

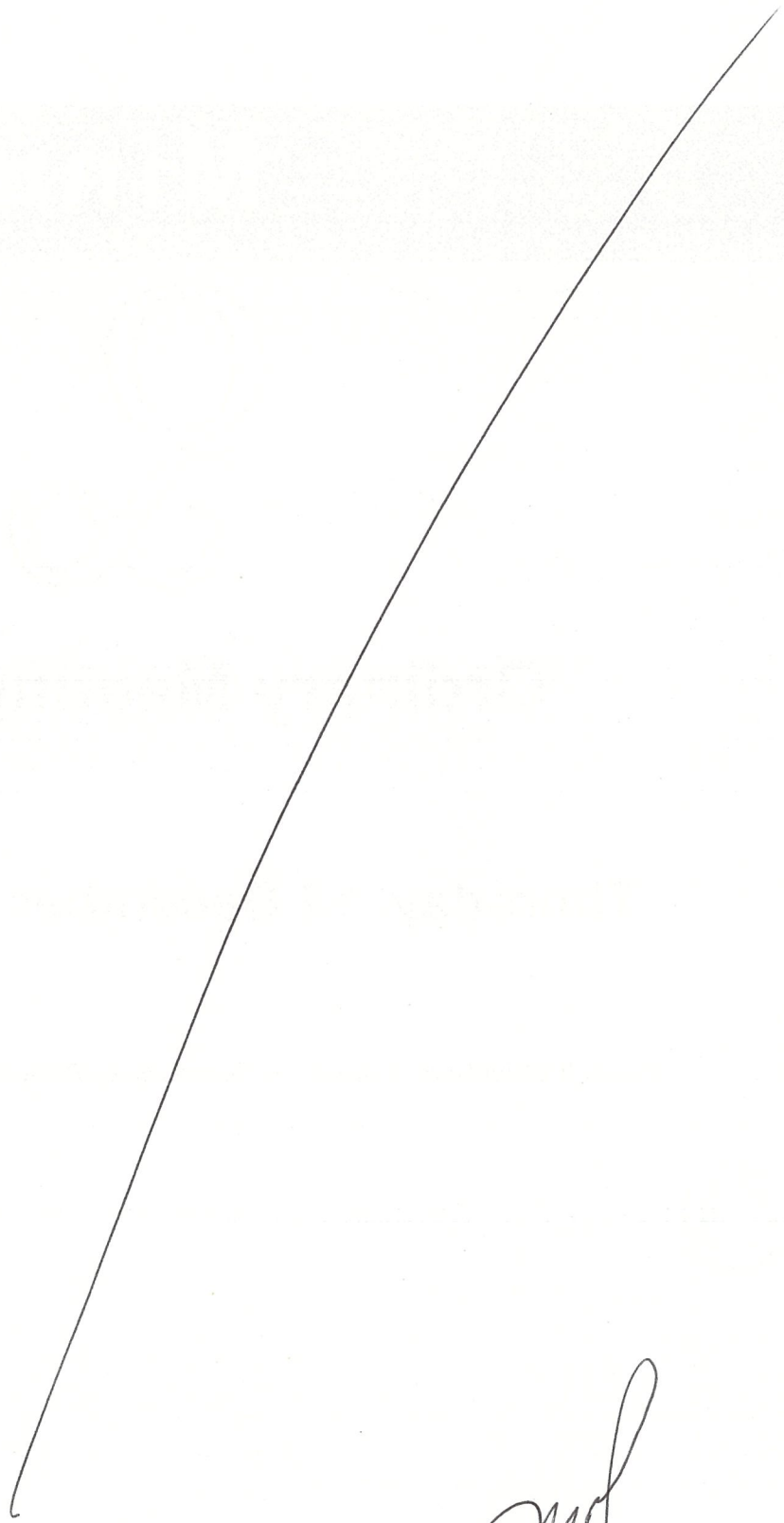
Minutes

Ordinary Meeting

Thursday, 12 December 2019

Council Chambers, Corner Currie and Bury Streets, Nambour

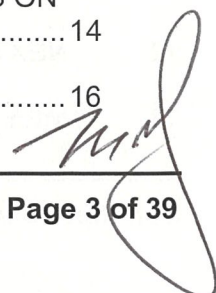




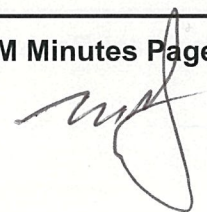
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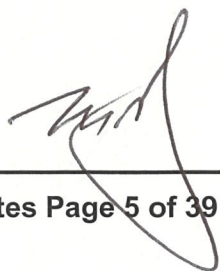
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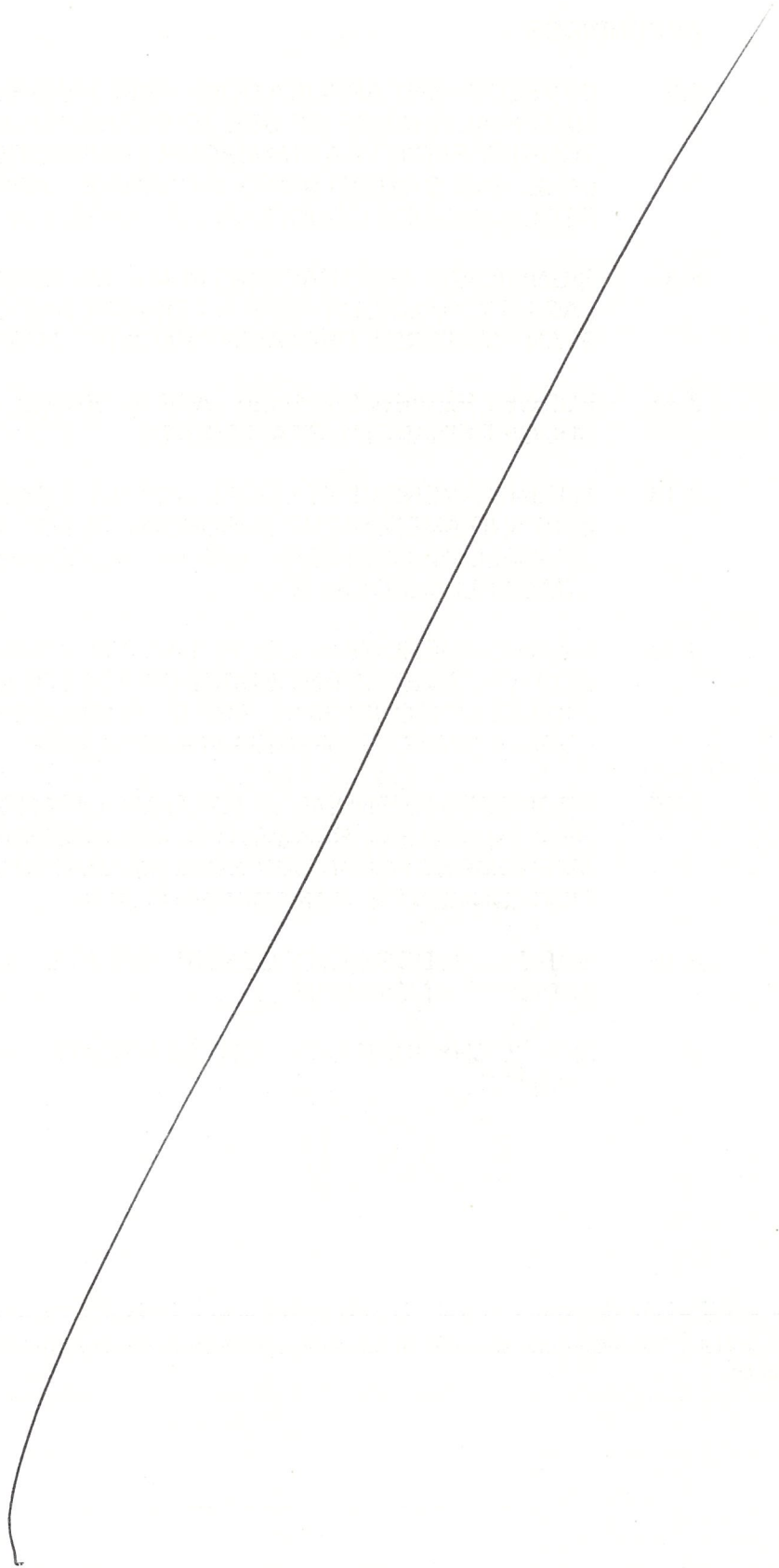
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Please Note: The resolutions as shown in italics throughout these minutes are the resolutions carried by the Council.





Handwritten signature or initials, possibly 'MJD'.

1 DECLARATION OF OPENING

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

2 WELCOME AND OPENING PRAYER

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

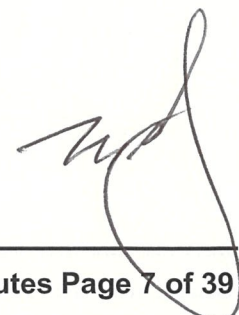
Pastor Peter Hewitt from Woombye Parish read a prayer.

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
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8 (Absent 11.1 – 13)
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10

COUNCIL OFFICERS

Chief Executive Officer
Group Executive Built Infrastructure
Group Executive Customer Engagement and Planning Services
Group Executive Economic and Community Development
Group Executive Liveability and Natural Assets
Chief of Staff
Chief Strategy Officer
Portfolio Director, Major Projects
Coordinator CEO Governance & Operations
Team Leader Planning Assessment
Manager Civil Asset Management
Parking and Transport Manager
Coordinator Community Land Permits & Parking
Coordinator Creative Arts & Events
Venue Manager Sunshine Coast Stadium
Chief Financial Officer



4 RECEIPT AND CONFIRMATION OF MINUTES**Council Resolution**

Moved: Councillor P Cox
Seconded: Councillor E Hungerford

That the Minutes of the Ordinary Meeting held on 14 November 2019 and the Special Meeting (Region Shaping Projects) held on 14 November 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 declarations were raised:

Councillor M Jamieson informed the meeting of a personal interest for item 8.7

Councillor G Rogerson informed the meeting of a personal interest for item 11.2

6 MAYORAL MINUTE

6.1 MAYORAL MINUTE

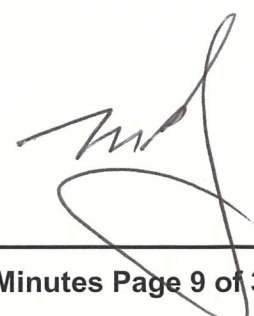
File No: Mayoral Minute
Author: Mayor Mark Jamieson

Council Resolution (OM19/185)

Moved: Councillor M Jamieson
Seconded: Councillor J McKay

That Council make public the term of the extension of the contract of employment between Sunshine Coast Regional Council and Mr Michael Whittaker and the reasons for the extension of the term of the contract.

Carried unanimously.



Council Resolution

Moved: Councillor T Dwyer
Seconded: Councillor E Hungerford

That Council allow the introduction of new items of business into the Agenda for the Ordinary Meeting held on Thursday 12 December 2019 namely:

- *Item 8.15 - Proposed Amendment to Local Law No.3 (Community Health and Environmental Management) 2019*
- *Item 8.16 - Maroochydore City Centre Project Update*
- *Item 8.17 - Update on the South East Queensland Regional Plan 2017 Implementation Actions and*
- *Item 8.18 - Sunshine Coast Stadium - Proposed Expansion.*

Carried unanimously.

7 PRESENTATIONS / COUNCILLOR REPORTS**7.1 PRESENTATION - DIPLOMA OF LOCAL GOVERNMENT (ELECTED MEMBERS)**

Council Resolution**Moved: Councillor R Baberowski****Seconded: Councillor S Robinson**

That Council recognise and congratulate Councillor E Hungerford for successfully completing the Diploma of Local Government (Elected Members) and Councils Meeting Management Officer for successfully completing the Diploma of Local Government (Administration).

Carried unanimously.

7.2 PRESENTATION - NATIONAL LIVE MUSIC AWARDS - CALOUNDRA MUSIC FESTIVAL AWARDED QLD LIVE EVENT OF THE YEAR

Council Resolution**Moved: Councillor R Baberowski****Seconded: Councillor S Robinson**

That Council recognise and receive the 2019 Queensland Live Event of the Year Award recently awarded to the Caloundra Music Festival at The National Live Music Awards.

Carried unanimously.

7.3 PRESENTATION - BANKSIA GOVERNMENT AWARD FOR MARY CAIRNCROSS SCENIC RESERVE

Council Resolution**Moved: Councillor R Baberowski****Seconded: Councillor S Robinson**

That Council recognise and receive with thanks the Banksia Government Award for the Mary Cairncross BioBlitz project which was awarded to Sunshine Coast Council at The Banksia Sustainability Awards in Sydney.

Carried unanimously.

8 REPORTS DIRECT TO COUNCIL

8.1 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE OF PREMISES (RESIDENTIAL CARE FACILITY) AT 7-15 ILLUKA STREET, BUDERIM

File No: MCU19/0116
Author: Development Planner
Customer Engagement & Planning Services Group

This item was withdrawn from the Agenda by the Chief Executive Officer.



8.2 DEVELOPMENT APPLICATION - PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE TO ESTABLISH AN INTEGRATED TOURIST FACILITY AT NAMBOUR CONNECTION ROAD, AIRD LANE, AND GARRAD ROAD, WOOMBYE

File No: MCU17/2064
Author: Senior Development Planner
Customer Engagement & Planning Services Group
Appendices: App A - Recommended Conditions of Approval
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Concurrence Agency Response
Att 3 - Development Plans
Att 4 - Big Pineapple Master Plan

Council Resolution (OM19/186)

Moved: Councillor J McKay
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled "**Development Application - Preliminary Approval for Material Change of Use to establish an integrated tourist facility at Nambour Connection Road, Aird Lane, and Garrad Road, Woombye**"*
- (b) *APPROVE application no. MCU17/2064 for Preliminary Approval for Material Change of Use to establish an integrated tourist facility at Nambour Connection Road, Aird Lane and Garrad Road, Woombye subject to reasonable and relevant conditions (Appendix A) and*
- (c) *delegate authority to the Chief Executive Officer to determine all future requests for a negotiated decision notice and requested changes to the Preliminary Approval where the changes would not have a material impact on the outcome of the original decision.*

Carried unanimously.

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor G Rogerson

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

Carried unanimously.

8.3 EXTENSION TO THE SCHEDULED ROAD RESEAL WORKS ON IMAGE FLAT ROAD, IMAGE FLAT

File No: Council meetings
Author: Manager Civil Asset Management
Built Infrastructure Group
Attachments: Att 1 - Location Map

Council Resolution (OM19/187)

Moved: Councillor G Rogerson
Seconded: Councillor J McKay

That Council:

- (a) *receive and note the report titled “**Extension to the scheduled road reseal works on Image Flat Road, Image Flat**”*
- (b) *undertake the renewal of the fence posts and chainwire in the road reserve, to an acceptable safety standard, recognising the low speed environment of the access to 172 Image Flat Road, Image Flat*
- (c) *construct a pedestrian barrier fence along the western boundary of the property designated as 172 Image Flat Road from the termination of the vehicular safety fence, to a point where the vertical cut on Councils adjoining lot reaches one metre in height*
- (d) *approve the allocation of \$8756 (GST inclusive) from the Division 10 Councillor Emergent Capital Works Budget to fund the reseal of the road reserve at 172 Image Flat Road, Image Flat as part of the forthcoming Road Reseal Program or by private contractor (Roll Formed Driveways) as per Quotation Ref No: 191112-2 and*
- (e) *note that Council enter into a formal agreement with the owners of the property, noting that this work is associated solely with the adjoining road reserve, and no future works will be undertaken by the Sunshine Coast Council at 172 Image Flat Road, Image Flat.*

Council Resolution

Moved: Councillor J McKay
Seconded: Councillor C Dickson

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

Carried unanimously.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor J McKay

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

Carried unanimously.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor J Connolly

That the motion be put.

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

Against: Councillor C Dickson, Councillor E Hungerford and Councillor S
Robinson.

Carried.

The motion moved by Councillor G Rogerson and seconded by Councillor J McKay
was put.

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

Against: Councillor E Hungerford and Councillor S Robinson.

Carried.

8.4 BUSINESS PARKING PERMITS**File No:** D2019/113741**Authors:** Parking and Transport Manager
Built Infrastructure Group
Coordinator Community Land Permits & Parking
Customer Engagement & Planning Services Group

Council Resolution**Moved:** Councillor G Rogerson**Seconded:** Councillor J McKay

That Council:

- (a) receive and note the report titled "**Business Parking Permits**"
- (b) subsequent to a change to Council's Subordinate Local Law No. 1 (Administration) 2016 and Subordinate Local Law No. 5 (Parking) 2011, Council approve the allocation of 10 Business Parking Permits for employee parking at 64-66 Howard Street, Nambour, to be allocated within Councils Sydney Street / Howard Street Carpark and
- (c) authorise the commencement of the process to amend the Local Law which will enable the business parking permits to be granted.

For: Councillor J Connolly, Councillor J McKay and Councillor G Rogerson.**Against:** Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox,
Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray,
Councillor S Robinson and Councillor M Jamieson.Lost.

8.5 REGIONAL ARTS DEVELOPMENT FUND ANNUAL REPORT - 2018/2019 PROGRAM

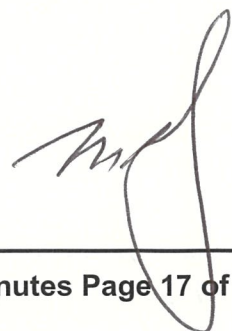
File No: Council meetings
Author: Coordinator Creative Arts & Events
Economic & Community Development Group

Council Resolution (OM19/188)

Moved: Councillor R Baberowski
Seconded: Councillor J McKay

That Council receive and note the report titled "Regional Arts Development Fund Annual Report - 2018/2019 Program".

Carried unanimously.



8.6 SIGNIFICANT CONTRACTING PLAN - MATERIAL RECOVERY FACILITY, NAMBOUR

File No: ITT1920
Author: Coordinator Procurement and Contract Performance
Business Performance Group
Appendices: App A - Significant Contracting Plan - Material Recovery Facility,
Nambour

Council Resolution (OM19/189)

Moved: Councillor S Robinson
Seconded: Councillor T Dwyer

That Council:

- (a) receive and note the report titled "***Significant Contracting Plan - Material Recovery Facility, Nambour***" and
- (b) adopt the *Significant Contracting Plan for the Material Recovery Facility, Nambour (Appendix A) as amended.*

Carried unanimously.

8.7 EXCEPTIONS UNDER LOCAL GOVERNMENT REGULATION 2012 - TRUSTEE LEASE ON RESERVE LAND - CALOUNDRA

File No: F15/00402
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Property Proposal - *Confidential*

As required by s175E of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting of a personal interest in relation to matters to be considered in item 8.7 – Exceptions under *Local Government Regulation 2012 - Trustee Lease on Reserve Land - Caloundra*”.

Councillor M Jamieson set out the following in relation to this interest:

‘Councillors, I wish to inform you under section 175E (2) of the Local Government Act 2009 that I may have a personal interest in the matter that is the subject of agenda item 8.7 on the basis that I received an electoral donation of \$200 from STEPS Group Australia on 27 January 2016.

Given STEPS Group Australia will potentially be advantaged or disadvantaged by the decision on the matter that is the subject of agenda item 8.7, I have decided I will leave the Chamber and not participate in the discussion or vote on this matter.’

Councillor M Jamieson left the Chamber and did 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.

Council Resolution (OM19/190)

Moved: Councillor T Dwyer
Seconded: Councillor P Cox

That Council:

- (a) *receive and note the report titled “**Exceptions under Local Government Regulation 2012 - Trustee Lease on Reserve Land - Caloundra**”*
- (b) *resolve pursuant to Section 236(1)(c)(iii) of the Local Government Regulation 2012 that an exception to dispose of an interest in land (lease) over Lot 5 on C27621, other than by tender or auction be applied, as the disposal is to the existing tenant of the lease of land as per Section 236(1)(c)(iii) and*
- (c) *resolve to enter into a lease arrangement, for a term of thirty (30) years, with the existing tenant, STEPS Group Australia Limited.*

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.

The Mayor returned to the Chair at this time.

8.8 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR DISPOSAL OF AN EASEMENT FOR WATER PURPOSES WITHIN LOT 9027 SP298743

File No: F2019/32752
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Site Plan for Proposed Easement
Att 2 - Location Plan for Proposed Easement

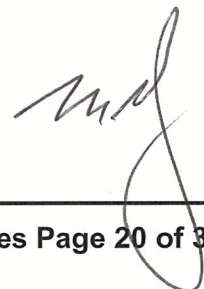
Council Resolution (OM19/191)

Moved: Councillor P Cox
Seconded: Councillor T Dwyer

That Council:

- (a) *receive and note the report titled "Exception under Local Government Regulation 2012 for Disposal of an Easement for Water Purposes within Lot 9027 SP298743"*
- (b) *resolve, pursuant to section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land over Lot 9027 SP298743, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and*
- (c) *note that Unitywater is a government agency.*

Carried unanimously.



8.9 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR DISPOSAL OF AN EASEMENT FOR SEWERAGE PURPOSES WITHIN LOT 71 ON RP138288

File No: F2019/8934

Author: Senior Property Officer
Business Performance Group

Attachments: Att 1 - Site Plan for Proposed Easement
Att 2 - Location Plan
Att 3 - Location Plan for Proposed Easement

Council Resolution (OM19/192)

Moved: Councillor P Cox
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled “**Exception under Local Government Regulation 2012 for Disposal of an Easement for Sewerage Purposes within Lot 71 on RP138288**”*
- (b) *resolve, pursuant to section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land over Lot 71 on RP138288, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and*
- (c) *note that Unitywater is a government agency.*

Carried unanimously.

8.10 NOVEMBER 2019 FINANCIAL PERFORMANCE REPORT

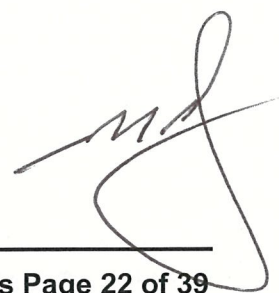
File No: Financial Reports
Author: Coordinator Financial Services
Business Performance Group
Attachments: Att 1 - November 2019 Financial Performance Report

Council Resolution (OM19/193)

Moved: Councillor T Dwyer
Seconded: Councillor E Hungerford

*That Council receive and note the report titled "**November 2019 Financial Performance Report**".*

Carried unanimously.



8.11 BUDGET REVIEW 2 2019/20

File No: Council Meetings
Author: Coordinator Financial Services
Business Performance Group
Appendices: App A - 2019/20 Amended Budget Financial Statements
Attachments: Att 1 - Summary of Operating Adjustments
Att 2 - Summary of Capital Adjustments

Council Resolution (OM19/194)

Moved: Councillor T Dwyer
Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "**Budget Review 2 2019/20**"
- (b) adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2019/20 financial year incorporating:
 - (i) the statement of income and expenditure
 - (ii) the statement of financial position
 - (iii) the statements of changes in equity
 - (iv) the statement of cash flow
 - (v) the relevant measures of financial sustainability
 - (vi) the long term financial forecast
 - (vii) the Debt Policy
- (c) note the following documentation applies as adopted 20 June 2019
 - (i) the Revenue Policy
 - (ii) the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget, and
 - (iii) the Revenue Statement and the rates and charges to be levied for the 2019/20 financial year and other matters as adopted 20 June 2019.

Carried unanimously.

8.12 SUNSHINE COAST CITY HALL - PROJECT UPDATE

File No: Council meetings
Author: Project Director (Workplace)
Business Performance Group

Council Resolution (OM19/195)

Moved: Councillor M Jamieson
Seconded: Councillor J Connolly

That Council:

- (a) receive and note the report titled "***Sunshine Coast City Hall - Project Update***"
- (b) endorse Respondent C as identified in Confidential Appendix A (Tender Evaluation and Governance Report) as the preferred supplier for the Design and Construction Contract for the Sunshine Coast City Hall
- (c) authorise the Chief Executive Officer to finalise the terms and conditions of the contract with Respondent C, and once finalised award the contract to the preferred respondent under delegation and
- (d) authorise the Mayor and/or the Chief Executive Officer to make public the name of Respondent C and the contract value at the conclusion of the Ordinary Meeting of 12 December 2019.

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

Against: Councillor G Rogerson.

Carried.

**8.13 MAKING AMENDMENT LOCAL LAW NO. 2 (MISCELLANEOUS) 2019
AND AMENDMENT SUBORDINATE LOCAL LAW NO. 3
(MISCELLANEOUS) 2019**

File No: Council meetings
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - Amendment Local Law No. 2 (Miscellaneous) 2019
App B - Amendment Subordinate Local Law No. 3
(Miscellaneous) 2019
Attachments: Att 1 - Summary of Submissions
Att 2 - Public Interest Review Report

Council Resolution (OM19/196)

Moved: Councillor E Hungerford
Seconded: Councillor J McKay

That Council:

- (a) *receive and note the report titled "**Making Amendment Local Law No. 2 (Miscellaneous) 2019 and Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019**"*
- (b) *resolves that Amendment Local Law No. 2 (Miscellaneous) 2019 and Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019, have been reviewed in accordance with section 38 of the Local Government Act 2009 and resolves to implement the recommendations of the Public Interest Review Report (Attachment 2) that the anti-competitive provisions contained in the laws are in the public interest and should be retained*
- (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 Amendment Local Law No.2 (Miscellaneous) 2019 (Appendix A) with the following amendment based on consideration of public submissions and the State interests check feedback:*
 - i. *add a new Part 4 to clarify that where building work noise permit is issued this replaces the prescribed noise standard for building work in the Environmental Protection Act 1994.*
- (d) *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 Amendment Subordinate Local Law No.3 (Miscellaneous) 2019 (Appendix B) with the following amendments based on consideration of public submissions and the State interests check feedback:*
 - i. *in section 5 (Replacement of section 8 (State-controlled roads to which stated local laws apply), remove the redundant words "in operation at the commencement of this provision, remove the footnote and amend the definition of prescribed advertising device to update outdated references to the Roadside Advertising Manual*
 - ii. *in section 7 (Insertion of new schedule 5A and 5B), amend section 4 of both new schedules to include examples of the "extraordinary circumstances" and "environmental or public safety reasons" justifying why building work noise or building site delivery noise needs to occur outside normal prescribed hours*

- iii. *in section 16 (Amendment of schedule 6 (Dog off-leash areas), amend subsection (1) to include a time limitation (5pm to 8am) for the part of the existing dog off-leash area between beach accesses 245 and 249 at Bokarina and amend subsection (2) to substitute map 2.6.24 to reflect this change*
 - iv. *in section 21 (Amendment of schedule 2 (Restricted activities for local government controlled areas, facilities, infrastructure or roads), subsection (2), amend column 3 of the new table row to clarify that an activity in column 2 can only be permitted by the local government where it is not prohibited under State legislation*
- (e) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for "Application for Health and Community Services Parking Permit":*
- i. *Fee Description: Health and community services parking permit – Application for permit to park contrary to an indication on an official traffic sign regulating parking by time or payment of fee*
 - ii. *Section in Local Government Act 2009: section 97(2)(a)*
 - iii. *Legislative Authority: Local Law No. 1 (Administration) 2011, section 8 & section 42.*
 - iv. *Fee including GST: \$51*
- (f) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for the "Temporary Placement of a Shipping Container – Application":*
- i. *Fee Description: Temporary placement of a shipping container - Application for a permit to carry out prescribed activity.*
 - ii. *Section in Local Government Act 2009: section 97(2)(a),*
 - iii. *Legislative Authority: LL1 (Administration) 2011, section 8 & section 42.*
 - iv. *Fee including GST: \$264*
- (g) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for "Building work noise or building site delivery noise outside normal hours".*
- i. *Fee Description: Building work noise/building site delivery noise outside normal hours - Application for a permit to carry out prescribed activity.*
 - ii. *Section in Local Government Act 2009: section 97(2)(a),*
 - iii. *Legislative Authority: Local Law No. 1 (Administration) 2011, section 8 & section 42.*
 - iv. *Fee including GST: \$346, and*
- (h) *authorise the Chief Executive Officer to amend the 2019/20 Register of Cost-Recover Fees and Commercial Charges to include the cost-recovery fee for the "Operation of an amplified music venue within a special entertainment precinct"*
- i. *Fee Description: Operation of an amplified music venue within a special entertainment precinct - Application for a permit to carry out prescribed activity.*
 - ii. *Section in Local Government Act 2009: section 97(2)(a),*
 - iii. *Legislative Authority: Local Law No. 1 (Administration) 2011, section 8 & section 42 and*
 - iv. *Fee including GST: \$346.*

Carried unanimously.

8.14 POLICY ALIGNMENT DELEGATION

File No: Council meetings
Author: Principal Policy Officer
Office of the CEO

Council Resolution (OM19/197)

Moved: Councillor J Connolly
Seconded: Councillor E Hungerford

That Council:

- (a) receive and note the report titled "**Policy alignment delegation**" and
- (b) delegate to the Chief Executive Officer the authority to make minor administrative amendments to policies to ensure currency and compliance with relevant legislation.

Carried unanimously.

8.15 PROPOSED AMENDMENT TO LOCAL LAW NO.3 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019

File No: Council meetings
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - Amendment Local Law No. 3 (Community Health and Environmental Management) 2019

Council Resolution (OM19/198)

Moved: Councillor E Hungerford
Seconded: Councillor T Dwyer

That Council:

- (a) receive and note the report titled "***Proposed Amendment to Local Law No.3 (Community Health and Environmental Management) 2019***"
- (b) resolve to propose to make Amendment Local Law No. 3 (Community Health and Environmental Management) 2019 (Appendix A)
- (c) hereby resolve in relation to the draft local law to conduct a shorter period of fourteen (14) days of community consultation in lieu of Council's normal practice of (28) days for the following reasons:
 - (i) the effect of the amendment local law is only to amend the commencement date of the amended local law
 - (ii) the amended local law was already the subject of community consultation for 28 days in 2018 and Council considered the community's feedback on the law before making it on 17 May 2018
 - (iii) hereby resolve to undertake community consultation on the draft local law for fourteen (14) days
- (d) hereby resolve to undertake a State Interest Check in relation to the draft local law pursuant to section 29A of the Local Government Act 2009 and
- (e) note that the draft local law has been reviewed to identify anti-competitive provisions pursuant to section 38 of the Local Government Act 2009 and has been found to contain no anti-competitive provisions.

Carried unanimously.

8.16 MAROOCHYDORE CITY CENTRE UPDATE

File No:	Council Meetings
Author:	Portfolio Director, Major Projects Office of the CEO
Appendices:	App A - Risk Appetite Statement App B - Boundary Change
Attachments:	Att 1 - Multi-deck Public Car Parking Report - Confidential Att 2 - SunCentral Governance Review Action Plan - Confidential Att 3 - SunCentral Statement of Corporate Intent Att 4 - MCC Project Governance Framework Diagrams Att 5 - MCC Project Charters

Council Resolution (OM19/199)

Moved: Councillor S Robinson
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled “Maroochydore City Centre update”*
- (b) *adopt the Risk Appetite Statement (Appendix A)*
- (c) *formally advise SunCentral Maroochydore Pty Ltd that the proposal submitted by the proponent for the multi-deck public car park be declined*
- (d) *proceed with the planning for a Council delivered multi-deck public car park in the financial year 2023/24*
- (e) *request SunCentral Maroochydore Pty Ltd to:*
 - (i) *proceed with delivery of an interim ‘at grade’ car park on undeveloped Lots 11 and 12 (also known as Lots L1 & L2 and Lots K1 & K2)*
 - (ii) *proceed with delivery of temporary construction worker parking on part Lot 201 on SP305312 (also known as Lots J1 & J2)*
 - (iii) *decline the Expression of Interest proposal for a multi-deck public car park on Lot 110 on SP305312 (Also known as Lot H2)*
 - (iv) *provide an analysis of other Lots and options to achieve a higher number of car parks on the current earmarked Lots, or provide alternative suitable options*
 - (v) *include Council’s commitment to deliver a public multi-deck car park by 30 June 2024 in future land sales and leasing contract special conditions*
- (f) *request the Mayor write to the Minister for Economic Development Queensland seeking a boundary change to enable the land adjacent to Precinct 4 of the Maroochydore City Centre PDA Development Scheme to be included in the Maroochydore City Centre PDA (Appendix B) and*
- (g) *authorise the Chief Executive Officer to provide the Minister for Economic Development Queensland such material as would assist in undertaking the boundary change process under the Economic Development Act 2012.*

Council Resolution

Moved: Councillor S Robinson
Seconded: Councillor J Connolly

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

8.16 Maroochydore City Centre Update.

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

Against: Councillor G Rogerson.

Carried.

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor R Baberowski

That the meeting be re-opened to the public.

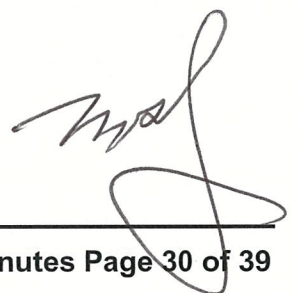
Carried unanimously.

The motion moved by Councillor S Robinson and Councillor E Hungerford was put.

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

Against: Councillor P Cox and Councillor G Rogerson.

Carried.



8.17 UPDATE ON THE SOUTH EAST QUEENSLAND REGIONAL PLAN 2017 IMPLEMENTATION ACTIONS

File No: Council report
Author: Project Manager
Liveability & Natural Assets Group
Appendices: App A - Position Paper - *Confidential*

Council Resolution (OM19/200)

Moved: Councillor R Baberowski
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled “**Update on the South East Queensland Regional Plan 2017 Implementation Actions**”*
- (b) *endorse the Confidential Position Paper*
- (c) *delegate authority to the Chief Executive Officer to:*
 - (i) *make any amendments to the endorsed Confidential Position Paper following the finalisation of all background assessments*
 - (ii) *forward the Confidential Position Paper to the Minister for State Development, Manufacturing, Infrastructure and Planning*
 - (iii) *address and respond to any feedback received from the State Government relating to the Confidential Position Paper and*
- (d) *make the Confidential Position Paper available to the public upon the advice of the Minister for State Development, Manufacturing, Infrastructure and Planning.*

Carried unanimously.



8.18 SUNSHINE COAST STADIUM - PROPOSED EXPANSION

File No: Council meetings
Author: Manager Sport & Community Venues
Economic & Community Development Group
Attachments: Att 1 - Sunshine Coast Stadium - Proposed Expansion Design Drawings

Council Resolution (OM19/201)

Moved: Councillor P Cox
Seconded: Councillor J Connolly

That Council:

- (a) *receive and note the report titled "**Sunshine Coast Stadium - Proposed Expansion**"*
- (b) *endorse the concept design for Stage 1 of the Sunshine Coast Stadium expansion and support the commitment of \$17 million to deliver this stage in the 2021/22 and 2022/23 financial years subject to external funding being obtained for the balance of the required funding*
- (c) *authorise the Chief Executive Officer to prepare a prospectus and associated advocacy plan with a view to engage other potential funding sources and communicate the project to the wider community and*
- (d) *authorise the Chief Executive Officer to negotiate and execute a formal agreement with funding partners for Stage 1 of the Sunshine Coast Stadium expansion project.*

Carried unanimously.

9 NOTIFIED MOTIONS

Nil

10 TABLING OF PETITIONS

Nil



PERSONAL INTEREST – CONFIDENTIAL ITEMS

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 11.2 “Confidential - Not for Public Release - Compulsory Acquisition of Land - Kiamba”.

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

‘Butler McDermott, a law firm of Nambour, contributed the sum \$1,980 to my 2012 election campaign. Butler McDermott are consulting agents for a resident whose part property is being considered in this agenda item.

I have decided I will leave the Chamber and not participate in the discussion or vote on this matter.’

11 CONFIDENTIAL SESSION**CLOSURE OF THE MEETING TO THE PUBLIC****Council Resolution**

Moved: Councillor C Dickson
Seconded: Councillor S Robinson

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

- 11.1 *Confidential - Not for Public Release - Land Acquisition, Maroochy River*
- 11.2 *Confidential - Not for Public Release - Compulsory Acquisition of Land - Kiamba.*

Carried unanimously.

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

Moved: Councillor E Hungerford
Seconded: Councillor T Dwyer

That the meeting be re-opened to the public.

Carried unanimously.

Councillor J O'Pray was absent for the discussion and vote on this motion.



**11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - LAND ACQUISITION,
MAROOCHY RIVER****File No: F2019/8313****Author: Manager Environment and Sustainability Policy
Liveability & Natural Assets Group**

In preparing this report, the Chief Executive Officer recommends it be considered 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. Land acquisitions are confidential due to contractual requirement of sale.

Council Resolution (OM19/202)**Moved: Councillor S Robinson****Seconded: Councillor J McKay**

That Council delegate authority to the Chief Executive Officer to enter into negotiations, execute and finalise the acquisition of the identified properties in Maroochy River, in accordance with the outcome of discussions in the confidential session.

Carried unanimously.

Councillor J O'Pray was absent for the discussion and vote on this item.

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

File No: F2019/12401
Author: Senior Property Officer
Business Performance Group

In preparing this report, the Chief Executive Officer recommends it be considered 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 (OM19/203)

Moved: Councillor J McKay
Seconded: Councillor J Connolly

That Council:

- (a) *delegate to the Chief Executive Officer to negotiate and finalise the acquisition of approximately 74m² of land from Lot 6 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 acquiring approximately 74m² of land from Lot 6 SP171987 in accordance with the requirements of the Acquisition of Land Act 1967*
- (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 G Rogerson was absent for the discussion and vote on this item in accordance with the declaration of a personal interest he made in relation to this agenda item.

Councillor J O'Pray was absent for the discussion and vote on this item.



12 NEXT MEETING

The next Ordinary Meeting will be held on 30 January 2020 in the Council Chambers, 1 Omrah Avenue, Caloundra.

13 MEETING CLOSURE

The meeting closed at 3:09pm.

Confirmed 30 January 2020.


CHAIR

14 APPENDICES

- 8.2 DEVELOPMENT APPLICATION - PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE TO ESTABLISH AN INTEGRATED TOURIST FACILITY AT NAMBOUR CONNECTION ROAD, AIRD LANE, AND GARRAD ROAD, WOOMBYE – APP A - RECOMMENDED CONDITIONS OF APPROVAL**
- 8.6 SIGNIFICANT CONTRACTING PLAN - MATERIAL RECOVERY FACILITY, NAMBOUR - APP A - SIGNIFICANT CONTRACTING PLAN - MATERIAL RECOVERY FACILITY, NAMBOUR**
- 8.11 BUDGET REVIEW 2 2019/20 - APP A - 2019/20 AMENDED BUDGET FINANCIAL STATEMENTS**
- 8.13 MAKING AMENDMENT LOCAL LAW NO. 2 (MISCELLANEOUS) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO. 3 (MISCELLANEOUS) 2019 - APP A - AMENDMENT LOCAL LAW NO. 2 (MISCELLANEOUS) 2019**
- 8.13 MAKING AMENDMENT LOCAL LAW NO. 2 (MISCELLANEOUS) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO. 3 (MISCELLANEOUS) 2019 - APP B - AMENDMENT SUBORDINATE LOCAL LAW NO. 3 (MISCELLANEOUS) 2019**
- 8.15 PROPOSED AMENDMENT TO LOCAL LAW NO.3 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 - APP A - AMENDMENT LOCAL LAW NO. 3 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019**
- 8.16 MAROOCHYDRE CITY CENTRE UPDATE - APP A - RISK APPETITE STATEMENT**
- 8.16 MAROOCHYDRE CITY CENTRE UPDATE - APP B - BOUNDARY CHANGE**

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