

MINUTES OF COUNCIL ORDINARY MEETING

9 DECEMBER 2021

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

The meeting commenced at 9.00 am

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

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY Councillor Kate Kunzelmann

OPENING PRAYER Councillor Paul Tully

APOLOGIES AND LEAVE OF ABSENCE Nil

5. CONDOLENCE MOTION

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

That Council convey condolences, on behalf of the citizens of the City of Ipswich, to the family of the late Matthew Bowden who passed away on 24 November 2021.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Tully

Doyle

Fechner


Kunzelmann

Milligan

Jonic

The motion was put and carried.

Attachments

1. Condolence Motion for Matthew Bowden 

6. TRIBUTES Nil**7. PRESENTATION OF PETITION – DOG OFF LEASH PARK, CAMIRA**

Petition received from residents of Camira requesting Council consider shade trees and other structures for the dog off leash park at Camira.

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

That the petition be received and referred to the Growth, Infrastructure and Waste Committee for a report back to the February 2022 Growth, Infrastructure and Waste Committee.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

Attachments

1. Petition 

8. PRESENTATIONS AND DEPUTATIONS Nil**9. PUBLIC PARTICIPATION** Nil

10. 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 items:

- Item 14.6 titled Ipswich Central Redevelopment Committee's Report
- Item 14.7 titled Special Ipswich Central Redevelopment Committee's Report
- Item 15.6 titled Development Application Recommendation 15770/2021/MCU Material Change of Use – 11, 19-25 & 27 Nicholas Street, Ipswich
- Item 15.7 titled Development Application Recommendation - 16204/2021/MCU Material Change of Use – 5 Union Place & 8 Bell Street, Ipswich

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 these matters are being discussed and voted on.

COUNCILLOR JACOB
MADSEN

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 the following items:

- Item 14.6 titled Ipswich Central Redevelopment Committee's Report
- Item 14.7 titled Special Ipswich Central Redevelopment Committee's Report
- Item 15.6 titled Development Application Recommendation 15770/2021/MCU Material Change of Use – 11, 19-25 & 27 Nicholas Street, Ipswich
- Item 15.7 titled Development Application Recommendation - 16204/2021/MCU Material Change of Use – 5 Union Place & 8 Bell 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 these matters are being discussed and voted on.

11. CONFIRMATION OF MINUTES**11.1
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
18 November 2021 be confirmed.**

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

The motion was put and carried.

**12. MAYORAL MINUTE -
D-NAMING OF PISASLE
LANDMARKS**

Moved by Mayor Teresa Harding:

- A. That Council de-name the Paul Pisasale Bridge, Springfield Central, and conduct community consultation on re-naming in line with Council's Naming Procedure.**
- B. That Council de-name Pisasale Drive, Yamanto, and conduct landholder and community consultation on re-naming in line with Council's Naming Procedure.**
- C. That a report be prepared for a Council meeting, no later than May 2022, that outlines community sentiment on the renaming, costs associated, and options for the potential renaming of these assets in line with Council's Naming Procedure.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Ireland (abstain)
Madsen	Tully (abstain)
Doyle	Jonic (abstain)
Fechner	
Kunzelmann	
Milligan	

The motion was put and carried.

Attachments

1. Mayoral Minute

**13. BUSINESS
OUTSTANDING –
INCLUDING CONDUCT
MATTERS AND
MATTERS LYING ON
THE TABLE TO BE
DEALT WITH**

Nil

14. RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

**14.1
GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE**

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

**That the Growth Infrastructure and Waste Committee
Report No. 2021(11) of 1 December 2021 be noted.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**14.2
GOVERNANCE AND
TRANSPARENCY
COMMITTEE**

Moved by Councillor Jacob Madsen:
Seconded by Councillor Russell Milligan:

**That Council adopt the recommendations of the
Governance and Transparency Committee No. 2021(11)
of 1 December 2021.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

NEGATIVE

Councillors:

Nil

Fechner
Kunzelmann
Milligan
Jonic

The motion was put and carried.

This block motion adopts all items of the Governance and Transparency Committee No. 2021(11) of 1 December 2021 as listed below as resolutions of Council:

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 1**

That the minutes of the Governance and Transparency Committee No. 2021(10) held on 4 November 2021 be confirmed.

CONFIRMATION OF
MINUTES OF THE
GOVERNANCE AND
TRANSPARENCY
COMMITTEE NO.
2021(10) OF 4
NOVEMBER 2021

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 2**

REVIEW OF CEO
ANNUAL
PERFORMANCE
APPRAISAL POLICY

- A. That Council note that a review of the CEO Annual Performance Appraisal Policy has been completed.
- B. That Council resolve to adopt the amended CEO Annual Performance Appraisal Policy.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 3**

PROCUREMENT:
RECOLLECT PICTURE
LIBRARY
SUBSCRIPTIONS

- 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/OR disadvantageous to invite quotes for the provision of the annual hosting and support subscription for the Recollect Platform (Picture Ipswich).
- B. That Council enter into a contractual arrangement (Council file reference number 17092) with Micrographics Services Ltd, at an approximate purchase price of \$49,500.00 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 4**

PROCUREMENT -
2022 CIVIC CENTRE
COMEDY PROGRAM

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and that it would be impractical and disadvantageous to invite quotes for the provision of the delivery of a 2022 Comedy Program for the Ipswich Civic Centre.
- B. That Council enter into a contractual arrangement (Contract number 17740) with Anthony Lamond (ABN 71 776 903 442), at an approximate purchase price of \$25,000.00 excluding GST over the entire term, being a term of one (1) year, with no options for extension.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 5**

ACQUISITION OF
LAND FOR DRAINAGE
PURPOSES FOR
INFO3780 ALICE AND
SHORT STREET KERB
AND CHANNEL
PROJECT

- A. That Council resolve to purchase the whole of the land located at 24 Alice Street, Blackstone, described as Lot 35 on RP22445 (“Land”), for drainage purposes.
- B. That in the first instance, the method of acquisition will be by agreement with the affected person/s pursuant to the *Property Law Act 1974* and the *Land Title Act 1994*.
- C. That should Council fail to purchase the land by agreement with the affected person/s, Council, as “*constructing authority*” pursuant to Section 5(1)(b)(i) of the *Acquisition of Land Act 1967*, will proceed to acquire the whole land located at 24 Alice Street, Blackstone, described as Lot 35 on RP22445.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 6**

RATES RELIEF IN
RESPONSE TO THE
COVID-19 PANDEMIC

- A. That Ipswich City Council note the summary update, as outlined in the report by the Treasury Accounting Manager dated 15 November 2021, on rate payers who have identified as being financially impacted by the COVID-19 pandemic.
- B. That in response to the COVID-19 pandemic, Ipswich City Council approve the continued use of payment arrangements, granting of discounts and waiving of interest until 30 June 2022, generally in line with the report by the Treasury Accounting Manager dated 15 November 2021, for rate payers who have identified as being financially impacted by the COVID-19 pandemic and who are continuing to proactively engage with Council to address their rate arrears.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 7**

INVOLVE PROJECT
QUARTERLY STATUS
UPDATE

That the progress report on Council’s iVolve Project be received and the contents noted

**14.3
COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE**

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

**That Council adopt the recommendations of the
Community, Culture, Arts and Sport Committee
No. 2021(11) of 1 December 2021.**

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 Community, Culture, Arts and Sport Committee No. 2021(11) of 1 December 2021 as listed below as resolutions of Council:

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

COUNCILLOR LOCAL
OFFICE SPACE
UPDATE

That the Councillor Local Office Space Update be received and the contents noted

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

CONFIRMATION OF
MINUTES OF THE

That the minutes of the Community, Culture, Arts and Sport Committee No. 2021(10) held on 4 November 2021 be confirmed

COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE
NO. 2021(10) OF 4
NOVEMBER 2021

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

CHANGE TO
ROSEWOOD LIBRARY
OPENING HOURS

That Council endorse the proposed changes to opening hours at Rosewood Library to be effective from 4 January 2022.

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

SPARK IPSWICH
FESTIVAL 2021 - POST
EVENT REPORT

That the report providing post event reporting of the inaugural SPARK Ipswich Festival 2021 be received and the contents noted.

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

KIDS OUTDOOR
RECREATION
PROGRAM
EVALUATION

That the Kids Outdoor Recreation Program Evaluation report be received and the contents noted.

**COMMUNITY,
CULTURE, ARTS AND
SPORT COMMITTEE –
ITEM 6**

COMMUNITY
FUNDING AND
SUPPORT
ALLOCATIONS STATUS
REPORT - 1 JULY 2021
TO 30 SEPTEMBER
2021

That the report concerning the first quarter allocation of Council's Community Funding and Support Programs from 1 July 2021 to 30 September 2021 be received and the contents noted

**14.4
ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE**

Moved by Deputy Mayor Nicole Jonic:
Seconded by Councillor Jacob Madsen:

That Council adopt the recommendations of the Economic and Industry Development Committee No. 2021(11) of 1 December 2021.

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 Economic and Industry Development Committee No. 2021(11) of 1 December 2021 as listed below as resolutions of Council:

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

That the minutes of the Economic and Industry Development Committee No. 2021(10) held on 4 November 2021 be confirmed.

CONFIRMATION OF
MINUTES OF THE
ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE NO.
2021(10) OF 4
NOVEMBER 2021

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

That Council nominate Councillor Nicole Jonic as the Regional Development Australia, Ipswich & West Moreton Committee Member.

REGIONAL
DEVELOPMENT
AUSTRALIA IPSWICH
& WEST MORETON
COMMITTEE
MEMBERSHIP

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

That Council endorse the proposed small business growth program to increase the resilience and scale growth of local businesses through subsidised professional development.

SMALL BUSINESS
GROWTH PROGRAM

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

That the report be received and the contents noted.

ECONOMIC
DEVELOPMENT
UPDATE

**14.5
ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE**

Moved by Councillor Russell Milligan:
Seconded by Councillor Andrew Fechner:

That Council adopt the recommendations of the Environment and Sustainability Committee No. 2021(11) of 1 December 2021.

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 Environment and Sustainability Committee No. 2021(11) of 1 December 2021 as listed below as resolutions of Council:

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 1**

That the minutes of the Environment and Sustainability Committee No. 2021(10) on 4 November 2021 be confirmed

CONFIRMATION OF
MINUTES OF THE
ENVIRONMENT AND

SUSTAINABILITY
COMMITTEE NO.
2021(10) OF 4
NOVEMBER 2021

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 2**

That the Sustainability Strategy be received and adopted.

SUSTAINABILITY
STRATEGY

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 3**

That Council receive and note the outcomes of the Youth Sustainability Summit.

OUTCOMES - YOUTH
SUSTAINABILITY
SUMMIT

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE –
MATTERS ARISING**

UPDATE ON TRADITIONAL OWNER REFERENCE GROUP

The Manager Environment and Sustainability outlined the progress of the Traditional Owner Reference Group which was discussed at the 16 September 2021 Council meeting where it was referred to the November Environment and Sustainability Committee for further consideration. The committee noted that a report is scheduled to be submitted to the February 2022 Environment and Sustainability Committee.

At 9.27 am Councillors Andrew Fechner and Jacob Madsen left the meeting room due to a previously declared interest in Items 14.6 and 14.7.

**14.6
IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE**

Moved by Councillor Marnie Doyle:
Seconded by Councillor Kate Kunzelmann:

That Council adopt the recommendations of the Ipswich Central Redevelopment Committee No. 2021(11) of 1 December 2021.

AFFIRMATIVE

Councillors:
Harding
Ireland
Tully
Doyle
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:
Nil

All Councillors except Councillor 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. 2021(11) of 1 December 2021 as listed below as resolutions of Council:

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 1**

IPSWICH CENTRAL -
STATE OWNED
ASSETS

That the report on State Owned Assets within the Ipswich Central Precinct (in the vicinity of Bell Street) be received and the contents noted.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM
1.1**

MATTER TAKEN ON
NOTICE - IPSWICH
TRANSIT CENTRE

That the Chief Executive Officer investigate whether the State Government is progressing with the selling of the Ipswich Transit Centre and provide a response to members of the Ipswich Central Redevelopment Committee.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 2**

CONFIRMATION OF
MINUTES OF THE
IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE NO.
2021(10) OF 4
NOVEMBER 2021

That the minutes of the Ipswich Central Redevelopment Committee No. 2021(10) held on 4 November 2021 be confirmed subject to an amendment to Item 2 titled Ipswich Central Revitalisation – Positioning Framework and Place Plans as follows:

That Attachments 1, 2 and 3 of Item 2 titled Ipswich Central Revitalisation – Positioning Framework and Place Plans of the Ipswich Central Redevelopment Committee No. 2021(10) held on 4 November 2021 be replaced with updated maps that more closely align with the iGO Active Transport Action Plan.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 3**

PROCUREMENT - RE-
IMAGINING BOTTLE
ALLEY EXPRESSION OF
INTEREST

- A. That pursuant to Section 228(3)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that it would be in the public interest to invite expressions of interest before inviting written tenders for the provision of the design and creation of the public art concept within Bottle Alley.**
- B. That pursuant to Section 228(3)(b) of the Regulation, Council’s reasons for making such resolution are that:**
- (i) it will allow artists to develop their own design concept for the public artwork;**

- (ii) it will allow Council to shortlist an artist or group of artists and design concepts suitable for Bottle Alley, without putting all parties to the expense of submitting full tender responses for the creation of the Artwork at this early stage of the project;
- (iii) it will save Council the expense of running a request for tender and evaluating it at this early stage of the project.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM
3.1**

MATTER TAKEN ON
NOTICE - BOTTLE
ALLEY SUBMISSION

That the Manager, Economic and Community Development review the Expression of Interest documentation for Bottle Alley to possibly include a statement about the permanence of the artwork.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 4**

IPSWICH CENTRAL -
FACADE
IMPROVEMENT
PROGRAM 2021

That the Ipswich Central Façade Improvement Program 2021 report be received and the contents noted.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 5**

NICHOLAS STREET
PRECINCT -
COMMUNICATIONS,
ENGAGEMENT AND
EVENTS REPORT
NOVEMBER 2021

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

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 6**

NICHOLAS STREET
PRECINCT - RETAIL
SUB-PROJECT
STEERING
COMMITTEE
NOVEMBER 2021

That the November 2021 Retail Sub-Project Steering Committee Report be received, and the contents noted.

**14.7
SPECIAL IPSWICH
CENTRAL
REDEVELOPMENT
COMMITTEE**

Moved by Councillor Marnie Doyle:
Seconded by Councillor Kate Kunzelmann:

That Council adopt the recommendations of the Special Ipswich Central Redevelopment Committee Report No. 2021(12) of 9 December 2021.

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

All Councillors except Councillor 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 Special Ipswich Central Redevelopment Committee No. 2021(12) of 9 December 2021 as listed below as resolutions of Council:

**SPECIAL IPSWICH
CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 1**

NICHOLAS STREET
PRECINCT -
APPROVAL OF AN
AGREEMENT FOR
LEASE FOR METRO B
TENANCY 2BK1

- A. That Council enter into an Agreement for Lease with the proposed lessee for Tenancy 2BK1 in the Metro B Building (impacting part of lot RP157021) (“Tenancy 2BK1”) within the Nicholas Street Precinct (under the commercial terms detailed in the confidential report and attachments by the Project Manager dated 30 November 2021).**
- B. That conditional upon Council satisfactorily executing the Agreement to Lease with the proposed sub-lessee, (contained in recommendation A of this report), Council enter into a sub-lease for Tenancy 2BK1 with the proposed sub-lessee (as detailed in the confidential report and attachments by the Project Manager dated 30 November 2021).**
- C. That Council note, that in relation to Council’s disposal of its leasehold interest in Tenancy 2BK1 to the proposed lessee, that the Ministerial exemption under s236 (f) of the *Local Government Regulation 2012* applies to the disposal of Council’s interest in Tenancy 2BK1. (Ministerial exemption contained in Attachment 1 of this report).**

**SPECIAL IPSWICH
CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 2**

PROCUREMENT -
NICHOLAS STREET
PRECINCT CINEMA
OPERATIONS

- 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 at Recommendation B.
- E. That Council be kept informed as to the progress and outcome of the execution and publication of details.
- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender number 16041 for the disposal of interest in land at 163 Brisbane Street, Ipswich QLD 4305 more particularly described as part of Lot 1 and Plan RP209886, to Tenderer A (Lessee), for the permitted use of a Cinema.
- B. That Council enter into an agreement for lease with the Lessee:
- (i) For the purposes of the tenancy fit-out, and
 - (ii) for a term commencing on execution of agreement and ending on the commencement of the lease agreement, with no options for extension.
- C. That Council enter into a lease with the Lessee:
- (iii) at an annual rent detailed in Confidential Attachment 1, and
 - (iv) for an initial term with extension options as detailed in Confidential Attachment 1.
- 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.

At 9.31 am Councillors Andrew Fechner and Jacob Madsen returned to the meeting room.

15. OFFICERS’ REPORTS

**15.1
DEVELOPMENT
APPLICATION
RECOMMENDATION -
5636/2021/MCU -**

Moved by Councillor Andrew Fechner:
Seconded by Councillor Marnie Doyle:

That Council approve Development Application
No. 5636/2021/MCU being a Material Change of Use –

**COMMUNITY USE
(CHILD CARE CENTRE)
- 54-56 ARTHUR
SUMMERVILLES
ROAD, KARALEE**

Community Use (Child Care Centre) subject to conditions as contained in Attachment 1 of this report.

AFFIRMATIVE

Councillors:
Fechner

NEGATIVE

Councillors:
Harding
Madsen
Ireland
Tully
Doyle
Kunzelmann
Milligan
Jonic

The motion was put and lost.

**FORESHADOWED
MOTION**

Councillor Paul Tully foreshadowed that he would move an alternate motion in the event that Councillor Fechner's motion was lost.

That Council refuse Development Application No. 5636/2021/MCU being a Material Change of Use - Community Use (Child Care Centre) having regard to the 280 properly made submissions and a petition with 858 signatures objecting to the proposed development, for the following reasons:

- A. The proposed use does not conform with the Large Lot Residential Zone as it will have a significant detrimental effect on the amenity of nearby residents in relation to, inter alia, noise, traffic and community safety.
- B. The proposed use does not fulfil a community need insofar as the proposed number of places is excessive given that the projected places based on population forecasts will not be required until 2041.
- C. The proposed use is not readily-accessible to the population it is intended to serve as it will exacerbate existing vehicular conflicts in peak hours with the nearby Karalee State School.
- D. The proposed use does not comply with the scale and appearance provisions of the Community Use Code insofar as the proposed 2.46 metre landscape buffer does

not comply with the minimum width of ten (10) metres under the Code, with such requirement being an essential buffer between adjoining residential uses.

- E. The proposed use provides insufficient car parking spaces as required under the Parking Code taking into account all required parking for parents, director, administration staff, support staff and frontline child care workers.
- F. Noise generated from the site will have an unacceptable impact on the adjoining and nearby residential community.
- G. The hours of operation proposed by the applicant are 6.00am to 7.00pm, with refuse and on-site effluent collection between 7.00am and 7.00pm, 7 days a week including public holidays, would seriously affect the amenity of the immediate area. The proposed hours of refuse and effluent collection conflict substantially with the main arrival and departure times at the site, adding to unacceptable amenity, safety and odour issues for staff, parents and children.
- H. As there is no on-site sewer available to the site and the proposed alternative on-site effluent tanks are not suitable for such large-scale development in a residential area, potential health and odour issues are likely to affect the amenity of the surrounding area.
- I. The operation of the proposed waste storage and collection partially obstructs pedestrian sight lines and is non-compliant with the Australian standard.
- J. The safety and security of users, pedestrians and adjacent vehicular traffic is compromised by the intensity and layout of the proposed development which creates more-substantial conflict with the nearby Karalee State School.

ADJOURN MEETING

Moved by Councillor Jacob Madsen

That the meeting be adjourned at 10.01 am to reconvene at 10.30 am.

AFFIRMATIVE

Councillors:
Harding
Madsen

NEGATIVE

Councillors:
Nil

Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

The motion was put and carried.

The meeting reconvened at 10.30 am.

Moved by Councillor Paul Tully:

Seconded by Councillor Russell Milligan:

That Council refuse Development Application No. 5636/2021/MCU being a Material Change of Use - Community Use (Child Care Centre) having regard to the 280 properly made submissions and a petition with 858 signatures objecting to the proposed development, for the following reasons:

- A. The proposed use does not conform with the Large Lot Residential Zone as it will have a significant detrimental effect on the amenity of nearby residents in relation to, inter alia, noise, traffic and community safety.**
- B. The proposed use does not fulfil a community need insofar as the proposed number of places is excessive given that the projected places based on population forecasts will not be required until 2041.**
- C. The proposed use is not readily-accessible to the population it is intended to serve as it will exacerbate existing vehicular conflicts in peak hours with the nearby Karalee State School.**
- D. The proposed use does not comply with the scale and appearance provisions of the Community Use Code insofar as the proposed 2.46 metre landscape buffer does not comply with the minimum width of ten (10) metres under the Code, with such requirement being an essential buffer between adjoining residential uses.**
- E. The proposed use provides insufficient car parking spaces as required under the Parking Code taking into account all required parking for parents, director,**

administration staff, support staff and frontline child care workers.

- F. Noise generated from the site will have an unacceptable impact on the adjoining and nearby residential community.**
- G. The hours of operation proposed by the applicant are 6.00am to 7.00pm, with refuse and on-site effluent collection between 7.00am and 7.00pm, 7 days a week including public holidays, would seriously affect the amenity of the immediate area. The proposed hours of refuse and effluent collection conflict substantially with the main arrival and departure times at the site, adding to unacceptable amenity, safety and odour issues for staff, parents and children.**
- H. As there is no on-site sewer available to the site and the proposed alternative on-site effluent tanks are not suitable for such large-scale development in a residential area, potential health and odour issues are likely to affect the amenity of the surrounding area.**
- I. The operation of the proposed waste storage and collection partially obstructs pedestrian sight lines and is non-compliant with the Australian standard.**
- J. The safety and security of users, pedestrians and adjacent vehicular traffic is compromised by the intensity and layout of the proposed development which creates more-substantial conflict with the nearby Karalee State School.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Fechner

The motion was put and carried.

**15.2
PROCUREMENT:
TENDER 16830 - CIVIL
CONSTRUCTION
WORKS -
SPRINGFIELD
PARKWAY AND
SPRINGFIELD
GREENBANK
ARTERIAL - STAGE 1**

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

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 16830 for the provision of Civil Construction Works Greenbank Parkway and Greenbank Arterial – Stage 1.**
- B. That Council enter into a contractual arrangement with the Supplier at an approximate lump sum amount listed in confidential attachment 1.**
- 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

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**15.3
PROCUREMENT:
CONSTRUCTION OF
YOUTH SKATE PARK
AT REDBANK PLAINS
RECREATION
RESERVE**

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

- A. That pursuant to Section 228 of the *Local Government Regulation 2012* (Regulation), Council award Tender No. 17141 for the provision of construction works for Youth Skate Park at Redbank Plains Recreation Reserve.**
- B. That Council enter into a contractual arrangement with the Supplier at an approximate lump sum amount listed in confidential Attachment 1.**
- 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	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Madsen	
Ireland	
Tully	
Doyle	
Fechner	
Kunzelmann	
Milligan	
Jonic	

The motion was put and carried.

Mayor Teresa Harding confirmed that Epoca Constructions Pty Ltd was the successful supplier for construction of the youth skate park at Redbank Plains Recreation Reserve for the total sum of two million eight hundred and fifty-three thousand, nine hundred and twenty five dollars and sixty-one cents (\$2,853,925.61) excluding GST.

**15.4
TERMS OF
REFERENCE REVIEW -
STANDING
COMMITTEES**

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

- A. That the revised Standing Committee Terms of Reference as detailed in Attachment 1 be adopted.**
- B. That the revised Meeting Procedures Policy as detailed in Attachment 3 be adopted.**
- C. That the Executive Leadership Team ensure all business presented to council passes through its relevant committee in accordance with the revised Standing Committee Terms of Reference as detailed in Attachment 1.**

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

Kunzelmann
Milligan
Jonic

The motion was put and carried.

**15.5
REPORT - AUDIT AND
RISK MANAGEMENT
COMMITTEE NO.
2021(06) OF 24
NOVEMBER 2021**

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

That the report of the Audit and Risk Management Committee No. 2021(06) of 24 November 2021 be received, the contents noted and the recommendations contained therein be adopted.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

At 11.01 am Councillors Andrew Fechner and Jacob Madsen left the meeting room due to a previously declared interest in Items 15.6 and 15.7.

**15.6
DEVELOPMENT
APPLICATION
RECOMMENDATION -
15770/2021/MCU
MATERIAL CHANGE
OF USE - 11, 19-25 &
27 NICHOLAS STREET,
IPSWICH**

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

That Council approve Development Application No. 15770/2021/MCU being a Material Change of Use - Recreation Use (Indoor Recreation-gymnasium) subject to conditions as contained in Attachment 1 of this report.

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

NEGATIVE

Councillors:

Nil

Kunzelmann
Milligan
Jonic

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

The motion was put and carried.

**15.7
DEVELOPMENT
APPLICATION
RECOMMENDATION -
16204/2021/MCU
MATERIAL CHANGE
OF USE - 5 UNION
PLACE & 8 BELL
STREET, IPSWICH**

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

That Council approve Development Application No. 16204/2021/MCU being a Material Change of Use (extension to business use – hotel) subject to conditions as contained in Attachment 1 of this report.

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

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

The motion was put and carried.

At 11.03 am Councillors Andrew Fechner and Jacob Madsen returned to the meeting room.

**15.8
PROPOSED
MINISTERIAL CALL IN
RESPONSE - WANLESS**

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

That the Chief Executive Officer provide a response to the notice of proposed call in dated 29 November 2021. The response is to include, at minimum, a summary of the matters the subject of this report.

Councillor Andrew Fechner proposed the following additional recommendation:

That the response be shared and approved by the Mayor and councillors prior to being sent.

The mover and seconder of the original motion agreed to the proposed additional recommendation.

Moved by Mayor Teresa Harding:

Seconded by Councillor Kate Kunzelmann:

- A. That the Chief Executive Officer provide a response to the notice of proposed call in dated 29 November 2021. The response is to include, at minimum, a summary of the matters the subject of this report.
- B. That the response be shared and approved by the Mayor and councillors prior to being sent.

The Chief Executive Officer queried the use of the word approved in Recommendation B and Councillor Paul Tully proposed the following amendment:

- B. That consultation occur with the Mayor and councillors on the response prior to being sent.

The mover and seconder of the original motion agreed to the proposed amendment.

Moved by Mayor Teresa Harding:

Seconded by Councillor Kate Kunzelmann:

- A. That the Chief Executive Officer provide a response to the notice of proposed call in dated 29 November 2021. The response is to include, at minimum, a summary of the matters the subject of this report.**
- B. That consultation occur with the Mayor and councillors on the response prior to being sent.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

16. NOTICES OF MOTION Nil

17. QUESTIONS ON NOTICE Nil

SUSPENSION OF MEETING PROCEDURES

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

That the provision of these meeting procedures be suspended, as is necessary, for the purpose of providing an outline of the year in review.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

RESUMPTION OF MEETING PROCEDURES

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

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.

MEETING CLOSED The meeting closed at 11.26 am.

**** Refer Council Ordinary Meeting Minutes of 27 January 2022 for amendment to Item 15.1