

Minutes

Ordinary Meeting

Tuesday, 30 April 2019

Council Chambers, Corner Currie and Bury Streets, Nambour



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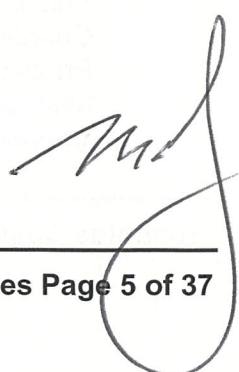
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Please Note: The resolutions as shown in italics throughout these minutes are the resolutions carried by the Council.



1 DECLARATION OF OPENING

The Chair declared the meeting open at 9:02am.

2 WELCOME AND OPENING PRAYER

The Mayor acknowledged the traditional custodians of the land on which the meeting took place.

Rev Dennis Hartin from the Wesley Methodist 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 J Connolly	Division 4
Councillor J McKay	Division 5
Councillor C Dickson	Division 6 (Absent Items 8.8 – 13)
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10

BOARD OF MANAGEMENT

Chief Executive Officer
Group Executive Built Infrastructure
Group Executive Business Performance
Group Executive Customer Engagement and Planning Services
Group Executive Economic and Community Development
Group Executive Liveability and Natural Assets
Portfolio Director Major Projects
Chief of Staff

COUNCIL OFFICERS

Senior Development Planner
Principal Development Planner
Senior Development Planner
Senior Development Planner
Coordinator Planning Scheme & Projects
Trade & Investment – International Lead
Coordinator Financial Services
Head of Property
Coordinator Governance Process & Policy
Coordinator Community Land Permits & Parking
Coordinator Urban Projects
Property Officer / Head of Property
Principal Property Officer
Coordinator Strategic Property
Project Manager
Manager Business Development
Coordinator CEO Governance & Operations

4 RECEIPT AND CONFIRMATION OF MINUTES**Council Resolution****Moved: Councillor G Rogerson****Seconded: Councillor J McKay**

That the Minutes of the Ordinary Meeting held on 28 March 2019 be received and confirmed.

Carried unanimously.

5 INFORMING OF PERSONAL INTERESTS**5.1 MATERIAL PERSONAL INTEREST**

Pursuant to Section 175C of the *Local Government Act 2009*, no declarations of material personal interest were made during this meeting.

5.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST

Pursuant to Section 175E of the *Local Government Act 2009*, the following personal interests were raised:

Councillor M Jamieson informed the meeting of a personal interest for item 8.2; 8.3; 11.2 and 11.4.

Councillor G Rogerson informed the meeting of a personal interest for item 8.4.

Councillor T Dwyer informed the meeting of a personal interest for item 8.5.

Councillor J Connolly informed the meeting of a personal interest for item 8.11.

6 MAYORAL MINUTE

Nil

Council Resolution**Moved: Councillor M Jamieson****Seconded: Councillor T Dwyer**

That Council allow the introduction of two new items of business into the Agenda for the Ordinary Meeting held on Tuesday 30 April 2019, namely "Item 8.11 Appointment of Directors of SunCentral Maroochydore and Item 11.4 Confidential – Not for Public Release – Brisbane Road Car Park Mooloolaba – Design and Construction of Car Park".

Carried unanimously.

7 PRESENTATIONS / COUNCILLOR REPORTS

7.1 PRESENTATION - MAROOCHY GROVNE PROJECT

Council Resolution

Moved: Councillor J O'Pray
Seconded: Councillor E Hungerford

That Council note the Australian Coastal Association Award received for the Maroochy Grovne Field Renewal Project for Community Engagement at the 2019 Awards.

Carried unanimously.

Council Resolution

Moved: Councillor S Robinson
Seconded: Councillor J McKay

That Council suspend standing orders to consider item 10 - Petitions next on the agenda due to public interest.

Carried unanimously.

10 TABLING OF PETITIONS

10.1 PETITION - REJECTION OF DEVELOPMENT APPLICATION MCU 18/0190

Council Resolution (OM19/47)

Moved: Councillor J Connolly
Seconded: Councillor E Hungerford

That Council resolve the petition tabled by Councillor J Connolly relating to Rejection of Development Application MCU 18/0190 be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

10.2 PETITION - PROPOSED FLIGHT PATHS

Council Resolution (OM19/48)

Moved: Councillor S Robinson
Seconded: Councillor G Rogerson

That Council resolve the petition tabled by Councillor S Robinson relating to Proposed Flight Paths be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Council Resolution

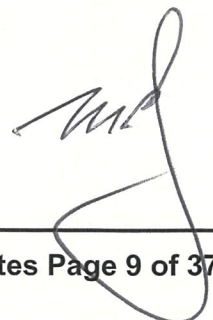
Moved: Councillor J Connolly
Seconded: Councillor J McKay

That Council suspend standing orders to consider item 8.3 - Development Application for Material Change of Use of Premises (Multiple Dwelling Units x 73 and Corner Store) next on the agenda due to public interest.

For: Councillor R Baberowski, Councillor P Cox, Councillor J Connolly, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray, Councillor S Robinson, Councillor G Rogerson and Councillor M Jamieson.

Against: Councillor T Dwyer.

Carried.



8 REPORTS DIRECT TO COUNCIL**8.3 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES (MULTIPLE DWELLING UNITS X 73 AND CORNER STORE)**

File No: MCU18/0190
Author: Senior Development Planner
Customer Engagement & Planning Services Group
Appendices: App A - Recommended Conditions of Approval
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Plans Requiring Amendment

As required by section 175E (2) of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting of a personal interest in the matter that is the subject of Agenda Item 8.3 on the basis that he received the following electoral donations from representatives of Project Urban Pty Ltd:

- On 3 January 2012, Councillor M Jamieson received a donation of \$380 from Andrew Stevens who is the Managing Director of Project Urban Pty Ltd
- On 3 February 2012, Councillor M Jamieson received a further donation of \$570 from Andrew Stevens
- On 11 January 2012, Councillor M Jamieson received a donation of \$380 from Kari Stephens who is a Director of Project Urban Pty Ltd.

Project Urban is the planning consultant for the applicant in this matter.

Councillor M Jamieson informed the meeting of this interest out of an abundance of caution, based on advice recently received from the Department of Local Government, Racing and Multicultural Affairs.

Given Project Urban is not the applicant, but rather a consultant engaged by the applicant under a commercial arrangement that the Councillor is not privy to, Councillor M Jamieson formed the view that given the nature of the personal interest, he believed he could appropriately manage any perceived conflict, should it exist, and that he could impartially make a decision in the public interest on the matter before Council today.

The Mayor vacated the Chair and the Deputy Mayor took the Chair at this time.

Council Resolution

Moved: Councillor E Hungerford
Seconded: Councillor J McKay

That in accordance with s175E(4)(a) of the Local Government Act 2009, Councillor M Jamieson has a real or perceived conflict of interest in matters that are to be considered in item 8.3.

For: Councillor R Baberowski, Councillor T Dwyer, Councillor J Connolly, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray and Councillor G Rogerson.

Against: Councillor P Cox and Councillor S Robinson.

 Carried.

In accordance with s175E (4) of the Local Government Act 2009, Councillor M Jamieson did not vote on this matter.

Council Resolution

Moved: Councillor G Rogerson
Seconded: Councillor J McKay

That in accordance with s175(4)(b)(ii) of the Local Government Act 2009, Councillor M Jamieson may participate in the meeting in relation to item 8.3, including by voting on the item 8.3.

For: Councillor T Dwyer, Councillor P Cox, Councillor J Connolly,
Councillor J McKay, Councillor C Dickson, Councillor J O'Pray,
Councillor S Robinson and Councillor G Rogerson.

Against: Councillor R Baberowski and Councillor E Hungerford.

Carried.

In accordance with s175E (4) of the Local Government Act 2009, Councillor M Jamieson did not vote on this matter.

The Mayor returned to the Chair at this time.

Council Resolution (OM19/49)

Moved: Councillor C Dickson
Seconded: Councillor T Dwyer

That Council:

- (a) *receive and note the report titled "Development Application for Material Change of Use of Premises (Multiple Dwelling Units x 73 and Corner Store)" and*
- (b) *APPROVE application no. MCU18/0190 for a Development Application for Material Change of Use of Premises (Multiple Dwelling Units x 73 and Corner Store) 2 and 6 Talinga Street, 84 and 85 Pacific Boulevard and 61 and 63 Iluka Avenue BUDDINA subject to reasonable and relevant conditions provided at Appendix A.*

For: Councillor T Dwyer, Councillor P Cox, Councillor C Dickson,
Councillor J O'Pray, Councillor S Robinson and Councillor M Jamieson.

Against: Councillor R Baberowski, Councillor J Connolly, Councillor J McKay,
Councillor E Hungerford and Councillor G Rogerson.

Carried.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor G Rogerson

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

Carried unanimously.

Council Resolution

Moved: Councillor G Rogerson
Seconded: Councillor C Dickson

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

Carried unanimously.

Council Resolution

Moved: Councillor E Hungerford
Seconded: Councillor J Connolly

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

Carried unanimously.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor G Rogerson

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

Carried unanimously.

Council Resolution

Moved: Councillor J McKay
Seconded: Councillor J Connolly

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

Carried unanimously.

Item 8.1 was dealt with at this time.

8.1 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE TO ESTABLISH A HOTEL - 6 BEDDINGTON ROAD, DOONAN

File No: MCU18/0243
Author: Principal Development Planner
Customer Engagement & Planning Services Group
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Proposal Plans

MOTION

Moved: Councillor S Robinson
Seconded: Councillor G Rogerson

That Council:

- (a) receive and note the report titled "Development Application for a Material Change of Use to establish a Hotel - 6 Beddington Road, Doonan" and
- (b) approve Application No. MCU18/0243 for a Development Application for a Material Change of Use to establish a Hotel at 6 Beddington Road, Doonan for the following reasons
 - i. the development allows for the re-use of the existing building for a small scale hotel/cellar door
 - ii. the development is located proximate to other commercial uses in the Doonan township, and there are no tangible impacts on the commercial centres hierarchy
 - iii. the existing building and proposed cellar door outlet have flood immunity up to and including the 1 in 100 year flood event
 - iv. a Flood Emergency Management Plan has been provided that identifies a range of indicators and options including shelter in place to ensure the safety of staff and customers
 - v. the size of the land and the current systems available indicate that an effluent disposal solution is possible given the nature of the proposed development and
- (c) delegate to the Chief Executive Officer to issue a development permit and impose reasonable and relevant conditions in relation to this Material Change of Use after consultation with the Divisional Councillor and Planning Portfolio Councillor.

For: Councillor J Connolly, Councillor S Robinson, Councillor G Rogerson and Councillor M Jamieson.

Against: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford and Councillor J O'Pray.

Lost.



Council Resolution (OM19/50)

Moved: Councillor E Hungerford
Seconded: Councillor C Dickson

That Council:

- (a) receive and note the report titled "***Development Application for a Material Change of Use to establish a Hotel - 6 Beddington Road, Doonan***"
- (b) REFUSE application number MCU18/0243 for a ***Development Application for a Material Change of Use to establish a Hotel - 6 Beddington Road, Doonan*** for the following reasons:
 - (i) *The proposal conflicts with the Strategic Framework of the Sunshine Coast Planning Scheme 2014*
 - (ii) *The proposal conflicts with the Flood hazard overlay code of the Sunshine Coast Planning Scheme 2014*
 - (iii) *The proposal conflicts with the Rural residential zone code of the Sunshine Coast Planning Scheme 2014*
 - (iv) *The proposal has not demonstrated that it can be provided with a satisfactory on-site effluent treatment system, and*
 - (v) *The applicant has not demonstrated sufficient grounds to justify approval despite the conflicts with the Planning Scheme and the proposal cannot be conditioned to comply.*

For: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray and Councillor M Jamieson.

Against: Councillor J Connolly, Councillor S Robinson and Councillor G Rogerson.

Carried.

Council Resolution

Moved: Councillor G Rogerson
Seconded: Councillor J Connolly

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

Carried unanimously.

Councillor J McKay was absent for the vote on this motion.



8.2 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT AT 82 STEGGALLS RD, YANDINA

File No: REC15/0127
Author: Senior Development Planner
Customer Engagement & Planning Services Group
Appendices: App A - Approval Conditions
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Amended Concurrence Agency Response
Att 3 - Proposed Plans of Layout

As required by section 175E (2) of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting that he may have a personal interest in the matter that is the subject of Agenda Item 8.2 on the basis that he received an electoral donation of \$2,000 on 11 February 2016 from Covey and Associates.

Councillor M Jamieson advised that Covey and Associates is the planning consultant for the applicant in this matter.

Councillor M Jamieson informed the meeting of this interest out of an abundance of caution, based on advice recently received from the Department of Local Government, Racing and Multicultural Affairs.

Given Covey and Associates is not the applicant, but rather a consultant engaged by the applicant under a commercial arrangement that the Councillor is not privy to, Councillor M Jamieson formed the view that given the nature of the personal interest, he believed he could appropriately manage any perceived conflict, should it exist, and that he could impartially make a decision in the public interest on the matter before Council today.

The Mayor vacated the Chair and the Deputy Mayor took the Chair at this time.

Council Resolution

Moved: Councillor E Hungerford
Seconded: Councillor J McKay

That in accordance with s175E(4)(a) of the Local Government Act 2009, Councillor M Jamieson has a real or perceived conflict of interest in matters that are to be considered in item 8.2 - Development Application for Reconfiguring a Lot at 82 Steggalls Rd, Yandina.

For: Councillor R Baberowski, Councillor T Dwyer, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray, Councillor G Rogerson.

Against: Councillor P Cox, Councillor J Connolly and Councillor S Robinson.

Carried.

In accordance with s175E (4) of the *Local Government Act 2009*, Councillor M Jamieson did not vote on this matter.

Council Resolution

Moved: Councillor G Rogerson
Seconded: Councillor J McKay

That in accordance with s175(4)(b)(ii) of the Local Government Act 2009, Councillor M Jamieson may participate in the meeting in relation to item 8.2, including by voting on the item.

For: Councillor T Dwyer, Councillor P Cox, Councillor J Connolly,
Councillor J McKay, Councillor C Dickson, Councillor J O'Pray,
Councillor S Robinson and Councillor G Rogerson.

Against: Councillor R Baberowski and Councillor E Hungerford.

Carried.

In accordance with s175E (4) of the Local Government Act 2009, Councillor M Jamieson did not vote on this matter.

The Mayor returned to the Chair at this time.

Council Resolution (OM19/51)

Moved: Councillor G Rogerson
Seconded: Councillor S Robinson

That Council:

- (a) *receive and note the report titled "**Development Application for Reconfiguring a Lot at 82 Steggalls Rd, Yandina**" and*
- (b) *APPROVE application no. REC15/0127 for a Development Permit for Reconfiguration of a Lot (1 Lot into 23 Lots and Reserve) situated at 82 Steggalls Road, YANDINA QLD 4561 subject to reasonable and relevant conditions provided at Appendix A.*

Carried unanimously.

8.4 PROPOSED EXTENSION TO THOMPSON INSTITUTE, 12 INNOVATION PARKWAY, BIRTINYA

File No: MPC19/0001

Author: Senior Development Planner
Customer Engagement & Planning Services Group

Appendices: App A - Details for Notice of Determination for Amended Master Plan No. 5 - Detailed Planning Area Plan
App B - Details for Notice of Determination for Amended Master Plan No. 9 - Existing Site Development Plan
App C - Details for Notice of Determination - New Site Development Plan

Attachments: Att 1 - Locality Plan and Site Aerial Photo
Att 2 - Proposed Master Plan No. 108 - New Site Development Plan
Att 3 - Proposed Amended Master Plan No. 5 - Detailed Planning Area Plan
Att 4 - Proposed Amended Master Plan No. 9 - Existing Site Development Plan

As required by s175E of the Local Government Act 2009, Councillor G Rogerson informed the meeting of a personal interest in relation to matters to be considered in item 8.4 - Proposed Extension to Thompson Institute, 12 Innovation Parkway Birtinya.

Councillor G Rogerson set out the following in relation to this interest:

- Mr & Mrs Thompson having made a pledge of a financial contribution to the Nambour Tramway Project.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor E Hungerford

That in accordance with s175E(4)(a) of the Local Government Act 2009, Councillor G Rogerson does not have a real or perceived conflict of interest in matters that are to be considered in item 8.4.

For: Councillor P Cox, Councillor J Connolly, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford, Councillor S Robinson and Councillor M Jamieson.

Against: Councillor R Baberowski, Councillor T Dwyer and Councillor J O'Pray.

Carried.

In accordance with s175E (4) of the Local Government Act 2009, Councillor G Rogerson did not vote on this matter.

Council Resolution (OM19/52)

Moved: Councillor P Cox
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "Proposed Extension to Thompson Institute, 12 Innovation Parkway, Birtinya"*
- (b) *recommend to the Minister for Natural Resources, Mines and Energy that amended Master Plan No. 5 (Detailed Planning Area Plan – Business Village) 2004 be approved, subject to conditions contained in Appendix A as amended, namely:
include a new condition 1 for the Notice of Determination:
Master Plan No. 5 must be amended as follows and resubmitted to Council for endorsement prior to issue of a Building Approval on Precinct 2a:*
 - (a) *Amend Table 1 in relation to Precinct 2a to add the bracketed words "University Purposes" after Public Purpose in the defined uses column.*
- (c) *upon approval of amended Master Plan No. 5 by the Minister for Natural Resources, Mines and Energy, approve the amended Master Plan No. 9 (Business Village Site Development Plans 1-6 & 8) 2004, subject to conditions contained in Appendix B*
- (d) *upon approval of amended Master Plan No. 5 by the Minister for Natural Resources, Mines and Energy, approve Master Plan No. 108 (Site Development Plan – Business Village - Precinct 2a) 2019, subject to conditions contained in Appendix C as amended, namely:
include condition 5(h):
Amend Table 1 to add the bracketed words "University Purposes" after Public Purpose in Column 1
and*
- (e) *with respect to (d) above, delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of Master Plan No. 108 (Site Development Plan – Detailed Planning Area 2 – Precinct 2a) 2019.*

Carried unanimously.

**8.5 SUNSHINE COAST PLANNING SCHEME 2014 - PROPOSED
CALOUNDRA CENTRE MASTER PLAN AMENDMENT -
CONSIDERATION OF SUBMISSIONS**

File No: Council meetings
Author: Senior Strategic Planner
Customer Engagement & Planning Services Group
Appendices: App A - Amendment Instrument
Attachments: Att 1 - Consultation Report
Att 2 - Explanatory Memorandum

As required by s175E of the Local Government Act 2009, Councillor T Dwyer informed the meeting of a personal interest in relation to matters to be considered in item 8.5 Sunshine Coast Planning Scheme 2014 - Proposed Caloundra Centre Master Plan Amendment - Consideration of Submissions.

Councillor T Dwyer set out the following in relation to this interest:

- A property located within the area relevant to "Caloundra Centre Master Plan Amendment". The property is part of the DJ & C Errington Staff Superannuation Fund.
- Councillor Dwyer's spouse, Kelli Dwyer, is a Director of DJ & C Errington Pty Ltd as Trustee for DJ & C Errington Staff Superannuation Fund of which she is a Member and Beneficiary.

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor E Hungerford

That in accordance with s175E(4)(a) of the Local Government Act 2009, Councillor T Dwyer does not have a real or perceived conflict of interest in matters that are to be considered in item 8.5.

For: Councillor P Cox, Councillor J Connolly, Councillor J McKay,
Councillor C Dickson, Councillor E Hungerford, Councillor S Robinson
and Councillor M Jamieson.

Against: Councillor R Baberowski, Councillor J O'Pray and Councillor G Rogerson.

Carried.

In accordance with s175E (4) of the *Local Government Act 2009*, Councillor T Dwyer did not vote on this matter.

Council Resolution (OM19/53)

Moved: Councillor T Dwyer
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled “**Sunshine Coast Planning Scheme 2014 - Proposed Caloundra Centre Master Plan Amendment - Consideration of Submissions**”*
- (b) *having considered all submissions received about the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Caloundra Centre Master Plan, decide to proceed with the proposed planning scheme amendment, with changes (Appendix A)*
- (c) *delegate authority to the Chief Executive Officer to progress and finalise the proposed planning scheme amendment in accordance with the Planning Act 2016 and*
- (d) *adopt the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Caloundra Centre Master Plan, subject to receiving advice from the Planning Minister that Council may proceed to adopt the amendment.*

Carried unanimously.

Council Resolution

Moved: Councillor E Hungerford
Seconded: Councillor R Baberowski

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

Carried unanimously.

8.6 PROPOSED VARIATION TO THE 2018-2019 SUNSHINE COAST INTERNATIONAL MISSIONS PROGRAM

File No: Council meetings
Author: Senior Project Officer
Economic & Community Development Group
Appendices: App A - Proposed Variation to the Sunshine Coast Council 2018-2019 International Missions Program

Council Resolution (OM19/54)

Moved: Councillor T Dwyer
Seconded: Councillor J Connolly

That Council:

- (a) receive and note the report titled "***Proposed Variation to the 2018-2019 Sunshine Coast International Missions Program***"
- (b) approve a variation to the 2018-2019 Sunshine Coast International Missions Program as outlined in Appendix A
- (c) approve overseas travel for the Mayor and a Council officer to participate in the proposed Sunshine Coast International Business Mission to New York City and
- (d) approve overseas travel for Councillor McKay to Xiamen, China in September 2019 to represent Council at the 20th anniversary celebration of the Friendship City relationship between Xiamen and the Sunshine Coast.

Carried unanimously.

8.7 MARCH 2019 FINANCIAL PERFORMANCE REPORT

File No: Financial Reports
Author: Coordinator Financial Services
Business Performance Group
Appendices: App A - 2019-2028 Budget Financial Statements
Attachments: Att 1 - March 2019 Financial Performance Report

Council Resolution (OM19/55)

Moved: Councillor T Dwyer
Seconded: Councillor E Hungerford

That Council:

- (a) receive and note the report titled "**March 2019 Financial Performance Report**" and
- (b) adopt the amended 2018/19 Budget Financial Statements to include the identified operating and capital budget adjustments (Appendix A).

Carried unanimously.

8.8 SUNSHINE COAST CITY HALL - PROJECT UPDATE

File No: F2016/231211

Author: Manager Property Management
Business Performance Group

Attachments: Att 1 - Councillor Meeting Outcomes - *Confidential*

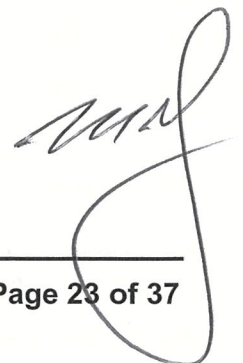
Council Resolution (OM19/56)

Moved: Councillor J Connolly
Seconded: Councillor R Baberowski

That Council receive and note the report titled "Sunshine Coast City Hall - Project Update".

Carried unanimously.

Councillor C Dickson absent for the discussion and vote on this item.



**8.9 MAKING OF AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(MISCELLANEOUS) 2019**

File No: Council meetings
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - Amendment Subordinate Local Law No. 1
(Miscellaneous) 2019
Attachments: Att 1 - Community Consultation Submissions

Council Resolution (OM19/57)

Moved: Councillor J McKay
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "**Making of Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019**"*
- (b) *resolve that Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions and*
- (c) *in accordance with Council's 'Process for Making Local Laws' adopted on 1 June 2010, pursuant to section 29 of the Local Government Act 2009, hereby resolve to make:*
 - i. *Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 (Appendix A).*

Carried unanimously.

Councillor C Dickson absent for the discussion and vote on this item.

8.10 NAMBOUR HERITAGE TRAMWAY PROJECT STATUS UPDATE

File No: Council Meetings
Author: Coordinator Urban Projects
Liveability & Natural Assets Group
Attachments: Att 1 - Alternative and/or additional material provided by TNTCo.
Att 2 - Review of alternative and/or additional material provided from TNTCo
Att 3 - Deferred Report 31 January 2019 Ordinary Meeting
Att 4 - Deferred Report 31 January 2019 Ordinary Meeting
Attachment 3 - *Confidential*

Council Resolution (OM19/58)

Moved: Councillor G Rogerson
Seconded: Councillor J McKay

That Council receive and note the report titled "Nambour Heritage Tramway Project Status Update".

Carried unanimously.

Councillor C Dickson absent for the discussion and vote on this item.

8.11 APPOINTMENT OF DIRECTORS OF SUNCENTRAL MAROOCHYDORE PTY LTD

File No: Council Meetings
Author: Chief of Staff
Office of the Chief Executive Officer
Attachments: Att 1 - Recommended Candidates For Appointment As Directors
- *Confidential*
Att 2 - Recommended Terms Of Appointment For The
Chairperson And Directors - *Confidential*

As required by s175E of the Local Government Act 2009, Councillor J Connolly informed the meeting of a personal interest in relation to matters to be considered in item 8.11 - Appointment of directors of SunCentral Maroochydore Pty Ltd.

Councillor J Connolly set out the following in relation to this interest:

- A personal association with a candidate.

Councillor J Connolly left the meeting and took no part in the discussion or vote on the item.

Council Resolution (OM19/59)

Moved: Councillor S Robinson
Seconded: Councillor P Cox

That Council:

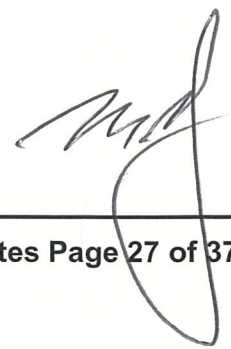
- receive and note the report titled "**Appointment of Directors of SunCentral Maroochydore Pty Ltd**" and*
- endorse the nominations for appointment to the Board of Directors of SunCentral Maroochydore Pty Ltd and the associated terms and conditions of appointment.*

Carried unanimously.

Councillor J Connolly and Councillor C Dickson were absent for the discussion and vote on this item.

9 NOTIFIED MOTIONS

Nil



PERSONAL INTEREST – CONFIDENTIAL ITEMS

As required by s175E (2) of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting that he may have a personal interest in the matter that is the subject of Agenda Item 11.4 on the basis of the following:

- As declared on previous occasions when Council has considered matters relating to the Brisbane Road Car Park site, Councillor M Jamieson's family superannuation fund holds an interest in a commercial property in the Mooloolaba area. That property is not the Brisbane Road Car Park site, nor is it a property adjoining that site;
- On 3 April 2012, Councillor M Jamieson received an electoral donation of \$2000 from Hutchinson Builders; and
- On 15 October 2015, Councillor M Jamieson received an electoral donation of \$2000 from Vantage Homes.

Given either or both Hutchinson Builders and Vantage Homes may potentially be advantaged or disadvantaged by the matter that is the subject of Agenda Item 11.4, Councillor M Jamieson decided he would leave the Chamber and not participate in the discussion or vote on this matter.

Councillor M Jamieson's decision to leave the Chamber related to the receipt of two electoral donations. The decision did not relate to the commercial property in which Councillor M Jamieson's family superannuation fund has an interest, a matter which Council has previously determined by majority decision does not constitute a personal interest.

The Mayor vacated the Chair and the Deputy Mayor took the Chair at this time.

11 CONFIDENTIAL SESSION**CLOSURE OF THE MEETING TO THE PUBLIC****Council Resolution****Moved: Councillor R Baberowski****Seconded: Councillor P Cox**

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

- 11.1 *Confidential - Not for Public Release - Compulsory acquisition of land - Kiamba*
- 11.2 *Confidential - Not for Public Release - Sale of Land - Maroochydore*
- 11.3 *Confidential - Not for Public Release - Maroochydore City Centre Priority Development Area*
- 11.4 *Confidential - Not for Public Release - Brisbane Road Car Park Mooloolaba - Design and Construction of Car Park*

Carried unanimously.

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

RE-OPENING OF THE MEETING TO THE PUBLIC**Council Resolution****Moved: Councillor T Dwyer****Seconded: Councillor S Robinson**

That the meeting be re-opened to the public.

Carried unanimously.

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

PERSONAL INTEREST – CONFIDENTIAL ITEMS

As required by s175E (2) of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting that he may have a personal interest in the matter that is the subject of Agenda Item 11.2 on the basis that he received an electoral donation of \$400 from CBRE Sunshine Coast on 12 February 2016.

Given CBRE Sunshine Coast may potentially be advantaged or disadvantaged by the matter that is the subject of Agenda Item 11.2, Councillor M Jamieson decided to leave the Chamber and not participate in the discussion or vote on this matter.

The Mayor vacated the Chair and the Deputy Mayor took the Chair at this time.

CLOSURE OF THE MEETING TO THE PUBLIC**Council Resolution**

Moved: Councillor G Rogerson

Seconded: Councillor S Robinson

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

- 11.2 *Confidential - Not for Public Release - Sale of Land - Maroochydore*
- 11.3 *Confidential - Not for Public Release - Maroochydore City Centre Priority Development Area*
- 11.4 *Confidential - Not for Public Release - Brisbane Road Car Park Mooloolaba - Design and Construction of Car Park*

Carried unanimously.

Councillor M Jamieson and Councillor C Dickson were absent for the vote on this motion.

RE-OPENING OF THE MEETING TO THE PUBLIC**Council Resolution**

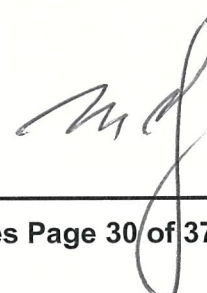
Moved: Councillor P Cox

Seconded: Councillor J McKay

That the meeting be re-opened to the public.

Carried unanimously.

Councillor M Jamieson and Councillor C Dickson were absent for the vote on this motion.



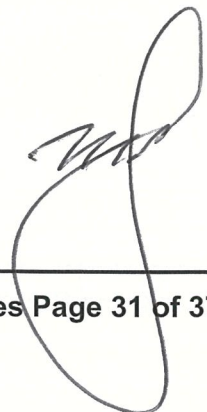
Council Resolution

Moved: Councillor T Dwyer
Seconded: Councillor R Baberowski

That Council suspend standing orders to consider items in the following order 11.2; 11.4 and then 11.1 and 11.3.

Carried unanimously.

Councillor M Jamieson and Councillor C Dickson were absent for the vote on this motion.

A large, stylized handwritten signature in black ink, located in the bottom right corner of the page. The signature is cursive and appears to be the initials 'MD' followed by a large loop.

11.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SALE OF LAND - MAROOCHYDORE

File No: F18/00346
Author: Principal Property Officer
Office of the CEO

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 (OM19/60)

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

That Council resolve in accordance with Section 236 (2) of Local Government Regulation 2012 that the exception under Section 236 (1) (a) of the Regulation applies to the sale of land at Maroochydore being proposed Lot 1 on SP310731, being part of current Lot 1 on SP269565.

For: Councillor R Baberowski, Councillor T Dwyer, Councillor J Connolly, Councillor J McKay, Councillor E Hungerford, Councillor J O'Pray and Councillor S Robinson.

Against: Councillor P Cox and Councillor G Rogerson.

Carried.

Councillor M Jamieson and Councillor C Dickson were absent for the discussion and vote on this item.

11.4 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - BRISBANE ROAD CAR PARK MOOLOOLABA - DESIGN AND CONSTRUCTION OF CAR PARK

File No: Council Meetings
Author: Manager Business Development
Business Performance Group

This report is confidential in accordance with section 275 (e) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by Council.

Council Resolution (OM19/61)

Moved: Councillor J Connolly
Seconded: Councillor E Hungerford

That Council:

- (a) *note the discussions held in confidential session regarding the Brisbane Road car park Mooloolaba, design and construction of car park and*
- (b) *note that a further report will be provided to Council for consideration of responses received to the Expression of Interest.*

Carried unanimously.

Councillor M Jamieson and Councillor C Dickson were absent for the discussion and vote on this item.

The Mayor returned to the Chair at this time.

11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - COMPULSORY ACQUISITION OF LAND - KIAMBA

File No: F2019/12012
Author: Property Officer
Business Performance Group

This report is confidential in accordance with section 275 (e) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by Council.

Council Resolution (OM19/62)

Moved: Councillor G Rogerson
Seconded: Councillor E Hungerford

That Council:

- (a) *delegate to the Chief Executive Officer to negotiate and finalise the acquisition of.*
 - (i) *approximately 71m² of land from Lot 4 on SP171987 for road purposes*
 - (ii) *approximately 43m² of land from Lot 10 on SP171987 for road purposes*
 - (iii) *approximately 96m² of land from Lot 11 on SP171987 for road purposes*
- (b) *failing a negotiated settlement on terms satisfactory to the Chief Executive Officer, delegate authority to the Chief Executive Officer to proceed by compulsory acquisition of the following properties in accordance with the requirements of the Acquisition of Land Act 1967:*
 - (i) *approximately 71m² of land from Lot 4 on SP171987 for road purposes*
 - (ii) *approximately 43m² of land from Lot 10 on SP171987 for road purposes*
 - (iii) *approximately 96m² of land from Lot 11 on SP171987 for road purposes*
- (c) *if no objections are received, delegate authority to the Chief Executive Officer to make application to the Minister for Natural Resources Mines and Energy to take the land under Section 9 of the Acquisition of Land Act 1967 and*
- (d) *delegate authority to the Chief Executive Officer to settle the claims for compensation if the Land is compulsorily acquired.*

Carried unanimously.

Councillor C Dickson was absent for the discussion and vote on this item.

11.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAROOCHYDORE CITY CENTRE PRIORITY DEVELOPMENT AREA

File No: Council meetings
Author: Project Coordinator
Liveability & Natural Assets Group

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 (OM19/63)

Moved: Councillor T Dwyer
Seconded: Councillor J Connolly

That Council delegate to the Chief Executive Officer to proceed as discussed in confidential session with regard to progressing the Maroochydore City Centre Priority Development Area.

For: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor J Connolly, Councillor J McKay, Councillor J O'Pray, Councillor S Robinson and Councillor M Jamieson.

Against: Councillor E Hungerford and Councillor G Rogerson.

Carried.

Councillor C Dickson was absent for the discussion and vote on this item.

12 NEXT MEETING

The next Ordinary Meeting will be held on 23 May 2019 in the Council Chambers, 1 Omrah Avenue, Caloundra

13 MEETING CLOSURE

The meeting closed at 4:17pm.

Confirmed 23 May 2019.



CHAIR

14 APPENDICES

- 8.2 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT AT 82 STEGGALLS RD, YANDINA - APP A - APPROVAL CONDITIONS**
- 8.3 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES (MULTIPLE DWELLING UNITS X 73 AND CORNER STORE) - APP A - RECOMMENDED CONDITIONS OF APPROVAL**
- 8.4 PROPOSED EXTENSION TO THOMPSON INSTITUTE, 12 INNOVATION PARKWAY, BIRTINYA - APP A - DETAILS FOR NOTICE OF DETERMINATION FOR AMENDED MASTER PLAN NO. 5 - DETAILED PLANNING AREA PLAN**
- 8.4 PROPOSED EXTENSION TO THOMPSON INSTITUTE, 12 INNOVATION PARKWAY, BIRTINYA - APP B - DETAILS FOR NOTICE OF DETERMINATION FOR AMENDED MASTER PLAN NO. 9 - EXISTING SITE DEVELOPMENT PLAN**
- 8.4 PROPOSED EXTENSION TO THOMPSON INSTITUTE, 12 INNOVATION PARKWAY, BIRTINYA - APP C - DETAILS FOR NOTICE OF DETERMINATION - NEW SITE DEVELOPMENT PLAN**
- 8.5 SUNSHINE COAST PLANNING SCHEME 2014 - PROPOSED CALOUNDRA CENTRE MASTER PLAN AMENDMENT - CONSIDERATION OF SUBMISSIONS - APP A - AMENDMENT INSTRUMENT**
- 8.6 PROPOSED VARIATION TO THE 2018-2019 SUNSHINE COAST INTERNATIONAL MISSIONS PROGRAM - APP A - PROPOSED VARIATION TO THE SUNSHINE COAST COUNCIL 2018-2019 INTERNATIONAL MISSIONS PROGRAM**
- 8.7 MARCH 2019 FINANCIAL PERFORMANCE REPORT - APP A - 2019-2028 BUDGET FINANCIAL STATEMENTS**
- 8.9 MAKING OF AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (MISCELLANEOUS) 2019 - APP A - AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (MISCELLANEOUS) 2019**

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