*
- a) *orally; or*
 - b) *in writing; or*
 - c) *in print; or*
 - d) *by way of art; or*
 - e) *in another medium chosen by the person."*

Such right is acknowledged in Section 5 of Council's Media and Corporate Communications Policy (Media Policy) which states:

"Human Rights Commitment

Ipswich City Council (Council) has considered the human rights protected under the Human Rights Act 2019 (Qld) when adopting and/or amending this policy. When applying this policy, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Human Rights Act 2019 (Qld)."

- (b) That Councillor Madsen was speaking in his proper divisional role and his statutory citywide councillor role having regard to Sections 12(1) and 12(6) of the Act which state:

- (1) *"A councillor must represent the current and future interests of the residents of the local government area."*
- (6) *"When performing a responsibility, a councillor must serve the overall public interest of the whole local government area."*

- (c) That Councillor Madsen's comments were consistent with Paragraph 8 of Section 2 "Purpose and Principles" of the Media Policy which states inter alia:

"The purpose of this policy is to ensure Councillors have fair and equitable opportunity to engage with the community about divisional, committee and other

community matters through Council's external communication networks, recognising the citywide role and responsibilities of all Councillors under section 12 of the Local Government Act 2009."

- (d) That the comments made by Councillor Madsen were permitted pursuant to Paragraph 6 of Section 6 "Scope" of the Media Policy, which states, inter alia:

"This policy does not preclude Councillors from making their own statements or comments which may conflict with Council's position...ensuring that their comments are not portrayed by them as the official view of Council."

Councillor Madsen's comments did not conflict with any Council position – indeed they supported it – nor did he attempt to portray them as the official view of Council except insofar as they were previously authorised by Council.

Councillor Madsen's comments related to planned 2 bridge upgrades situated in his Division 1 which were not citywide projects.

The letter from the Office of the Independent Assessor (OIA) of 21 December 2022 to the CEO states that the "relevant committee for federal funding for bridge upgrades... is "alleged to be the Growth, Infrastructure and Waste (GIW) Committee" but there is nothing in the adopted "Terms of Reference" of the GIW Committee which states that this is correct.

In the OIA letter, it is further "alleged Councillor Madsen should have referred any request for a media statement to the ICCs Media Team" but there is nothing in the Media Policy which requires this.

The OIA letter further states:

"Councillor Madsen has asserted that the appropriate committee for grants is the Governance and Transparency Committee according to its delegated authority and refers to the 30 June ICC Media Report which was already in the public domain." – See Paragraph (f) below.

His comments in Ipswich News Today of 14 October 2022 and the Ipswich Tribune of 21 October 2022 simply repeat official statements in June 2022 and reflect the inherent right of Councillors to provide factual information to the media and the public about any decision already made by Council.

Any other interpretation would prevent an individual Councillor, except the Mayor and relevant Committee chairperson, from ever publicly disclosing a Council decision or resolution of any kind even it were in the official Minutes of the Council and/or in the public domain.

The official Council Media Statement of 30 June 2022 headed "*Division 1 highlights: Urban and rural areas reap benefits in 2022-2023 Budget*" stated inter alia the following singular comment from Councillor Madsen:

"The rural road network in Division 1 is also set to benefit from several projects. This includes more than \$4.6 million towards timber bridge replacements at Calvert and Ebenezer and \$150,000 to design an upgrade to Grandchester - Mt Mort Road."

As reported in *Ipswich News Today* on 14 October 2022 and *Local Ipswich News* on 21 October 2022, Councillor Madsen made the following comment:

"The Ipswich City Council 2022-23 Budget included more than \$4.6 million in council funding for these essential upgrades and this Federal Government contribution will ensure the projects can go ahead," he said.

Unequivocally, Councillor Madsen was simply repeating his approved comment of 30 June 2022 which related to his Division 1 which the OIA accepts as within the scope of the Media Policy.

Preventing a Councillor from simply stating or repeating details of a decision already made by Council would be a bizarre and unintended interpretation of the Council Media Policy.

(e) That, notwithstanding any other provisions of the Media Policy, the comments made by Councillor Madsen were at all times completely protected by the over-arching provisions of Paragraph 7 of Section 6 of the Media Policy which state:

"Nothing in the policy shall be interpreted as affecting the right of individual Councillors to raise or comment on issues of public importance or significance to them and to

Speak about such matters as elected representatives of the local community or in some other capacity".

In this regard, Council re-states its policy objective of Paragraph 7 of Section 6 of the Media Policy of recognising the fundamental and overriding right of all Councillors to speak publicly on any issue of *"public importance or significance to them"*, irrespective of any other provision in the Media Policy. This clause was inserted in the revised Media Policy on 10 March 2022 to reflect the overriding democratic right of all Councillors to make comments completely free of the strictures of the Media Policy, thus reflecting the fundamental right of elected members to speak publicly on matters relating to their community.

Paragraph 7 of Section 6 of the Media Policy clearly allows any Councillor to work collaboratively and publicly with State and Federal Members in relation to matters of mutual interest and importance in their communities.

(f) The comments by Councillor Madsen, the Chairperson of the Governance and Transparency Committee, were at all times also authorised by Paragraph 1 of Section 7.3.4 of the Media Policy which states:

"The relevant standing committee Chairperson will be the Lead Spokesperson on matters arising from their committee portfolio to the extent that these are consistent with the responsibilities outlined in the Committee Terms of Reference document."

Such Terms of Reference adopted on 9 December 2021 stated in Section 3 "Responsibilities" of the Committee included, inter alia:

"Grant Management".

Councillor Madsen also complied with Paragraph 5 of Section 7.3.4 of the Media Policy which states:

"Where a committee matter relates to an issue, initiative or activity principally within or affecting a particular division, the Councillors representing that division will also be Designated Spokespersons."

B. That the CEO utilise Council's decision in this matter as a guide to the intended operation of the Council Media

Policy based on the issues considered and decided by this Council resolution.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Ireland	Nil
Tully	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

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

The motion was put and carried.

At 11.07 am Deputy Mayor Jacob Madsen returned to the meeting room.

At 11.08 am Mayor Teresa Harding returned to the meeting room and assumed the Chair.

ADJOURN MEETING

Moved by Councillor Marnie Doyle:

That the meeting be adjourned at 11.08 am to reconvene at 11.18 am.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Madsen	
Ireland	
Tully	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion was put and carried.

The meeting reconvened at 11.21 am.

15. RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

**15.1
REPORT OF GROWTH
INFRASTRUCTURE
AND WASTE**

Moved by Mayor Teresa Harding:
Seconded by Councillor Paul Tully:

**COMMITTEE NO.
2023(01) OF 9
FEBRUARY 2023**

That Council adopt the report of the Growth Infrastructure and Waste Committee No. 2023(01) of 9 February 2023.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Growth, Infrastructure and Waste Committee No. 2023(01) of 9 February 2023, as listed below, as resolutions of Council:

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 1**

RESPONSE TO
PETITION: REQUEST
FOR SOUND BARRIER
- REDBANK
MOTORWAY
INDUSTRIAL ESTATE

A. That the report be received and noted.

B. That an update be provided to Councillors in six months.

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 2**

CONFIRMATION OF
MINUTES OF THE
GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE NO.
2022(11) OF 29
NOVEMBER 2022

That the Minutes of the Growth, Infrastructure and Waste Committee held on 29 November 2022 be confirmed.

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 3**

WARRILL PARK LAWN
CEMETERY - MASTER
PLAN REPORT

- A. That the Master Plan for the Warrill Park Lawn Cemetery presented to the Council Ordinary Meeting on 19 February 2013 be revised and updated.
- B. That the revised Concept Master Plan for the Warrill Park Lawn Cemetery be presented to a future meeting of the Growth and Infrastructure and Waste Committee.

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 4**

REGIONAL PLANNING
INTERESTS ACT 2014 -
APPLICATION 22/009 -
AUSTRAL BRICKS - MT
WALKER - REQUEST
FOR COMMENTS

That Council provide the response to Department of State Development, Infrastructure, Local Government and Planning as set out in Attachment 1.

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 5**

EXERCISE OF
DELEGATION REPORT

That the Exercise of Delegation report for the period 15 November 2022 to 24 January 2023., be received and the contents noted.

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 6**

PLANNING AND
ENVIRONMENT
COURT ACTION
STATUS REPORT

That the Planning and Environment Court Action status report be received and the contents noted.

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 7**

INFRASTRUCTURE
AND ENVIRONMENT
DEPARTMENT
CAPITAL DELIVERY
REPORT DECEMBER
2022

That the capital delivery report for the month of December 2022, be received and the contents noted.

**GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 8**

DEVELOPMENT
APPLICATION
(17522/2021/PDA)
RECOMMENDATION -
PROPOSED
COMMUNITY USE
(CHILD CARE CENTRE)
AT 7001 GRAMPAN
DRIVE, DEEBING
HEIGHTS

That Item 8 titled ‘Development Application (17522/2021/PDA) Recommendation - Proposed Community Use (Child Care Centre) at 7001 Grampian Drive, Deebing Heights’ be referred to the Council Ordinary meeting scheduled for 23 February 2023.

**15.2
REPORT OF
GOVERNANCE AND
TRANSPARENCY
COMMITTEE NO.
2023(01) OF 9
FEBRUARY 2023**

Moved by Deputy Mayor Jacob Madsen:

Seconded by Councillor Russell Milligan:

That Council adopt the report of the Governance and Transparency Committee No. 2023(01) of 9 February 2023.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Governance and Transparency Committee No. 2023(01) of 9 February 2023, as listed below, as resolutions of Council:

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 1**

CONFIRMATION OF
MINUTES OF THE
GOVERNANCE AND

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

TRANSPARENCY
COMMITTEE NO.
2022(11) OF 29
NOVEMBER 2022

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 2**

QUARTER 2 -
OPERATIONAL PLAN
2022-2023
QUARTERLY
PERFORMANCE

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

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 3**

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

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.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 4**

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

- 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.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 5**

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

- 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.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 6**

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

- 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.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 7**

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

- 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.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 8**

PROCUREMENT:
CUSTOMER
EXPERIENCE
MATURITY
ASSESSMENT

- 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

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 9**

PROCUREMENT:
WASTE
MANAGEMENT
SOFTWARE SOLUTION
CONTRACTS 12759
AND 14024

Council (as purchaser), of an additional two (2) X one (1) year terms.

- 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.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM
10**

PROCUREMENT: DISC
PROFILE SOLUTION

- 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.**

**15.3
REPORT OF
ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE NO.
2023(01) OF 9
FEBRUARY 2023**

Moved by Councillor Nicole Jonic:
Seconded by Councillor Sheila Ireland:

That Council adopt the report of the Economic and Industry Development Committee No. 2023(01) of 9 February 2023.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Economic and Industry Development Committee No. 2023(01) of 9 February 2023, as listed below, as resolutions of Council:

**ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE – ITEM 1**

CONFIRMATION OF
MINUTES OF THE
ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE NO.
2022(11) OF 29
NOVEMBER 2022

That the Minutes of the Economic and Industry Development Committee held on 29 November 2022 be confirmed.

**ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE – ITEM 2**

EVENT SPONSORSHIP
- IPSWICH CUP 2023

That the Ipswich Turf Club receive \$20,000 excl. GST in financial support.

**ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE – ITEM 3**

QUARTERLY EVENT
SPONSORSHIP AND
TICKET ALLOCATION
REPORT

A. That Council receive and note that the following event sponsorship allocations during the 1 October 2022 to 31 December 2022 period:

Event Sponsorship under \$15,000 (excl. GST) approved by the General Manager, Community, Culture and Economic Development:

- **Australian Skateboarding Community Initiative Pty. Ltd. receive \$10,000 (excl. GST) in cash support for the 2023 Eastern Rumble.**
- **Queensland Basketball Inc. receive \$7,000 (excl. GST) in cash support for the 2023 Basketball Qld U12 Girls State Championship.**

B. That Council receive and note that there were no event sponsorship ticket allocations made during the 1 October 2022 to 31 December 2022 period.

**ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE – ITEM 4**

That the Ipswich City Council 2023 – 2024 Federal Budget Pre-Budget Submission be received and the contents noted.

IPSWICH CITY
COUNCIL FEDERAL
BUDGET SUBMISSION

**15.4
REPORT OF
ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE NO.
2023(01) OF 9
FEBRUARY 2023**

Moved by Councillor Russell Milligan:
Seconded by Councillor Sheila Ireland:

That Council adopt the report of the Environment and Sustainability Committee No. 2023(01) of 9 February 2023.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Environment and Sustainability Committee No. 2023(01) of 9 February 2023, as listed below, as resolutions of Council:

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 1**

UPDATE - NOTICE OF
MOTION TO REQUEST
WHITE ROCK SPRING
MOUNTAIN
CONSERVATION
ESTATE TO BE
DEDICATED AS A
NATIONAL PARK

- A. That Council support continued discussion with Queensland Parks and Wildlife Services, Department of Environment and Science around alternative locations, rather than pursue the dedication of White Rock – Spring Mountain Conservation Estate as a National Park.**
- B. That an update be brought to the May 2023 Environment and Sustainability committee.**

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 2**

UPDATE -
ENGAGEMENT

- A. That a draft Aboriginal and Torres Strait Islander Engagement Guide be developed and presented at a future Environment and Sustainability Committee for endorsement, following relevant stakeholder engagement.**

PLANNING -
ABORIGINAL AND
TORRES STRAIT
ISLANDER
ENGAGEMENT GUIDE

- B. That the matter of establishing a Traditional Owners Reference Group, referred to the Environment and Sustainability Committee for further consideration by Council on the 16 September 2021, be considered following the adoption of the Aboriginal and Torres Strait Islander Engagement Guide.**

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 3**

That the Minutes of the Environment and Sustainability Committee held on 29 November 2022 be confirmed.

CONFIRMATION OF
MINUTES OF THE
ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE NO.
2022(11) OF 29
NOVEMBER 2022

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 4**

- A. That the updated City of Ipswich Local Disaster Management Plan provided as Attachment 2 be approved.**
- B. That the Chief Executive Officer, in consultation with the Mayor, be authorised to make amendments based on feedback from members of the Local Disaster Management Group, who form part of the governance arrangements for adopting this plan.**

REVIEW OF THE
LOCAL DISASTER
MANAGEMENT PLAN

**15.5
REPORT OF
COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE
NO. 2023(01) OF 9
FEBRUARY 2023**

Moved by Councillor Andrew Fechner:
Seconded by Councillor Kate Kunzelmann:

That Council adopt the report of the Community, Culture, Arts and Sport Committee No. 2023(01) of 9 February 2023.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

The motion was put and carried.

This block motion adopts all items of the Community, Culture, Arts and Sport Committee No. 2023(01) of 9 February 2023, as listed below, as resolutions of Council:

**COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE –
ITEM 1**

CONFIRMATION OF
MINUTES OF THE
COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE
NO. 2022(11) OF 29
NOVEMBER 2022

That the Minutes of the Community, Culture, Arts and Sport Committee held on 29 November 2022 be confirmed.

**COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE –
ITEM 2**

ACTIVE IPSWICH
STRATEGY 2031
ANNUAL REPORT
CARD

- A. **That the report concerning the first-year review of the Active Ipswich Strategy 2031 implementation be received and the contents noted.**
- B. **That the Councillor representation be amended to reflect the revised arrangements for the Active Ipswich Strategy 2031 noting this is a change from Healthy Active City Alliance to West Moreton Obesity Advisory Group.**

**COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE –
ITEM 3**

IPSWICH LIBRARIES
ANNUAL REPORT
CARD

That the report concerning Ipswich Libraries Annual Report Card be received and the contents noted.

**COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE –
ITEM 4**

COMMUNITY
FUNDING AND
SUPPORT
ALLOCATIONS STATUS
REPORT -
1 OCTOBER TO 31
DECEMBER 2022

That the report concerning the allocation of Council's Community Funding and Support Programs from 1 October to 31 December 2022 be received and the contents noted.

**COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE –
ITEM 5**

That the 31 December 2022 quarterly report concerning Council's Customer Experience program of work be received and the contents noted.

CUSTOMER
EXPERIENCE
PROGRAM
QUARTERLY REPORT -
DECEMBER 2022

At 11.27am Councillors Andrew Fechner and Deputy Mayor Jacob Madsen left the meeting room due to a previously declared interest in the matter.

**15.6
REPORT OF IPSWICH
CENTRAL
REDEVELOPMENT
COMMITTEE NO.
2023(01) OF 9
FEBRUARY 2023**

Moved by Councillor Marnie Doyle:
Seconded by Councillor Sheila Ireland:

That Council adopt the report of the Ipswich Central Redevelopment Committee No. 2023(01) of 9 February 2023.

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

All Councillors except Deputy Mayor Jacob Madsen and Councillor Andrew Fechner were present when the vote was taken.

The motion was put and carried.

This block motion adopts all items of the Ipswich Central Redevelopment Committee No. 2023(01) of 9 February 2023, as listed below, as resolutions of Council:

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 1**

That the Minutes of the Ipswich Central Redevelopment Committee held on 29 November 2022 be confirmed.

CONFIRMATION OF
MINUTES OF THE
IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE NO.

2022(11) OF 29
NOVEMBER 2022

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 2**

NICHOLAS STREET
PRECINCT - BRAND
AND ACTIVATION
MANAGER REPORT -
JANUARY 2023

That the Nicholas Street Precinct Communications, Engagement and Events Monthly Report be received and the contents noted.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 3**

NICHOLAS STREET
PRECINCT - RETAIL
SUB-PROJECT
STEERING
COMMITTEE
DECEMBER 2022

That the December 2022 Retail Sub-Project Steering Committee Report be received and the contents noted.

At 11.28 am Councillors Andrew Fechner and Deputy Mayor Jacob Madsen returned to the meeting room.

16. OFFICERS' REPORTS

**16.1
CEO
ORGANISATIONAL
PERFORMANCE
REPORT FOR
JANUARY 2023**

Moved by Mayor Teresa Harding:
Seconded by Councillor Andrew Fechner:

That the Chief Executive Officer Organisational Performance Report for the month of January 2023 be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**16.2
PROCUREMENT:
ORACLE LICENCES
FOR INVOLVE**

Moved by Mayor Teresa Harding:

Seconded by Councillor Kate Kunzelmann:

- A. That pursuant to Section 235(f) of the *Local Government Regulation 2012* (Regulation), Council utilise government agency contractual arrangement ICTSS.1102 by State of Queensland (acting through the Department of Communities Housing and Digital Economy) for the provision of Oracle Products and Services (Council file reference number 18396), with Oracle Corporation Australia Pty Ltd (Supplier) who is a party to the government agency contractual arrangement.
- B. That under the government agency contractual arrangement with the Supplier, the approximate purchase price is \$5,009,777.30 excluding GST over the entire term, the end date of the initial term being 26 February 2026, with current options for extension at the discretion of Department of Communities Housing and Digital Economy and/or Ipswich City Council of an additional two (2) X one (1) year terms.
- C. That Council may enter into ancillary contractual arrangements with the supplier, as allowed by the government agency contractual arrangement.
- D. 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:

Harding
Madsen
Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**16.3
MONTHLY FINANCIAL
PERFORMANCE
REPORT - JANUARY
2023**

Moved by Mayor Teresa Harding:
Seconded by Councillor Sheila Ireland:

That the report on Council's financial performance for the period ending 31 January 2023, submitted in accordance with section 204 of the *Local Government Regulation 2012*, be considered and noted by Council.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**16.4
PROCUREMENT:
20067 PARKS AND
FACILITIES - FLOOD
DAMAGED ASSETS
RECONSTRUCTION
PROJECT**

Moved by Mayor Teresa Harding:
Seconded by Councillor Andrew Fechner:

- A. That pursuant to Section 228 of the *Local Government Regulation 2012 (Regulation)*, Council award Tender No. 20067 for the delivery of Parks and Facilities Flood Damaged Assets Reconstruction Project to H & G Contractors Pty Ltd (Supplier).**
- B. That Council enter into a contractual arrangement with the Supplier at an approximate purchase price of \$6,089,711.75 excluding GST.**
- 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:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

NEGATIVE

Councillors:

Nil

Kunzelmann
Milligan
Jonic

The motion was put and carried.

**8. NOTICES OF
MOTION**

Nil

**9. QUESTIONS ON
NOTICE**

Nil

MEETING CLOSED

The meeting closed at 11.33 am.

“These minutes are subject to confirmation at the next scheduled Council Ordinary Meeting”

Unconfirmed