

MINUTES OF COUNCIL SPECIAL MEETING

11 AUGUST 2022

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

The meeting commenced at 1.35 pm

ATTENDANCE AT COMMENCEMENT

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

MEETING ATTENDANCE VIA AUDIO LINK

Moved by Mayor Teresa Harding:
Seconded by Councillor Nicole Jonic:

That in accordance with section 254K of the Local Government Regulation 2012 and 8.6.2 of Council's Meeting Procedures Policy (Attendance at committee meetings), Councillor Sheila Ireland be permitted to participate in the meeting via audio link.

AFFIRMATIVE

Councillors:

Harding
Madsen
Tully
Doyle
Fechner
Kunzelmann
Milligan
Jonic

NEGATIVE

Councillors:

Nil

The motion was put and carried.

WELCOME TO COUNTRY OR ACKNOWLEDGEMENT OF COUNTRY OPENING PRAYER

Councillor Kate Kunzelmann

Councillor Russell Milligan

APOLOGIES AND LEAVE OF ABSENCE

Nil

5. DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

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 relating to the Nicholas Street Precinct:

COUNCILLOR
ANDREW FECHNER

- Nicholas Street Precinct – Investment Strategy
- Procurement - Venue Cinema Tenancy
- Procurement: Tender Consideration Plan to vary contract 13245 Ipswich Central civic project

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 relating to the Nicholas Street Precinct:

- Nicholas Street Precinct – Investment Strategy
- Procurement - Venue Cinema Tenancy
- Procurement: Tender Consideration Plan to vary contract 13245 Ipswich Central civic project

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.

At 1.39 pm Councillors Andrew Fechner and Deputy Mayor Jacob Madsen left the meeting room.

MOVE INTO CLOSED SESSION

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

That in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, the meeting move into closed session to discuss Items 6.1, 6.2 and 6.3 all relating to the Nicholas Street Precinct.

The meeting moved into closed session at 1.40 pm.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

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

The motion was put and carried.

MOVE INTO OPEN SESSION

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

That the meeting move into open session.

The meeting moved into open session at 2.06 pm.

AFFIRMATIVE

NEGATIVE

Councillors:

Councillors:

Harding

Nil

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

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

The motion was put and carried.

6. OFFICERS' REPORTS**6.1
NICHOLAS STREET
PRECINCT -
INVESTMENT
STRATEGY**

- A. That Council endorse the investment strategy to proceed with the development of the Venue Building and Commonwealth Hotel.
- B. That the investment strategy as detailed in this report as it relates to the development of the Venue Building and the Commonwealth Hotel be funded through a future Council budget amendment.

Mayor Teresa Harding outlined that the Ipswich Central Redevelopment Committee recommended Recommendations C and D as an addition to Item 6.1 as follows:

- C. That a reporting requirement be established whereby notification is given to the Ipswich Central Redevelopment Committee in the form of, but not limited to, a report detailing the incentive budgets for retail tenancies and updated for any movements or changes as negotiations progress.
- D. That officers provide the details of any changes to incentive budgets and leasing provisions to the council in the form of a briefing note as soon as practical.

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. That Council endorse the investment strategy to proceed with the development of the Venue Building and Commonwealth Hotel.
- B. That the investment strategy as detailed in this report as it relates to the development of the Venue Building and the Commonwealth Hotel be funded through a future Council budget amendment.
- C. That a reporting requirement be established whereby notification is given to the Ipswich Central Redevelopment Committee in the form of, but not limited to, a report detailing the incentive budgets for retail tenancies and updated for any movements or changes as negotiations progress.

- D. That officers provide the details of any changes to incentive budgets and leasing provisions to the council in the form of a briefing note as soon as practical.

Councillor Ireland proposed an additional recommendation:

- E. That Council provide advice on the future borrowing capacity for the CBD.

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

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A. That Council endorse the investment strategy to proceed with the development of the Venue Building and Commonwealth Hotel.**
- B. That the investment strategy as detailed in this report as it relates to the development of the Venue Building and the Commonwealth Hotel be funded through a future Council budget amendment.**
- C. That a reporting requirement be established whereby notification is given to the Ipswich Central Redevelopment Committee in the form of, but not limited to, a report detailing the incentive budgets for retail tenancies and updated for any movements or changes as negotiations progress.**
- D. That officers provide the details of any changes to incentive budgets and leasing provisions to the council in the form of a briefing note as soon as practical.**
- E. That Council provide advice on the future borrowing capacity for the CBD.**

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

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

The motion was put and carried.

**6.2
PROCUREMENT -
VENUE CINEMA
TENANCY**

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 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 (Cinema Tenancy), to the proposed Lessee, for the permitted use of a Cinema.**
- B. That Council enter into an Agreement for Lease and associated documents of the Agreement for Lease with the proposed lessee for the Cinema Tenancy under the commercial terms detailed in the confidential attachments to this report.**
- C. That conditional upon Council satisfactorily executing the Agreement for Lease with the proposed Lessee, Council will enter into a Lease for the Cinema Tenancy with the proposed Lessee as detailed in the confidential attachments to 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 decisions at Recommendations A, B and C.**
- E. That Council be kept informed as to the progress and outcome of the execution and publication of details.**

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

Kunzelmann

Milligan

Jonic

NEGATIVE

Councillors:

Nil

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

The motion was put and carried.

Item 6.3 was updated in line with Resolution E below to correct a transposition error.

**6.3
PROCUREMENT:
TENDER
CONSIDERATION
PLAN TO VARY
CONTRACT 13254
IPSWICH CENTRAL
CIVIC PROJECT**

- A. That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare Tender Consideration Plan to vary contractual arrangement 13254 Ipswich Central Civic Project – Design & Construction of Administration Building, Civic Precinct, Library and Carpark Upgrade with J. Hutchinson Pty Ltd.
- B. That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt Tender Consideration Plan that has been prepared to vary contractual arrangement 13254 Ipswich Central Civic Project – Design & Construction of Administration Building, Civic Precinct, Library and Carpark Upgrade with J. Hutchinson Pty Ltd.
- C. That in accordance with the Tender Consideration Plan, Council contractual arrangement 13254 Ipswich Central Civic Project – Design & Construction of Administration Building, Civic Precinct, Library and Carpark Upgrade with J. Hutchinson Pty Ltd for an approximate purchase price of \$36,544,959 excluding GST, aggregated as follows:
- (a) Venue – \$28,413,314
 - (b) Commonwealth Hotel – \$8,031,645
- 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.

Mayor Teresa Harding proposed an additional Recommendation E to correct a transposition error:

- E. That the Contract number 13245 stated in the heading, Recommendations A, B and C and throughout the report and attachments be changed to 13254.

Moved by Mayor Teresa Harding:

Seconded by Councillor Marnie Doyle:

- A.** That pursuant to Section 230(1)(a) of the *Local Government Regulation 2012* (Regulation), Council resolve to prepare Tender Consideration Plan to vary contractual arrangement 13245 Ipswich Central Civic Project – Design & Construction of Administration Building, Civic Precinct, Library and Carpark Upgrade with J. Hutchinson Pty Ltd.
- B.** That pursuant to Section 230(1)(b) of the *Local Government Regulation 2012* (Regulation), Council resolve to adopt Tender Consideration Plan that has been prepared to vary contractual arrangement 13245 Ipswich Central Civic Project – Design & Construction of Administration Building, Civic Precinct, Library and Carpark Upgrade with J. Hutchinson Pty Ltd.
- C.** That in accordance with the Tender Consideration Plan, Council contractual arrangement 13245 Ipswich Central Civic Project – Design & Construction of Administration Building, Civic Precinct, Library and Carpark Upgrade with J. Hutchinson Pty Ltd for an approximate purchase price of \$36,544,959 excluding GST, aggregated as follows:
 (a) Venue – \$28,413,314
 (b) Commonwealth Hotel – \$8,031,645
- 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.
- E.** That the Contract number 13245 stated in the heading, Recommendations A, B and C and throughout the report and attachments be changed to 13254.

AFFIRMATIVE

Councillors:

Harding

Ireland

Tully

Doyle

Kunzelmann

Milligan

NEGATIVE

Councillors:

Nil

Jonic

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

The motion was put and carried.

At 2.15 pm Deputy Mayor Jacob Madsen returned to the meeting room.

MEETING CLOSED

The meeting closed at 2.15 pm