

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2021(06)**8 JULY 2021**

REPORT

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

COUNCILLOR'S APOLOGIES: Nil

OFFICERS' ATTENDANCE: Acting Chief Executive Officer (Sonia Cooper), Acting General Manager Corporate Services (Sylvia Swalling), General Manager Community, Cultural and Economic Development (Ben Pole), General Manager Planning and Regulatory Services (Peter Tabulo), Acting General Manager Coordination and Performance (Barbara Dart), Chief Financial Officer (Jeff Keech), Procurement Manager (Richard White), Acting General Manager Infrastructure and Environment (Sean Madigan), Manager Development Planning (Anthony Bowles), Chief of Staff (Melissa Fitzgerald), Executive Services Manager (Wade Wilson), Principal Media Advisor (Darrell Giles) and Theatre Technician (Harrison Cate)

ATTENDANCE VIA AUDIO LINK

Deputy Mayor Nicole Jonic requested attendance at the Growth Infrastructure and Waste Committee of 8 July 2021 via audio link.

DECISION

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

That in accordance with section 254K of the *Local Government Regulation 2012* and 8.6.2 of Council's Meeting Procedures Policy, Deputy Mayor Nicole Jonic be permitted to participate in the meeting via audio link.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

NEGATIVE

Councillors:

Nil

Fechner
Kunzelmann
Milligan

The motion was put and carried.

NAIDOC WEEK – ACKNOWLEDGEMENT OF COUNTRY

Mayor Teresa Harding moved the following acknowledgement of Country in celebration of NAIDOC Week:

To Aboriginal and Torres Strait Islander peoples this year's NAIDOC theme of Heal Country is important, as the land provides the community with many songline stories that contribute to the health and wellbeing of its peoples and the Country that they belong to.

Healing Country is also about hearing those pleas to provide greater management, involvement, and empowerment by Indigenous peoples over Country. Healing Country means embracing First Nation's cultural knowledge and understanding of Country as part of Australia's national heritage.

The objective of the Ipswich Heritage Program is to identify places of cultural heritage significance within Ipswich and to encourage their conservation for the present community and future generations. Ipswich City Council continues to work under the guidance of the Cultural Heritage Act to ensure that significant sites are not damaged and to raise awareness of our City's rich cultural heritage.

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

In accordance with section 150EQ of the *Local Government Act 2009*, Councillor Jacob Madsen informed the meeting that he has a declarable conflict of interest in Item 5 titled Development Application Recommendation – 5201/2021/RAL Reconfiguring a Lot – 11 & 27 Nicholas Street, Ipswich.

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

Nil

CONFIRMATION OF MINUTES

1. CONFIRMATION OF MINUTES OF THE GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 2021(05) OF 10 JUNE 2021

RECOMMENDATION

That the minutes of the Growth, Infrastructure and Waste Committee held on 10 June 2021 be confirmed.

AMENDMENT TO PREVIOUS MINUTES

Councillor Kate Kunzelmann moved a minor amendment to Item 8 of the previous minutes titled Development Application Recommendation – 1516/18VA Variation Request – 36 Child Street, Riverview outlined on page 22 of the agenda as Councillor Kunzelmann was listed as voting on the matter however she was on a leave of absence.

DECISION

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

That the minutes of the Growth, Infrastructure and Waste Committee held on 10 June 2021 be confirmed with an amendment to Item 8 of the previous minutes titled Development Application Recommendation – 1516/18VA Variation Request – 36 Child Street, Riverview by the removal of Councillor Kunzelmann from the voting.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. PROCUREMENT: WHITWOOD ROAD NORTH CLOSED LANDFILL FINAL CAPPING

This is a report concerning the recommendation to award Tender 16352 Whitwood Road North Closed Landfill Final Capping for an estimated two million,

nine hundred and seven thousand, six hundred and twelve dollars and eight cents (\$2,907,612.08) excluding GST.

After an open market request for tender process, an evaluation panel has recommended one supplier for the final capping of Whitwood road landfill as set out in Recommendation B below. The recommendation provides Council with a company who are located in an Adjacent Local Government Business. The recommendations have been determined by the evaluation panel to offer Council the best value for money.

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

DECISION

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

- A. That in accordance with s226 of the *Local Government Regulation 2012*, Council establish a Large-sized contractual arrangement for the final capping of Whitwood Road North landfill.**
- B. That Council enter into a contract with DECC Environmental Pty Ltd for the final capping of Whitwood Road North landfill for the sum of two million, nine hundred and seven thousand, six hundred and twelve dollars and eight cents (\$2,907,612.08) excluding GST.**
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council’s decision in accordance with section 13(3) of the *Local Government Act 2009*.**

MOVE INTO CLOSED SESSION

It was moved by Deputy Mayor Nicole Jonic and seconded by Councillor Sheila Ireland that in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss Item 2 titled Procurement: Whitwood Road North Closed Landfill Final Capping.

The meeting moved into closed session at 9.10 am.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	

Fechner
Kunzelmann
Milligan
Jonic

The motion was put and carried.

MOVE INTO OPEN SESSION

It was moved by Mayor Teresa Harding and seconded by Councillor Kate Kunzelmann that the meeting move into open session.

The meeting moved into open session at 9.18 am.

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

The motion was put and carried.

CHANGE TO ORDER OF REPORTS - DEFERRAL OF CONSIDERATION OF ITEM 2 – PROCUREMENT: WHITWOOD ROAD NORTH CLOSED LANDFILL FINAL CAPPING

DECISION

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

That Item 2 titled Procurement: Whitwood Road North Closed Landfill Final Capping be deferred for consideration after Item 9 to allow further investigation of the matters raised in closed session.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	
Fechner	

Kunzelmann
Milligan
Jonic

The motion was put and carried.

3. PROCUREMENT - CONTRACT FOR CARD FUEL AND ASSOCIATED SERVICES

The purpose of the report is to confirm the continuing use of current contract arrangements for Fuel Cards for Council's Vehicle Fleet. Ampol Australia Petroleum Pty Ltd have supplied the Fuel Card to Ipswich City Council for several years under a State Government Standing Order Arrangement (SOA) 370. Contract documents were received on 18 June 2021 from Council's current supplier - Ampol Australia Petroleum Pty Ltd. Due to the value of the contract, Council Resolution is required for execution of the agreement, with July's Growth, Infrastructure and Waste Committee the first reasonable date.

This report recommends that Council approve a renewal of the agreement with Ampol Australia Petroleum Pty Ltd pursuant to section 235(f) of the *Local Government Regulation 2012*, which operates as an exception to inviting quotes or written tenders for medium and large-sized contractual arrangements if the contract is made with, or under an arrangement with, a government agency. The State Government SOA qualifies under this exception.

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

DECISION

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

- A. That Council resolve it is satisfied under section 235(f) of the *Local Government Regulation 2012* (regulation) that the exception under section 235(f) of the regulation applies and that Ampol Australia Petroleum Pty Ltd is the supplier reasonably available to Council to provide the Fuel Card supply agreement for fleet vehicles.**
- B. That Council enter into a supply agreement with Ampol Australia Petroleum Pty Ltd for the provision of the Fuel Card sale and supply for a period of three (3) years, plus one (1) two (2) year extension option for the estimated sum of eleven million dollars (\$11,000,000) excluding GST over the contract period.**
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the agreement to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.**

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

The motion was put and carried.

4. IED CAPITAL PORTFOLIO FINANCIAL PERFORMANCE REPORT - MAY 2021

This is a report concerning Infrastructure and Environment Department's (IED) capital portfolio financial performance for the period ending 31 May 2021.

DECISION

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

That the monthly financial performance report on the Infrastructure and Environment Department's Capital Portfolio Budget for 2020-2021 be received and the contents noted.

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

The motion was put and carried.

Councillor Jacob Madsen left the meeting at 9.26 am due to a previously declared interest in Item 5.

5. DEVELOPMENT APPLICATION RECOMMENDATION - 5201/2021/RAL
RECONFIGURING A LOT - 11 & 27 NICHOLAS STREET, IPSWICH

This is a report concerning an application seeking approval for reconfiguring a lot, (two (2) lots into seven (7) lots) at 11 and 27 Nicholas Street, Ipswich.

The subject application requires determination by the Growth, Infrastructure and Waste Committee in accordance with the Framework for Development Applications and Related Activities Policy as the application has been made by Council and does not relate to the provision of standard local government infrastructure. Further, the application is considered a Sensitive Development Matter and has therefore been reviewed by an Independent Decision Review Panel.

The proposed development has been assessed with regard to the applicable assessment benchmarks. The proposed development generally complies with the assessment benchmarks or can be conditioned to comply as outlined in the attached Statement of Reasons.

DECISION

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

That Council resolve to approve Development Application No. 5201/2021/RAL in part subject to conditions and attachments.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

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

The motion was put and carried.

Councillor Jacob Madsen returned to the meeting at 9.28 am.

6. RE-ESTABLISHMENT OF HERITAGE AND MONUMENTS ADVISORY COMMITTEE

This is a report concerning the re-establishment of the Heritage and Monuments Advisory Committee with meetings to be held quarterly. It is proposed that the former member heritage organisations, Chair and Deputy Chair be reappointed to the new committee and that the term of the committee be no longer linked to the local government election cycle.

RECOMMENDATION

- A. That the Heritage and Monuments Advisory Committee be recommenced .
- B. That the Committee Chair be the Principal Officer (Urban Design and Heritage Conservation) and the Deputy Chair be the Team Co-ordinator (Cultural Heritage).
- C. That all Councillors be invited to each meeting.
- D. That the committee meetings be held on a quarterly basis.
- E. That the former members of heritage organisations be reappointed to the new committee.
- F. That the term of the committee be no longer linked to the Local Government election cycle.

DECISION

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

That the report be referred to a future Councillor Briefing/Workshop session to discuss the membership, chairing and governance arrangements.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

7. PLANNING AND ENVIRONMENT COURT ACTION STATUS REPORT

This is a report concerning a status update with respect to current Planning and Environment Court actions associated with development planning applications

DECISION

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

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

8. EXERCISE OF DELEGATION REPORT

This is a report concerning applications that have been determined by delegated authority for the period 25 May 2021 to 18 July 2021.

DECISION

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

That the report be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

9. IPSWICH WASTE SERVICES CUSTOMER SATISFACTION SURVEY

This is a report concerning the results of Ipswich Waste Services (IWS) Customer Satisfaction Survey conducted in May 2021. The biennial survey is a key mechanism to gauge customer satisfaction performance against the targets set in the Operational Plan and recently adopted Resource Recovery Strategy.

DECISION

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

That the report be received and the contents noted.

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

The motion was put and carried.

MOVE INTO CLOSED SESSION

It was moved by Mayor Teresa Harding and seconded by Councillor Sheila Ireland that in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss Item 2 titled Procurement: Whitwood Road North Closed Landfill Final Capping.

The meeting moved into closed session at 9.39 am.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Tully	
Ireland	
Madsen	
Doyle	

Fechner
Kunzelmann
Milligan
Jonic

The motion was put and carried.

MOVE INTO OPEN SESSION

It was moved by Mayor Teresa Harding and seconded by Councillor Sheila Ireland that the meeting move into open session.

The meeting moved into open session at 9.41 am.

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

The motion was put and carried.

2. PROCUREMENT: WHITWOOD ROAD NORTH CLOSED LANDFILL FINAL CAPPING

This is a report concerning the recommendation to award Tender 16352 Whitwood Road North Closed Landfill Final Capping for an estimated two million, nine hundred and seven thousand, six hundred and twelve dollars and eight cents (\$2,907,612.08) excluding GST.

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

DECISION

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. That in accordance with s226 of the *Local Government Regulation 2012*, Council establish a Large-sized contractual arrangement for the final capping of Whitwood Road North landfill.**
- B. That Council enter into a contract with DECC Environmental Pty Ltd for the final capping of Whitwood Road North landfill for the sum of two million, nine hundred and seven thousand, six hundred and twelve dollars and eight cents (\$2,907,612.08) excluding GST.**
- C. That the Chief Executive Officer be authorised to negotiate and finalise the terms of the contract to be executed by Council and to do any other acts necessary to implement Council's decision in accordance with section 13(3) of the *Local Government Act 2009*.**

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Tully

Ireland

Madsen

Doyle

Fechner

Kunzelmann

Milligan

Jonic

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 9.00 am.

The meeting closed at 9.45 am.
