

MINUTES OF COUNCIL ORDINARY MEETING

24 MARCH 2022

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 (via audio link), Paul Tully, Marnie Doyle, Andrew Fechner, Kate Kunzelmann and Russell Milligan

**MEETING
ATTENDANCE VIA
AUDIO LINK**

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, Councillor Sheila Ireland be permitted to participate in the meeting via audio link.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**WELCOME TO
COUNTRY OR
ACKNOWLEDGEMENT
OF COUNTRY**

Councillor Kunzelmann

OPENING PRAYER

Mayor Teresa Harding

**APOLOGIES AND
LEAVE OF ABSENCE**

Deputy Mayor Nicole Jonic

LEAVE OF ABSENCE

Moved by Councillor Paul Tully:
Seconded by Councillor Kate Kunzelmann:

That a leave of absence be granted for Deputy Mayor Nicole Jonic.

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

The motion was put and carried.

5. CONDOLENCES

5.1 CONDOLENCE

MRS ELIZABETH
JORDAN


Moved by Mayor Teresa Harding:

That Council convey condolences, on behalf of the citizens of the City of Ipswich, to the family of the late Elizabeth Jordan who passed away on 6 March 2022.

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

The motion was put and carried.

Attachments

1. Condolence Motion - Mrs Elizabeth Jordan 

6. TRIBUTES Nil

7. PRESENTATION OF PETITIONS Nil

8. PRESENTATIONS AND DEPUTATIONS Nil

9. PUBLIC PARTICIPATION Nil

10. MATTERS OF PUBLIC INTEREST

10.1 MATTER OF PUBLIC INTEREST
2022 IPSWICH FLOODS

Moved by Mayor Teresa Harding:

That the Matter of Public Interest in relation to the 2022 Ipswich Floods be noted.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan


NEGATIVE

Councillors:

Nil

The motion was put and carried.

Attachments

1. Matter of Public Interest - 2022 Ipswich Flood Event [⇒](#) 

10.2 MATTER OF PUBLIC INTEREST
SIGNING OF SEQ CITY DEAL

Moved by Mayor Teresa Harding:

That the Matter of Public Interest in relation to the Signing of the SEQ City Deal be noted.

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Madsen (Abstain)

The motion was put and carried.

Attachments

1. Matter of Public Interest - SEQ City Deal 

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 Items:

- Item 15.6 titled Ipswich Central Redevelopment Committee's Report
- Late Report Item 16.7 titled Provision of Detail Design Services for the Commonwealth Hotel Extension

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 15.6 titled Ipswich Central Redevelopment Committee's Report
- Late Report Item 16.7 titled Provision of Detail Design Services for the Commonwealth Hotel Extension

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.

12. CONFIRMATION OF MINUTES

12.1 CONFIRMATION OF MINUTES OF ORDINARY MEETING

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

**That the Minutes of the Ordinary Meeting held on
24 February 2022 be confirmed.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

12.2 CONFIRMATION OF MINUTES OF SPECIAL MEETING

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

**That the Minutes of the Special Meeting held on
10 March 2022 be confirmed.**

AFFIRMATIVE

Councillors:

Harding

Madsen

NEGATIVE

Councillors:

Ireland (Abstain)

Tully
Doyle
Fechner
Kunzelmann
Milligan

The motion was put and carried.

13. MAYORAL MINUTE

13.1 IPSWICH 2032 SUMMIT

Moved by Mayor Teresa Harding:

That Council deliver an Ipswich 2032 Summit to engage with the Ipswich community and better understand its priorities ahead of the 2032 Olympic and Paralympic Games.

That Council resolve to:

- a) Develop a draft Ipswich 2032 Summit event plan, agenda and format, with a focus on engaging with and seeking input from the Ipswich community, for consideration and endorsement at the July 2022 Ordinary Council Meeting.**
- b) Host an Ipswich 2032 Summit by no later than September 2022, with appropriate venue capacity to ensure significant community involvement in the event.**
- c) Report back to an Ordinary Council Meeting by no later than December 2022, outlining the outcomes of the Ipswich 2032 Summit and initial plans for Council's legacy development in the preparation for the 2032 Games.**

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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

Nil

15. RECEPTION AND CONSIDERATION OF COMMITTEE REPORTS

15.1
GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE

Moved by Mayor Teresa Harding:

Seconded by Councillor Paul Tully:

That the Growth Infrastructure and Waste Committee Report No. 2022(02) of 10 March 2022 be noted with the exception of Item 2 titled Media and Corporate Communications Policy which is to be adopted by Council.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:


Nil

The motion was put and carried.

GROWTH
INFRASTRUCTURE
AND WASTE
COMMITTEE – ITEM 2
MEDIA AND
CORPORATE
COMMUNICATIONS
POLICY

- A. That the policy titled ‘Media Policy’ as outlined in Attachment 1, be repealed.**
- B. That the draft policy titled ‘Media and Corporate Communications Policy’ submitted by Cr Fechner, be recommended to be adopted at the 24 March 2022 Ordinary Council Meeting.**
- C. The reason for adopting this policy is that it encompasses an appropriate balance of media related responsibilities for the Mayor, Councillors and officers.**

Attachments

1. Media and Corporate Communications Policy adopted by Council 

**15.2
GOVERNANCE AND
TRANSPARENCY
COMMITTEE**

Moved by Councillor Jacob Madsen:
Seconded by Councillor Marnie Doyle:

**That Council adopt the recommendations of the
Governance and Transparency Committee Report
No. 2022(02) of 10 March 2022.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Governance and Transparency Committee No. 2022(02) of 10 March 2022 as listed below as resolutions of Council:

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 1**

CONFIRMATION OF
MINUTES OF THE
GOVERNANCE AND
TRANSPARENCY
COMMITTEE NO.
2022(01) OF 10
FEBRUARY 2022

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

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 2**

PROCUREMENT:
RENEWAL OF LIQUID
PETROLEUM GAS
(LPG) FOR
BUNDAMBA,
GOODNA AND

- A. That Council resolve it is satisfied under section 235(b) of the *Local Government Regulation 2012* (regulation) that the exception under section 235(b) of the regulation applies and that Origin Energy Retail Ltd is the only supplier reasonably available to it to provide the LPG supply agreement for Bundamba, Goodna & Leichhardt Aquatic Centres for the following reasons:**

LEICHHARDT AQUATIC
CENTRES

1. The number of suppliers for heating LPG is limited.
2. The equipment at the Council Aquatic Centres is owned by the supplier and Council pays a rent and supply of gas cost.
3. The cost to Council for a new supplier for the removal and replacement of the current infrastructure at the aquatic centres.

- B. That Council enter into a supply agreement with Origin Energy Retail Ltd for the provision of the LPG sale and supply agreement for Bundamba, Goodna and Leichhardt Aquatic Centres for a period of twelve (12) months for the estimated sum of one hundred and ninety thousand dollars (\$190,000) excluding GST.

GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 3

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

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

GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 4

PROCUREMENT:
ARCGIS SOFTWARE
LICENCING,

- A. That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of the licencing and maintenance of the software products and online credits.

MAINTENANCE AND
ONLINE CREDITS

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

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 5**

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

- A.** That pursuant to Section 235(a) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies as it is satisfied that there is only one supplier who is reasonably available for the provision of licencing for the use of Music for Councils.
- B.** That Council enter into a contractual arrangement (Council file reference 18458) with Australasian Performing Right Association Limited Trading as ONEMUSIC AUSTRALIA, at an approximate purchase price of \$120,000.00 excluding GST over the entire term, being an initial term of one (1) year and three (3) months, with options for extension at the discretion of Council (as purchaser), of an additional three (3) x one (1) year terms.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 6**

INVOLVE PROJECT
QUARTERLY STATUS
UPDATE

That the report be received and the contents noted.

**GOVERNANCE AND
TRANSPARENCY
COMMITTEE – ITEM 7**

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

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

**15.3
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 Report
No. 2022(02) of 10 March 2022.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Community, Culture, Arts and Sport Committee No. 2022(02) of 10 March 2022 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(01) OF 10
FEBRUARY 2022

**That the minutes of the Community, Culture, Arts and
Sport Committee held on 10 February 2022 be
confirmed**

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

IPSWICH RESILIENT
LEADERSHIP AND
MENTORING
PROGRAM

**That the report concerning the Ipswich Resilient
Leadership and Mentoring Program be received and
the contents noted.**

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

IPSWICH YOUNG
LEADERS ACADEMY

That the report concerning the Ipswich Young Leaders Academy be received and the contents noted.

**15.4
ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE**

Moved by Councillor Jacob Madsen:
Seconded by Councillor Andrew Fechner:

That Council adopt the recommendations of the Economic and Industry Development Committee Report No. 2022(02) of 10 March 2022.

AFFIRMATIVE

Councillors:

Harding
Madsen
Ireland
Tully
Doyle
Fechner
Kunzelmann
Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Economic and Industry Development Committee No. 2022(02) of 10 March 2022 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(01) OF 10
FEBRUARY 2022

That the minutes of the Economic and Industry Development Committee held on 10 February 2022 be confirmed.

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

IPSWICH ECONOMIC
UPDATE

That the Ipswich Economic Update report be received and the contents noted.

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

SMALL BUSINESS
RESILIENCE AND
GROWTH FUNDING
PROGRAM

That the report concerning the Small Business Resilience and Growth Program be received and the contents noted.

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

EVENT SPONSORSHIP
- THE GATHERING
2022

- A. That Limestone Events Inc. receive \$15,000 ex GST cash support for ‘The Gathering’ 2022.**
- B. That Limestone Events Inc. receive the following in-kind support valued at \$9,000 ex GST:**
- **Inclusion of a two-page feature in council’s seasonal Quarterly Guide**
 - **Inclusion on the council funded Goodna Billboard promoting 2022 Ipswich Festivals initiatives.**
 - **Erection of (existing) street banners along Brisbane Road to promote event.**
 - **Support from two (2) staff from the City Events team during event delivery.**

**ECONOMIC AND
INDUSTRY
DEVELOPMENT
COMMITTEE – ITEM 5**

EVENT SPONSORSHIP
- IPSWICH CUP 2022

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

**15.5
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 Report
No. 2022(02) of 10 March 2022.**

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

This block motion adopts all items of the Environment and Sustainability Committee No. 2022(02) of 10 March 2022 as listed below as resolutions of Council:

**ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE – ITEM 1**

CONFIRMATION OF
MINUTES OF THE
ENVIRONMENT AND
SUSTAINABILITY
COMMITTEE NO.
2022(01) OF 10
FEBRUARY 2022

**That the minutes of the Environment and
Sustainability Committee held on
10 February 2022 be confirmed.**

At 9.44 am Councillors Andrew Fechner and Jacob Madsen left the meeting room due to a previously declared interest in Item 15.6.

**15.6
IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE**

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

**That Council adopt the recommendations of items 1 to
3 of the Ipswich Central Redevelopment Committee
Report No. 2022(02) of 10 March 2022.**

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Harding	Ireland (Abstain)
Tully	
Doyle	
Kunzelmann	
Milligan	

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 items 1 to 3 of the Ipswich Central Redevelopment Committee No. 2022(02) of 10 March 2022 as listed below as resolutions of Council:

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 1**

CONFIRMATION OF
MINUTES OF THE
IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE NO.
2022(01) OF 10
FEBRUARY 2022

**That the minutes of the Ipswich Central
Redevelopment Committee held on 10 February 2022
be confirmed.**

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 2**

PROCUREMENT -
CONTRACT 16456
PROGRAM
MANAGEMENT
SERVICES VARIATION

- A. That the contractual arrangement (Council contract 16456) with Ranbury Management Group Pty Ltd (Supplier) for the provision of Program Management Services for the Ipswich Central Revitalisation Project be varied to amend the purchase price from one million, six hundred and sixty-two thousand, one hundred and twenty eight dollars and fifty cents (\$1,662,128.50) excluding GST to approximately two million, one hundred and three thousand, six hundred and fifty six dollars and fifty cents (\$2,103,656.50) with a contingency of 20% up to four hundred and twenty thousand, seven hundred and thirty one dollars (\$420,731) excluding GST over the entire term.**
- B. That Council enter into a deed of variation with the Supplier to appropriately amend the existing contractual arrangement.**

- 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, including the deed of variation to the revised fee estimate and any future variations up to the contingency amount.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 3**

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

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

Items, 4, 5 and 6 of the Ipswich Central Redevelopment Committee of 10 March 2022, as listed below, were resolved at the Special Council Meeting held on 10 March 2022.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 4**

NICHOLAS STREET
PRECINCT -
APPROVAL OF AN
AGREEMENT FOR
LEASE FOR METRO B
TENANCY 2B01

- A. That Council enter into an Agreement for Lease and an associated document of the Agreement for Lease with the proposed lessee for Tenancy 2B01 in the Metro B Building (impacting part of Lot 1 on RP157021) (“Tenancy 2B01”) within the Nicholas Street Precinct (under the commercial terms detailed in the confidential report and attachments by the Project Manager dated 22 February 2022).
- B. That conditional upon Council satisfactorily executing the Agreement to Lease with the proposed lessee, (contained in recommendation A of this report), Council enter into a lease for Tenancy 2B01 with the proposed lessee (as detailed in the confidential report and attachments by the Project Manager dated 22 February 2022).
- C. That Council note, that in relation to Council’s disposal of its leasehold interest in Tenancy 2B01 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 2B01 (Ministerial exemption contained in Attachment 1 of this report).

- 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.

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 5**

NICHOLAS STREET
PRECINCT -
APPROVAL OF AN
AGREEMENT FOR
LEASE FOR METRO B
TENANCY 2B08/09

- A. That Council enter into an Agreement for Lease and an associated document of the Agreement for Lease with the proposed lessee for Tenancy 2B08/09 in the Metro B Building (impacting part of Lot 1 on RP157021) (“Tenancy 2B08/09”) within the Nicholas Street Precinct (under the commercial terms detailed in the confidential report and attachments by the Project Manager dated 28 February 2022).
- B. That conditional upon Council satisfactorily executing the Agreement to Lease with the proposed lessee, (contained in recommendation A of this report), Council enter into a lease for Tenancy 2B08/09 with the proposed lessee (as detailed in the confidential report and attachments by the Project Manager dated 28 February 2022).
- C. That Council note, that in relation to Council’s disposal of its leasehold interest in Tenancy 2B08/09 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 2B08/09. (Ministerial exemption contained in Attachment 1 of this report).
- 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.

- F. That the first sentence of the last paragraph on Page 3 of the officer's report be deleted and replaced with the following sentence:

"This paper seeks approval for council to enter into an agreement for lease for a health/wellness tenancy associated with the Nicholas Street Precinct redevelopment."

**IPSWICH CENTRAL
REDEVELOPMENT
COMMITTEE – ITEM 6**

NICHOLAS STREET
PRECINCT -
APPROVAL OF AN
AGREEMENT FOR
LEASE FOR THE
COMMONWEALTH
HOTEL

- A. That Council enter into an Agreement for Lease and Car Parking Agreement with the proposed lessee for the Commonwealth Hotel (impacting Lot 1 on RP2677 and part of Lot 3 on RP307972) within the Nicholas Street Precinct (under the commercial terms detailed in the confidential report and attachments by the Project Manager dated 2 March 2022).
- B. That conditional upon Council satisfactorily executing the Agreement to Lease with the proposed lessee, (contained in recommendation A of this report), Council enter into a lease for the Commonwealth Hotel with the proposed lessee (as detailed in the confidential report and attachments by the Project Manager dated 2 March 2022).
- C. That Council note, that in relation to Council's disposal of its leasehold interest in the Commonwealth Hotel 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 the Commonwealth Hotel. (Ministerial exemption contained in Attachment 1 of this report).
- 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.

At 9.46 am Councillors Andrew Fechner and Jacob Madsen returned to the meeting room.

16. OFFICERS' REPORTS

16.1 CEO ORGANISATIONAL PERFORMANCE REPORT FOR FEBRUARY 2022

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

That the Chief Executive Officer Organisational Performance Report for February 2022 be received and the contents noted.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

ADJOURN MEETING

Moved by Mayor Teresa Harding:

That the meeting be adjourned at 9.49 am to reconvene at 10.20 am.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

The meeting reconvened at 10.20 am.

**16.2
DEVELOPMENT
APPLICATION
(3827/2019/CA)
RECOMMENDATION -
WOOD MULCHING
INDUSTRIES (WMI)
ENCLOSED COMPOST
MANUFACTURING
AND BIO-GAS
FACILITY AT
SWANBANK**

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

That Council approve Development Application No. 3827/2019/CA being the Material Change of Use for Waste Activity [Compost Manufacturing Enclosed, Waste Activity (Biogas Facility) and Major Utility (Electricity/Gas Generation)] over proposed Lot 1 and Reconfiguring a Lot [One (1) lot into Two (2) lots with associated Easement and One (1) balance lot] subject to conditions as contained in Attachment 1 of this report.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Tully (Abstain)

The motion was put and carried.

**16.3
ACQUISITION OF
DRAINAGE
EASEMENTS FOR
INF03896 TREGAIR
STREET NEWTOWN**

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

- A. That Council resolve to purchase an easement for drainage purposes over part of the following Land:**
- 1. Part of 2 Tregair Street, Newtown, described as Lot 500 on SL9929**
 - 2. Part of 1 Rockton Street, Newtown, described as Lot 8 on RP24127 (“the Land”)**
- B. That in the first instance the method of acquisition of the Land 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 easement by agreement with the affected person/s, Council, as a “*constructing authority*” pursuant to Section**

5(1)(b)(i) of the *Acquisition of Land Act 1967*, proceed to acquire the easement over part of the Land:

1. Part of 2 Tregair Street, Newtown, described as Lot 500 on SL9929

2. Part of 1 Rockton Street, Newtown, described as Lot 8 on RP24127

D. That Council be kept informed as to the progress and outcome of the acquisition.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and carried.

**16.4
MONTHLY FINANCIAL
PERFORMANCE
REPORT - FEBRUARY
2022**

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

That the report on Council's financial performance for the period ending 28 February 2022, submitted in accordance with section 204 of the *Local Government Regulation 2012*, be considered and noted by Council.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and carried.

**16.5
REPORT - AUDIT AND
RISK MANAGEMENT
COMMITTEE NO.
2022(01) OF 16
FEBRUARY 2022**

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

That the report of the Audit and Risk Management Committee No. 2022(01) of 16 February 2022 be received, the contents noted and the recommendations contained therein be adopted.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

**16.6
FLOOD ASSISTANCE
PACKAGE 2022**

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

- A. That in accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, Ipswich City Council decide to grant a \$250 concession for general rates on the April to June 2022 rates notice to eligible rate payers impacted by the 2022 floods, on the basis outlined in the report by the Acting Chief Financial Officer dated 21 March 2022.**
- B. That Ipswich City Council approve the use of payment arrangements, granting of discounts and waiving of interest until 30 June 2023, for eligible rate payers impacted by the 2022 floods, on the basis outlined in the report by the Acting Chief Financial Officer dated 21 March 2022.**
- C. That Ipswich City Council approve the waiving of fees and charges for eligible applicants impacted by the 2022 floods, on the basis outlined in the report by the Acting Chief Financial Officer dated 21 March 2022.**

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

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 Item 16.7

**16.7
PROCUREMENT:
PROVISION OF
DETAIL DESIGN
SERVICES FOR THE
COMMONWEALTH
HOTEL EXTENSION**

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

- A. That pursuant to Section 235(b) of the *Local Government Regulation 2012* (Regulation), Council resolve that the exception applies because of the specialised nature of the services that are sought and it would be impractical and disadvantageous to invite tenders for the provision of Detailed Design Services for the Commonwealth Hotel Extension.**
- B. That Council enter into a contractual arrangement with J. Hutchinson Pty. Ltd for \$280,079.00 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	NEGATIVE
Councillors:	Councillors:
Harding	Nil
Ireland	
Tully	
Doyle	
Kunzelmann	
Milligan	

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

The motion was put and carried.

At 11.04 am Councillors Andrew Fechner and Jacob Madsen returned to the meeting room.

MOVE INTO CLOSED SESSION

Moved by Councillor Paul Tully

That in accordance with section 254J(3)(b) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss Item 16.8 titled Employment Contract Variation.

The meeting moved into closed session at 11.05 am.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and carried.

MOVE INTO OPEN SESSION

Moved by Mayor Teresa Harding:

That the meeting move into open session.

The meeting moved into open session at 11.10 am.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and carried.

**16.8
EMPLOYMENT
CONTRACT
VARIATION**

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

- A. That Council approve the variation to the CEO's Employment Contract.**
- B. That the Mayor be authorised to execute the Employment Contract Variation Agreement on behalf of Council.**

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Madsen

Ireland

Tully

Doyle

Fechner

Kunzelmann

Milligan

The motion was put and carried.

17. NOTICES OF MOTION

**17.1
NOTICE OF MOTION -
WATER RESERVOIR -
AT 4 MADSEN CLOSE,
EASTERN HEIGHTS**

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

- A. That Council write to Urban Utilities advising that the water reservoir at 4 Madsen Close, Eastern Heights has been identified for inclusion as a structure of heritage significance in the draft Ipswich Planning Scheme.**
- B. That Council request from Urban Utilities any heritage assessments or other documentation relating to the water reservoir.**
- C. That Council's Planning and Regulatory Services Department prepare a report that considers the heritage and historic significance of the water reservoir and that this report be presented to the April Growth, Infrastructure and Waste Committee meeting.**
- D. That Council investigate and consider making an application to the Qld Heritage Council for the asset to be included on the State register.**

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

The motion was put and carried.

**17.2
NOTICE OF MOTION -
AMENDMENT OF
MEETING
PROCEDURES POLICY**

Moved by Councillor Paul Tully:
Seconded by Councillor Andrew Fechner:

- A. That section 9.1, 9.1.1 and 9.1.2 of the Meeting Procedures Policy be deleted and the following inserted in its place:**
- 9.1 Notice of matter for consideration at a Council meeting or committee meeting.**
- 9.1.1 Any councillor proposing a matter be considered at a Council meeting or committee meeting must give notice in writing to the Chief Executive Officer at least five (5) business days before the relevant meeting.**
- B. That section 9.1.3 of the Meeting Procedures Policy be renumbered 9.1.2 and be amended by deleting the last dot point.**

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

The motion was put and carried.

**17.3
NOTICE OF MOTION -
APOLOGY TO DEPUTY
MAYOR NICOLE
JONIC**

Mayor Teresa Harding advised that in relation to Item 17.3 she has advice from the Department of State Development, Infrastructure, Local Government and Planning regarding this matter and that:

- Any notice of motion for any councillor to make an apology is unenforceable; and
- This chamber cannot force any councillor to make an apology, the only body that can do this is the councillor conduct tribunal.

Mayor Harding ruled that in accordance with paragraph 11.1.1 of council's meeting procedures policy that the matter before the meeting is of an objectionable nature or outside the powers of the local government and will not be dealt with.

**CONFLICT OF
INTEREST**

In accordance with section 150EW of the *Local Government Act 2009*, Councillor Tully informed the Chairperson, Mayor Harding that he reasonably believes that Mayor Harding has a declarable Conflict of Interest in Item 17.3 titled Notice of Motion Apology to Deputy Mayor Nicole Jonic because the matter directly affects Mayor Harding.

Councillor Tully stated that notwithstanding the powers of the Chairperson, now that the conflict matter has been raised, it needs to be dealt with under the conflict of interest provisions of the Act.

Mayor Harding advised she would voluntarily leave the meeting room to let the room decide if she has a conflict.

At 11.28 am Mayor Teresa Harding left the meeting room.

ASSUMING THE CHAIR

It was moved by Councillor Jacob Madsen and seconded by Councillor Andrew Fechner that Councillor Russell Milligan assume the Chair.

AFFIRMATIVE

Councillors:

Madsen

Ireland

Tully

Fechner

Kunzelmann

NEGATIVE

Councillors:

Doyle (Abstain)

Milligan (Abstain)

All Councillors except Mayor Teresa Harding were present when the vote was taken.

The motion was put and carried.

At 11.30 am Councillor Russell Milligan assumed the Chair.

FORSHADOWED MOTION FOR NOTICE OF MOTION – APOLOGY TO DEPUTY MAYOR NICOLE JONIC

Councillor Paul Tully foreshadowed that if this conflict motion is carried, that Item 17.3 be deferred to the April Council Ordinary Meeting.

Councillor Paul Tully foreshadowed a further motion in that Item 17.3 could be laid on the table.

In accordance with section 150EW of the *Local Government Act 2009*, Councillor Tully moved that he believes Mayor Harding does has a declarable Conflict of Interest in Item 17.3 titled Notice of Motion Apology to Deputy Mayor Nicole Jonic because the matter directly affects Mayor Harding.

It was moved by Councillor Paul Tully and seconded by Councillor Sheila Ireland that Mayor Teresa Harding does have a declarable Conflict of Interest in the motion because it directly affects Mayor Harding.

The councillors present at the meeting decided that Mayor Harding may remain in the meeting in relation to the matter, on the condition that she not participate in the consideration or vote on the matter.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Madsen	Doyle (Abstain)
Ireland	
Tully	
Fechner	
Kunzelmann	
Milligan	

The motion was put and carried.

ADJOURN MEETING

Moved by Councillor Marnie Doyle:

That the meeting be adjourned at 11.45 am to reconvene at 12.00 pm.

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

All Councillors except Mayor Teresa Harding were present when the vote was taken.

At 11.45 am Councillor Marnie Doyle left the meeting room.

The meeting reconvened at 12.02 pm.

At 12.02 pm Mayor Teresa Harding returned to the meeting room.

At the resumption of the meeting all councillors were present with the exception of Councillor Marnie Doyle.

Councillor Russell Milligan invited Mayor Teresa Harding to resume the Chair.

Mayor Harding requested an update in relation to the decision made.

17.3 NOTICE OF MOTION - APOLOGY TO DEPUTY MAYOR NICOLE JONIC

RECOMMENDATION

That the Mayor formally apologise to Deputy Mayor Nicole Jonic for incorrectly alleging at the Council Meeting of 24 February 2022 that Councillor Jonic had raised or discussed the issue of radio advertising in the

debate on Item 16.6 Procurement – Online Advertising at the Council Meeting on 27 January 2022.

MATTER TO LAY ON THE TABLE

Moved by Councillor Paul Tully:

That the matter lie on the table until the April Council Ordinary meeting.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Marnie Doyle were present when the vote was taken.

The motion was put and carried.

17.4 PROPOSED NOTICE OF MOTION REVIEW OF THE FLOOD

Mayor Teresa Harding gave notice of her intention to move the following motion at the next Council Ordinary Meeting scheduled for 21 April 2022:

That Council conduct a review of the recent flood ensuring that the review includes feedback and consultation from residents.

SUSPENSION OF MEETING PROCEDURES

Moved by Councillor Jacob Madsen:

That the provision of these meeting procedures be suspended, as is necessary, for the purpose of proposing a motion to defer a change in time for the April Council Meeting.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Marnie Doyle were present when the vote was taken.

The motion was put and carried.

**CHANGE IN TIME FOR
APRIL COUNCIL
ORDINARY MEETING**

Moved by Councillor Jacob Madsen:
Seconded by Councillor Andrew Fechner:

That the meeting start time for the Ordinary Council Meeting for 21 April 2022 be moved from 9.00 am to 12 noon, to allow Councillors to attend and represent Council at ANZAC day services at schools across the city.

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Marnie Doyle were present when the vote was taken.

The motion was put and carried.

**RESUMPTION OF
MEETING
PROCEDURES**

Moved by Mayor Harding:

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

AFFIRMATIVE

Councillors:

Harding

Madsen

Ireland

Tully

Fechner

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

All Councillors except Councillor Marnie Doyle were present when the vote was taken.

The motion was put and carried.

18. QUESTIONS ON NOTICE

Moved by Councillor Paul Tully:

Questions on Notice to the Chief Executive Officer

The historic 2011 flood level at Goodna was 16.5 metres AHD, as identified in the Brisbane Strategic Floodplain Management Plan (SFMP) applicable to Brisbane and Ipswich and utilised by Ipswich City Council, whereas the Supreme Court of New South Wales in the 2011 Flood Class Action was persuaded to accept a height of 16.91 metres AHD as the appropriate level:

- Was the 16.5 metre AHD level at Goodna in 2011 surveyed or otherwise confirmed by or on behalf of the Ipswich City Council?
- What data exists to confirm its accuracy?
- Is there any data showing that the 16.91 metre AHD level is correct, or more likely to be correct?

MEETING CLOSED

The meeting closed at 12.12 pm.