

Minutes

Ordinary Meeting

Thursday, 29 January 2015

Council Chambers, 1 Omrah Avenue, Caloundra

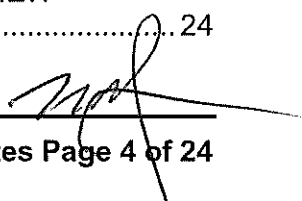


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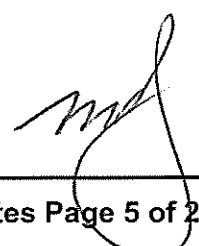
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Please Note: The resolutions as shown in italics throughout these minutes are the resolutions carried by the Council.



1 DECLARATION OF OPENING

The Chair declared the meeting open at 9am.

2 OPENING PRAYER

Reverend Robin Osborne from Caloundra Uniting Church read a prayer.

3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**COUNCILLORS**

Councillor M Jamieson	Mayor (chair)
Councillor R Baberowski	Division 1
Councillor T Dwyer	Division 2
Councillor P Cox	Division 3
Councillor C Thompson	Division 4 (Absent Items 1 - 7)
Councillor J McKay	Division 5
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10

EXECUTIVE LEADERSHIP TEAM

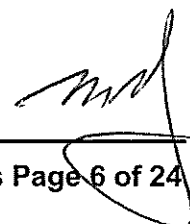
Chief Executive Officer
Director Community Services
Director Corporate Services
Director Corporate Strategy and Delivery
Director Infrastructure Services
Director Regional Strategy and Planning

APOLOGIES

Nil

COUNCIL OFFICERS

Principal Development Planner
Coordinator Major Planning Projects
Acting Coordinator Financial Services
Coordinator Land Management
Manager Property Management
Team Leader Community Connections
Manager Community Relations
Manager Development Services
Principal Planner (Appeals)
Solicitor
Coordinator Planning Scheme and Projects
Manager Strategic Planning
Coordinator Community Land Permits and Parking
Manager Community Response



4 RECEIPT AND CONFIRMATION OF MINUTES**Council Resolution****Moved: Councillor C Dickson****Seconded: Councillor J McKay**

That the Minutes of the Ordinary Meeting held on 11 December 2014 be received and confirmed.

Carried unanimously.

Councillor C Thompson was absent for the vote on this motion.

5 OBLIGATIONS OF COUNCILLORS**5.1 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS**

Pursuant to Section 172 of the *Local Government Act 2009*, no declarations of material personal interest were made during this meeting.

5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Councillor G Rogerson declared a perceived conflict of interest in relation to item 9.2.2 (as defined in section 173 of the *Local Government Act 2009*) due to a previous association with an associated club.

6 MAYORAL MINUTE**7 PRESENTATIONS****7.1 PRESENTATION - AUSTRALIA AIRPORTS ASSOCIATION AWARD****Council Resolution****Moved: Councillor S Robinson****Seconded: Councillor J O'Pray**

That Council accept with gratitude a Highly Recommended Award from Australian Airports Association National Conference for achieving Level 2 Carbon Accreditation Reduction in the AAA Industry Awards, Major Airports of the Year.

Carried unanimously.

Councillor C Thompson was absent for the vote on this motion.

8 REPORTS DIRECT TO COUNCIL

8.1 REGIONAL STRATEGY AND PLANNING

8.1.1 PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES THAT VARIES THE EFFECT OF THE PLANNING SCHEME (SECTION 242 OF THE SUSTAINABLE PLANNING ACT 2009) - TOURIST ATTRACTION AND RESORT COMPLEX - STEVE IRWIN WAY, GLENVIEW

File No: MCU14/0098
Author/Presenter: Principal Projects
Regional Strategy & Planning Department
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Proposal Plans

Council Resolution (OM15/1)

Moved: Councillor R Baberowski
Seconded: Councillor C Dickson

That Council:

- (a) APPROVE WITH CONDITIONS Application No. MCU14/0098 and grant a **Preliminary Approval** for material change of use of premises that varies the effect of the planning scheme (Section 242 of the Sustainable Planning Act 2009) - Tourist Attraction and Resort Complex, situated at Steve Irwin Way, Glenview, in accordance with Appendix A Conditions of Approval and
- (b) find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:
1. the proposed development is considered to be generally consistent with the relevant SEQ State Planning Regulatory Provisions and the Sunshine Coast Planning Scheme's Strategic Framework, subject to the imposition of conditions
 2. the site meets the essential locational requirements for a major tourist attraction and the proposed development is capable of being serviced with essential urban infrastructure
 3. the topographical and environmental constraints affecting the site are capable of being managed in accordance with planning scheme requirements, subject to the imposition of conditions
 4. the proposed development has the potential to enhance the Sunshine Coast's tourism brand and reputation and is consistent with the natural values and key lifestyle attributes of the Sunshine Coast.

For: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox,
Councillor C Thompson, Councillor J McKay, Councillor C Dickson,
Councillor J O'Pray, Councillor S Robinson, Councillor G Rogerson and
Councillor M Jamieson.

Against: Councillor E Hungerford.

Carried



8.2 CORPORATE SERVICES**8.2.1 NOVEMBER 2014 FINANCIAL PERFORMANCE REPORT**

File No: Financial Reports
Author: Acting Coordinator Financial Services
Corporate Services Department
Attachments: Att 1 - November 2014 Financial Performance Report

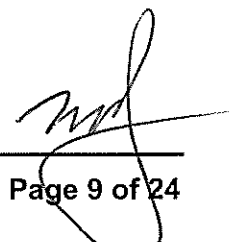
Council Resolution (OM15/2)

Moved: Councillor C Thompson
Seconded: Councillor T Dwyer

That Council:

- (a) *receive and note the report titled "November 2014 Financial Performance Report" and*
- (b) *write-off unrecoverable income of \$172,711 GST exclusive (\$189,982.14 GST inclusive) in relation to Australian Aviation Career Services (AACS).*

Carried unanimously.



**8.2.2 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012-
DISPOSAL OF VARIOUS EASEMENTS**

File No: DISP0022
Author: Senior Property Officer
Corporate Services Department
Attachments: Att 1 - EMT C SP265505 Suller Street, Caloundra
Att 2 - EMT C SP183193 Bradman Avenue Fishermans Road,
Maroochydore
Att 3 - EMT C SP267710 40-42 Lefoes Road, Bli Bli

Council Resolution (OM15/3)

Moved: Councillor E Hungerford
Seconded: Councillor T Dwyer

That Council:

- (a) *receive and note the report titled "Exception Under Local Government Regulation 2012- Disposal of various Easements"*
- (b) *resolve that an exception under Section 236(2) of Local Government Regulation 2012 applies to the easements listed hereunder, thus allowing Council to dispose of an interest in land other than by tender or auction,*
 - Easement C on SP265505*
 - Easement C on SP183193*
 - Easement C on SP267710, and*
- (c) *authorise the granting of these easements pursuant to Council's delegations.*

Carried unanimously.

8.3 COMMUNITY SERVICES**8.3.1 PROPOSALS TO NAME COUNCIL INFRASTRUCTURE**

File No: Statutory Meetings
Author: Team Leader Community Connections
Community Services Department
Attachments: Att 1 - Map Beach Access 150
Att 2 - Skippy Park Draft Concept Plan 2009

Council Resolution (OM15/4)

Moved: Councillor J O'Pray
Seconded: Councillor C Thompson

That Council:

- (a) *receive and note the report titled "**Proposals to Name Council Infrastructure**"*
- (b) *support the recommendations of the Naming Panel's assessments of 8 August 2014 and 11 September 2014*
- (c) *resolve to name the Beach Access 150, Maroochydore as 'Ryan 'Abdul' Abdy's Beach Access 150' and*
- (d) *resolve to name the 'Lot 25 RP214535 / Old Landsborough Rd, Landsborough' as 'Skippy Park'.*

Carried unanimously.

8.3.2 COMMUNITY GRANTS AND PARTNERSHIP FUNDING REVIEW 2014

File No: ECM 29 January 2015
Author: Team Leader Community Connections
Community Services Department
Appendices: App A - Community Grants Program and Community Partnership
Funding Program Review Report
App B - Community Partnership Funding Program Guidelines
App C - Community Grants Program Guidelines
Attachments: Att 1 - Community Partnership Funding Program Guidelines -
Track Changes
Att 2 - Community Grants Program Guidelines - Track Changes
Att 3 - Professional Critique Report

Council Resolution (OM15/5)

Moved: Councillor J McKay
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "**Community Grants and Partnership Funding Review 2014**"*
- (b) *endorse Option 1 for Council support to community organisations for 2015/16 and beyond*
- (c) *endorse multi-year funding under the Community Partnership Funding Program to provide funding for periods of up to 3 years*
- (d) *note "Community Grants Program and Community Partnership Funding Program Review Report" (Appendix A)*
- (e) *note the revised "Community Partnership Funding Program Guidelines" (Appendix B)*
- (f) *note the revised "Community Grants Program Guidelines" (Appendix C) (as amended) and*
- (g) *refer the Community Partnership Funding Program and Community Grants Program budget to the 2015/2016 budget deliberations.*

Carried unanimously.

8.4 INFRASTRUCTURE SERVICES

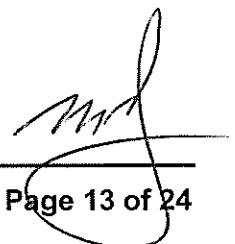
Nil

8.5 CORPORATE STRATEGY AND DELIVERY

Nil

8.6 OFFICE OF THE MAYOR AND THE CEO

Nil

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9 NOTIFIED MOTIONS**9.1 NOTICES OF RESCISSION**Nil

9.2 NOTICES OF MOTION**9.2.1 NOTICE OF MOTION - 50 YEAR ANNIVERSARY SUNSHINE COAST**

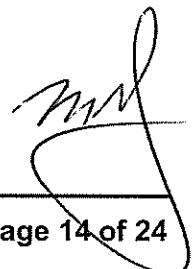
File No: Statutory Meetings
Author: Councillor Jason O'Pray
Notice of Motion

Council Resolution (OM15/6)

Moved: Councillor J O'Pray
Seconded: Councillor T Dwyer

That Council request the Chief Executive Officer to prepare a report for Council's consideration for the February 2015 Ordinary Meeting, outlining a proposed schedule of Council region activities and associated costings to celebrate the 50th anniversary of the naming of the Sunshine Coast in 2016, culminating in a key event on 15 November 2016.

Carried unanimously.



9.2.2 NOTICE OF MOTION - OZ SKI RESORT

File No: Statutory Meeting
Author: Councillor Greg Rogerson
Notice of Motion

Councillor G Rogerson declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to a previous association with an associated club. Councillor G Rogerson remained in the meeting room for the debate and decision on this matter.

Council Resolution (OM15/7)

Moved: Councillor G Rogerson
Seconded: Councillor E Hungerford

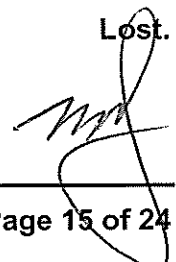
That Council authorise the Chief Executive Officer to prepare a report and report back to Council on matters concerning the lease and development approval in favour of Oz Ski Resort Pty Ltd, particularly, but not limited to those matters as they pertain to:

1. *Council's endorsement of the ancillary purposes permitted in the Development Approval*
2. *compliance of conditions of Development Approval e.g. water/lake Risk Assessment Management Plan, water quality testing, community use etc*
3. *the requirement of the Lessee to pay rates and outgoing as set out in the 'Agreement to Lease' dated 3/10/11*
4. *the obligation of the Lessee to pay a Tourism Levy and all other levies applicable to land uses typical of 16 Junction Drive, Coolum*
5. *the timing of the granting of the Lease taking into account the condition precedent number 2 in the Agreement to Lease dated 3/10/11*
6. *the consistency between the intended use as set out in the tender submission and current operation of the site*
7. *an email to Warren Bunker and Julie Edwards regarding "Quanda Lakes Information and Documentation" dated Wednesday 28 January 2015 at 1:49pm from Councillor G Rogerson and*
8. *an email to John Knaggs under the heading "Email to staff regarding your advice on Ancillary Use Quanda Lakes" dated Wednesday 28 January 2015 at 2:44pm from Councillor G Rogerson.*

For: Councillor J McKay, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray and Councillor G Rogerson.

Against: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor C Thompson, Councillor S Robinson and Councillor M Jamieson.

Lost.



PROCEDURAL MOTION

Moved: Councillor T Dwyer
Seconded: Councillor J McKay

That Council grant Councillor G Rogerson an extension of time for five minutes to speak further to the motion.

Carried unanimously.

PROCEDURAL MOTION

Moved: Councillor T Dwyer
Seconded: Councillor J McKay

That Council grant Councillor S Robinson an extension of time for five minutes to speak further to the motion.

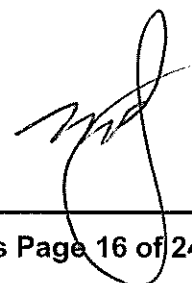
Carried unanimously.

PROCEDURAL MOTION

Moved: Councillor S Robinson

That the motion be put.

Councillor Dwyer raised a point of order that Councillor S Robinson had already spoken to the motion and therefore could not move the procedural motion. The Mayor upheld the point of order.



9.3 FORESHADOWED NOTICES OF MOTION

Nil

10 TABLING OF PETITIONS

Nil

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11 CONFIDENTIAL SESSION

CLOSURE OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Councillor T Dwyer
Seconded: Councillor E Hungerford

That the meeting be closed to the public pursuant to section 275 (f) and (h) of the Local Government Regulation 2012 to consider the following items:

- 11.1.1 *Confidential - Not for Public Release - PLANNING APPEAL - FOREST GLEN AND CHEVALLUM*
- 11.1.2 *Confidential - Not for Public Release - Pelican Waters Golf Course Infrastructure Agreement 2014 Deed of Variation*
- 11.3.1 *Confidential - Not for Public Release - New Commercial Use of Council-Controlled Land Proposal*

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor R Baberowski

That the meeting be re-opened to the public.

Carried unanimously.



11.1 REGIONAL STRATEGY AND PLANNING**11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL - FOREST GLEN AND CHEVALLUM**

File No: OPW13/0273 (APL14/0006) and OPW13/0276 (APL14/0005)

Authors: Principal Planner (Appeals)
Regional Strategy & Planning Department
Solicitor
Office of the Mayor and Chief Executive Officer

This report is confidential in accordance with section 275 (f) of the *Local Government Regulation 2012* as it contains information relating to starting or defending legal proceedings involving the local government.

Council Resolution (OM15/8)

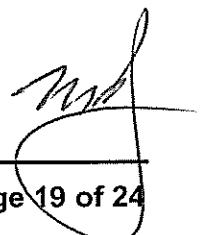
Moved: Councillor E Hungerford

Seconded: Councillor P Cox

That Council:

- (a) *delegate authority to the Chief Executive Officer to continue to defend Appeal No. D80 of 2014 and*
- (b) *delegate authority to the Chief Executive Officer to continue to defend Appeal No. D81 of 2014.*

Carried unanimously.



**11.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PELICAN WATERS
GOLF COURSE INFRASTRUCTURE AGREEMENT 2014 DEED OF
VARIATION**

File No: Statutory Meetings
Author: Coordinator Planning Scheme and Projects
Regional Strategy & Planning Department

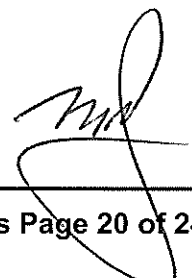
This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM15/9)

Moved: Councillor T Dwyer
Seconded: Councillor R Baberowski

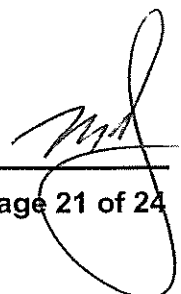
That Council delegate authority to the Chief Executive Officer to execute the Pelican Waters Golf Course Infrastructure Agreement 2014 Deed of Variation.

Carried unanimously.



11.2 CORPORATE SERVICES

Nil

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11.3 COMMUNITY SERVICES

**11.3.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - NEW COMMERCIAL
USE OF COUNCIL-CONTROLLED LAND PROPOSAL**

File No: ECM 29 January 2015
Author: Coordinator Community Land Permits and Parking
Community Services Department

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council Resolution (OM15/10)

Moved: Councillor J McKay
Seconded: Councillor R Baberowski

That Council note the discussions held in confidential session.

Carried unanimously.



11.4 INFRASTRUCTURE SERVICES

Nil

11.5 CORPORATE STRATEGY AND DELIVERY

Nil

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

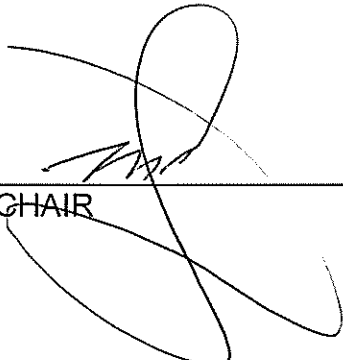
12 NEXT MEETING

The next Ordinary Meeting will be held on 26 February 2015 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE

The meeting closed at 2.01pm.

Confirmed 26 February 2015.



CHAIR

14 APPENDICES

- 8.1.1 PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES THAT VARIES THE EFFECT OF THE PLANNING SCHEME (SECTION 242 OF THE SUSTAINABLE PLANNING ACT 2009) - TOURIST ATTRACTION AND RESORT COMPLEX - STEVE IRWIN WAY, GLENVIEW - APP A - CONDITIONS OF APPROVAL**

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om290115/Attach1.pdf>

- 8.3.2 COMMUNITY GRANTS AND PARTNERSHIP FUNDING REVIEW 2014 - APP A - COMMUNITY GRANTS PROGRAM AND COMMUNITY PARTNERSHIP FUNDING PROGRAM REVIEW REPORT**

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om290115/Attach9.pdf>

- 8.3.2 COMMUNITY GRANTS AND PARTNERSHIP FUNDING REVIEW 2014 - APP B - COMMUNITY PARTNERSHIP FUNDING PROGRAM GUIDELINES**

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/om290115/Attach10.pdf>

- 8.3.2 COMMUNITY GRANTS AND PARTNERSHIP FUNDING REVIEW 2014 - APP C - COMMUNITY GRANTS PROGRAM GUIDELINES - AMENDED**

<http://www.sunshinecoast.qld.gov.au/addfiles/documents/meetingAttachments/8.3.2%20Community%20Grants%20App%20C%20Program%20Guidelines%20-%20amended.pdf>
