

IPSWICH CENTRAL REDEVELOPMENT COMMITTEE NO. 2022(02)**10 MARCH 2022**

REPORT

COUNCILLORS' ATTENDANCE: Councillor Marnie Doyle (Chairperson); Mayor Teresa Harding, Councillors Kate Kunzelmann and Russell Milligan

COUNCILLOR'S APOLOGIES: Deputy Mayor Nicole Jonic (Deputy Chairperson)

OFFICERS' ATTENDANCE: Acting Chief Executive Officer (Peter Tabulo), General Manager Infrastructure and Environment (Sean Madigan), Acting General Manager Corporate Services (Jeff Keech), Chair Retail Sub-Project Sub Committee (James Hepburn), Acting General Manager Planning and Regulatory Services (Brett Davey), Senior Policy and Communications Officer (David Shaw), Chief of Staff – Office of the Mayor (Melissa Fitzgerald), Senior Digital Media and Content Officer (Jodie Richter) and Theatre Technician (Harrison Cate)

LEAVE OF ABSENCE – DEPUTY MAYOR NICOLE JONIC

It was moved by Councillor Marnie Doyle and seconded by Mayor Teresa Harding that a leave of absence be granted for Deputy Mayor Nicole Jonic.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Doyle	Nil
Harding	
Kunzelmann	
Milligan	

The motion was put and carried.

WELCOME TO COUNTRY/ACKNOWLEDGEMENT OF COUNTRY

Councillor Marnie Doyle (Chairperson) delivered the Acknowledgement of Country.

DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

BUSINESS OUTSTANDING

Nil

CONFIRMATION OF MINUTES

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

RECOMMENDATION

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

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

AFFIRMATIVE

Councillors:

Doyle

Harding

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

OFFICERS' REPORTS

2. PROCUREMENT - CONTRACT 16456 PROGRAM MANAGEMENT SERVICES VARIATION

This is a report concerning a variation of contract 16456 with Ranbury Management Group Pty Ltd for the provision of Program Management Services for the Ipswich Central Revitalisation Project. This report makes the recommendation intended to facilitate the ongoing engagement of Ranbury Management Group Pty Ltd until the conclusion of the contract.

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

RECOMMENDATION

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

- 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.**

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Doyle

Nil

Harding

Kunzelmann

Milligan

The motion was put and carried.

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

This is a report concerning the February 2022 report from the Retail Sub-Project Steering Committee on the status of the leasing program and associated developments with the retail component of the Nicholas St Precinct redevelopment.

RECOMMENDATION

Moved by Councillor Russell Milligan:

Seconded by Councillor Kate Kunzelmann:

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

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Doyle	Nil
Harding	
Kunzelmann	
Milligan	

The motion was put and carried.

MOVE INTO CLOSED SESSION

Moved by Councillor Marnie Doyle
Seconded by Mayor Teresa Harding

That in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss Items 4, 5 and 6 titled Nicholas Street Precinct – Approval of an Agreement for lease for Metro B Tenancy 2B01, Metro B Tenancy 2B08/09 and approval of an agreement for lease for the Commonwealth Hotel. These negotiations relate to a commercial matter involving the local government.

The meeting moved into closed session at 1.16 pm.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Doyle	Nil
Harding	
Kunzelmann	
Milligan	

The motion was put and carried.

MOVE INTO OPEN SESSION

Moved by Councillor Marnie Doyle
Seconded by Mayor Teresa Harding

That the meeting move into open session.

The meeting moved into open session at 1.56 pm.

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Doyle	Nil
Harding	
Kunzelmann	
Milligan	

The motion was put and carried.

Items 4, 5 and 6 as listed below were referred to the Special Council Meeting of 10 March 2022 for consideration and formal adoption:

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

This is a report concerning an agreement for lease for council's consideration associated with tenancy 2B01 within the Nicholas Street Precinct's Metro B Building.

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

RECOMMENDATION

- A. That Council enter into an Agreement for Lease and Incentive Deed with the proposed lessee for Tenancy 2B01 in the Metro B Building (impacting part of lot 1RP157021) ("Tenancy T2B01") within the Nicholas Street Precinct (under the commercial terms detailed in the confidential report and attachments by the Project Manager dated 22 February 2021).
- 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.

Recommendation A was varied due to legal advice received.

RECOMMENDATION

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

- 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.**

AFFIRMATIVE

Councillors:

Doyle

Harding

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

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

This is a report concerning an agreement for lease for council's consideration associated with tenancy 2B08/09 within the Nicholas Street Precinct's Metro B Building.

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

RECOMMENDATION

- A. That Council enter into an Agreement for Lease and Incentive Deed with the proposed lessee for Tenancy 2B08/09 in the Metro B Building (impacting part of lot 1RP157021) ("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.

Recommendation A was varied and Recommendation F was included due to legal advice received.

RECOMMENDATION

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

- 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."

AFFIRMATIVE	NEGATIVE
Councillors:	Councillors:
Doyle	Nil
Harding	
Kunzelmann	
Milligan	

The motion was put and carried.

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

This is a report concerning an agreement for lease for council's consideration associated with the Commonwealth Hotel.

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

RECOMMENDATION

- A. That Council enter into an Agreement for Lease with the proposed lessee for the Commonwealth Hotel (impacting 1RP2677 and part of lot 3RP307972) 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.

Recommendation A was varied due to legal advice received.

RECOMMENDATION

Moved by Councillor Russell Milligan:

Seconded by Councillor Kate Kunzelmann:

- 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.

AFFIRMATIVE

Councillors:

Doyle

Harding

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

The motion was put and carried.

NOTICES OF MOTION

Nil

MATTERS ARISING

Nil

PROCEDURAL MOTIONS AND FORMAL MATTERS

The meeting commenced at 1.02 pm.

The meeting closed at 2.06 pm.
