

# Minutes

## Ordinary Meeting

**Thursday, 22 August 2019**

**Council Chambers, Corner Currie and Bury Streets, Nambour**



Ordinary Meeting

1924

*mf*

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING .....	6
2	WELCOME AND OPENING PRAYER.....	6
3	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE .....	6
4	RECEIPT AND CONFIRMATION OF MINUTES.....	7
5	INFORMING OF PERSONAL INTERESTS .....	7
5.1	MATERIAL PERSONAL INTEREST .....	7
5.2	CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST .....	7
6	MAYORAL MINUTE.....	7
7	PRESENTATIONS / COUNCILLOR REPORTS .....	9
7.1	PRESENTATION - TAHITI SOUTH PACIFIC OUTRIGGING TEAM..	9
7.2	PRESENTATION - SUNSHINE COAST BUSINESS NETWORK AWARD .....	9
8	REPORTS DIRECT TO COUNCIL.....	10
8.1	QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19.....	10
8.2	DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (SHOPPING CENTRE) AND PRELIMINARY APPROVAL (MIXED USE DEVELOPMENT) AT 106, 108, 110 & 124 MEMORIAL DRIVE, 1 & 3 COOK STREET, 18 ELIZABETH STREET & 9 CAPLICK WAY EUMUNDI.....	11
8.3	PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA .....	12
8.4	COMMUNITY PARTNERSHIP FUNDING PROGRAM RECOMMENDATIONS 2019.....	14
8.5	HERITAGE LEVY POLICY .....	15
8.6	GAZETTAL OF BATHING RESERVE FOR BOKARINA .....	16
8.7	FESTIVE SEASON PROGRAM 2019/20 .....	17
8.8	LEASE AGREEMENT KABI KABI PEOPLES ABORIGINAL CORPORATION AT 331 - 335 FINLAND ROAD, MARCOOLA .....	18



8.9 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR COMMERCIAL LEASE C SP178915 IN LOT 1 RP92714, 30-32 WHITECROSS ROAD, BLI BLI..... 19

8.10 JULY 2019 FINANCIAL PERFORMANCE REPORT ..... 20

8.11 SUNSHINE COAST CITY HALL - PROJECT UPDATE ..... 21

8.12 PROPOSED AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO.2 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 ..... 22

8.13 PROPOSED AMENDMENT LOCAL LAW NO. 2 (MISCELLANEOUS) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO. 3 (MISCELLANEOUS) 2019 ..... 23

8.14 INDEPENDENT AUDIT COMMITTEE MEMBER TRANSITION STRATEGY ..... 24

8.15 SYSTEMATIC INSPECTION PROGRAM - REGULATED DOGS.... 25

8.16 INTERNATIONAL TRAVEL ASSOCIATED WITH THE 2032 OLYMPIC AND PARALYMPIC GAMES BID..... 26

**9 NOTIFIED MOTIONS..... 27**

9.1 NOTICE OF MOTION - MOOLOOLABA CARPORT TRIAL AREA .. 27

9.2 NOTICE OF MOTION - COMMERCIAL USE OF PUBLIC LAND IN BUDERIM ..... 30

**10 TABLING OF PETITIONS..... 31**

10.1 PETITION - DECLARATION OF CLIMATE EMERGENCY ..... 31

**11 NEXT MEETING ..... 32**

**12 MEETING CLOSURE..... 32**

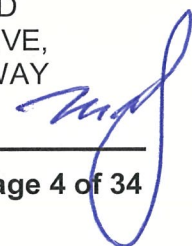
**14 APPENDICES ..... 33**

8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19 - APP A - CEO'S QUARTERLY PROGRESS REPORT Q4 2018-19 ..... 33

8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19 - APP B - OPERATIONAL PLAN ACTIVITIES Q4 2018-19..... 33

8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19 - APP C - QUARTERLY SNAPSHOT REPORT Q4 2018-19 ..... 33

8.2 DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (SHOPPING CENTRE) AND PRELIMINARY APPROVAL (MIXED USE DEVELOPMENT) AT 106, 108, 110 & 124 MEMORIAL DRIVE, 1 & 3 COOK STREET, 18 ELIZABETH STREET & 9 CAPLICK WAY





	EUMUNDI - APP A - RECOMMENDED CONDITIONS OF APPROVAL .....	33
8.3	PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA - APP A - EXISTING CONDITIONS OF APPROVAL FOR MASTER PLAN NO.38.....	33
8.3	PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA - APP B - EXISTING CONDITIONS OF APPROVAL FOR MASTER PLAN NO.39.....	33
8.3	PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA - APP C - CONDITIONS FOR MCU19/0107 - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (INDOOR ENTERTAINMENT - GYMNASIUM).....	33
8.4	COMMUNITY PARTNERSHIP FUNDING PROGRAM RECOMMENDATIONS 2019 - APP A - COMMUNITY PARTNERSHIP FUNDING PROGRAM RECOMMENDATIONS 2019 .....	33
8.5	HERITAGE LEVY POLICY - APP A - STRATEGIC POLICY - HERITAGE LEVY .....	33
8.12	PROPOSED AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO.2 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 - APP A - AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTHY AND ENVIRONMENTAL MANAGEMENT) 2019.....	33
8.12	PROPOSED AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO.2 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 - APP B - AMENDMENT SUBORDINATE LOCAL LAW NO. 2 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 .....	33
8.13	PROPOSED 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 .....	34
8.13	PROPOSED 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.....	34

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 9:00am.

**2 WELCOME AND OPENING PRAYER**

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

Pastor Maurie Richter from St Lukes Lutheran Church, Nambour 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
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  
Chief of Staff

**APOLOGIES**

Nil

**COUNCIL OFFICERS**

Team Leader Planning Assessment  
Coordinator Palmview / Kawana  
Community Connections & Partnerships Lead  
Manager Arts Heritage & Libraries  
Coordinator Sports Venues & Development  
Project Director (Workplace)  
Coordinator Financial Services  
Coordinator CEO Governance & Operations

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

**Moved:** Councillor G Rogerson  
**Seconded:** Councillor E Hungerford

*That the Minutes of the Ordinary Meeting held on 25 July 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*, the following material personal interest was raised:

Councillor M Jamieson informed the meeting of a personal interest for item 8.8.

**5.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST**

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

Councillor M Jamieson informed the meeting of a personal interest for item 8.3.

**6 MAYORAL MINUTE**

Nil

---



**Council Resolution**

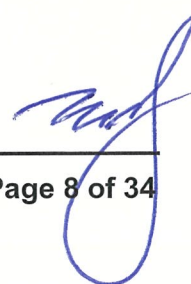
**Moved: Councillor M Jamieson**

**Seconded: Councillor T Dwyer**

*That Council allow an introduction of a new item of business into the Agenda for the Ordinary Meeting held on 22 August 2019, namely "Item 8.16 - International Travel associated with the 2032 Olympic and Paralympic Games Bid".*

**Carried unanimously.**

---



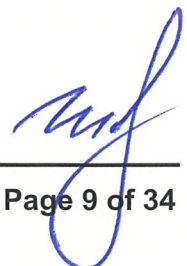
**7 PRESENTATIONS / COUNCILLOR REPORTS****7.1 PRESENTATION - TAHITI SOUTH PACIFIC OUTRIGGING TEAM**

Council noted and received with thanks the recognition from the Tahiti South Pacific Outrigging Team for Sunshine Coast hosting the Outrigger Championships.

**7.2 PRESENTATION - SUNSHINE COAST BUSINESS WOMEN'S NETWORK AWARD**

Council recognised the HR Officer (recruitment) for being awarded Young Business Woman of the Year and the Head of Property for her achievement in receiving the overall Outstanding Woman of the Year award in the Sunshine Coast Business Women's Network Awards.

---



---

**8 REPORTS DIRECT TO COUNCIL****8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19**

**File No:** Council meetings  
**Author:** Coordinator Organisational Performance  
Office of the CEO  
**Appendices:** App A - CEO's Quarterly Progress Report Q4 2018-19  
App B - Operational Plan Activities Q4 2018-19  
App C - Quarterly Snapshot Report Q4 2018-19

---

**Council Resolution** (OM19/118)

**Moved:** Councillor E Hungerford  
**Seconded:** Councillor J McKay

*That Council:*

- (a) receive and note the report titled "**Quarterly Progress Report - Quarter 4, 2018/19**"
- (b) note the Chief Executive Officer's Quarterly Progress Report - Quarter 4, 1 April to 30 June 2019 (Appendix A) on service delivery
- (c) note the Operational Plan Activities Report - quarter ended 30 June 2019 (Appendix B) reporting on implementation of the Corporate and Operational Plans and
- (d) note the Chief Executive Officer's Snapshot Report - quarter ended 30 June 2019 (Appendix C) reporting service statistics and highlights.

**Carried unanimously.**

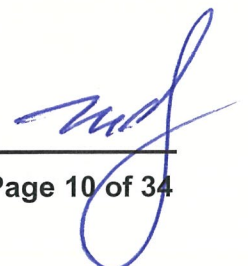
**Council Resolution**

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

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

**Carried unanimously.**

---





---

**8.2 DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (SHOPPING CENTRE) AND PRELIMINARY APPROVAL (MIXED USE DEVELOPMENT) AT 106, 108, 110 & 124 MEMORIAL DRIVE, 1 & 3 COOK STREET, 18 ELIZABETH STREET & 9 CAPLICK WAY EUMUNDI**

**File No:** MCU16/0284  
**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 for Approval - Development Permit  
Att 3 - Plans for Approval - Preliminary Approval

---

**Council Resolution** (OM19/119)

**Moved:** Councillor G Rogerson  
**Seconded:** Councillor C Dickson

*That Council:*

- (a) receive and note the report titled "*Development Permit for Material Change of Use (Shopping Centre) and Preliminary Approval (Mixed Use Development) at 106, 108, 110 & 124 Memorial Drive, 1 & 3 Cook Street, 18 Elizabeth Street & 9 Caplick Way Eumundi*" and
- (b) APPROVE application no. MCU16/0284 for a Development *Permit for Material Change of Use of Premises (Shopping Centre, Office, Food and Drink Outlet, Health Care Services) and Preliminary Approval under s242 of the Sustainable Planning Act 2009 to override the Sunshine Coast Planning Scheme 2014 for Mixed Use Development* subject to reasonable and relevant conditions provided at Appendix A.

Carried unanimously.

**Council Resolution**

**Moved:** Councillor J Connolly  
**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.

**Council Resolution**

**Moved:** Councillor J McKay  
**Seconded:** Councillor T Dwyer

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

Carried unanimously.

### 8.3 PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA

<b>File No:</b>	MCU19/0107
<b>Author:</b>	Development Planner Customer Engagement & Planning Services Group
<b>Appendices:</b>	App A - Existing Conditions of Approval for Master Plan No.38 App B - Existing Conditions of Approval for Master Plan No.39 App C - Conditions for MCU19/0107 - Development Permit for Material Change of Use (Indoor Entertainment - Gymnasium)
<b>Attachments:</b>	Att 1 - Amendment to Master Plan No.38 (Extract) Att 2 - Amendment to Master Plan No.39 (Extract)

As required by s175E of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting of a personal interest in this matter on the basis that he received the following electoral donations

- \$2,500 on 2 March 2016 from Michael Michell
- \$1,800 on 11 January 2012 from Don Aldous
- \$190 on 27 January 2012 from Don Aldous
- \$380 on 18 January 2012 from RPS Australia East Pty Ltd and
- \$400 on 11 February 2016 from RPS Consultants

Mr Michell and Mr Aldous are registered shareholders (members) of Lot 850 Birtinya Island Pty Ltd, which may derive a benefit or be disadvantaged by the decision of Council.

**The Mayor left the meeting and the Deputy Mayor took the Chair at this time.**

#### Council Resolution (OM19/120)

**Moved:** Councillor P Cox  
**Seconded:** Councillor C Dickson

*That Council:*

- receive and note the report titled "**Proposed gym within existing development - Regatta Boulevard Birtinya**"*
- recommend to the Minister for Natural Resources, Mines and Energy that amended Master Plan No. 38 (Neighbourhood Plan – Birtinya) 2005 be approved, subject to existing conditions contained within Appendix A*
- recommend to the Minister for Natural Resources, Mines and Energy that amended Master Plan No. 39 (Precinct/Estate Plan – Birtinya) 2006 be approved, subject to existing conditions contained within Appendix B*
- upon approval of amended Master Plan No. 38 and amended Master Plan No. 39, approve a Development Permit for Material Change of Use of Premises (Indoor Entertainment – Gymnasium), subject to conditions contained within Appendix C and*
- with respect to (b) and (c) above, delegate authority to the Chief Executive Officer to recommend approval to the Minister for Natural Resources, Mines and Energy of any minor or administrative amendments resulting from the implementation of Master Plan No. 38 and Master Plan No. 39.*

Carried unanimously.



The Mayor was absent for the discussion and vote on this item.

---

The Mayor returned to the Chair at this time.





**8.4 COMMUNITY PARTNERSHIP FUNDING PROGRAM  
RECOMMENDATIONS 2019**

**File No:** Council meetings  
**Author:** Team Leader Community Connections  
Economic & Community Development Group  
**Appendices:** App A - Community Partnership Funding Program  
Recommendations 2019  
**Attachments:** Att 1 - Community Partnership Funding Program  
Recommendations 2019 - Additional Information - *Confidential*

---

**Council Resolution** (OM19/121)

**Moved:** Councillor J McKay  
**Seconded:** Councillor E Hungerford

*That Council:*

- (a) *receive and note the report titled "**Community Partnership Funding Program Recommendations 2019**" and*
- (b) *endorse the Community Partnership Funding Program Recommendations 2019 (Appendix A).*

**Carried unanimously.**

---

---

**8.5 HERITAGE LEVY POLICY**

**File No:** Council meetings  
**Author:** Manager Arts, Heritage and Libraries  
Economic & Community Development Group  
**Appendices:** App A - Strategic Policy - Heritage Levy  
**Attachments:** Att 1 - Strategic Policy - Heritage Levy V4 August 2019 - tracked

---

**Council Resolution** (OM19/122)

**Moved:** Councillor R Baberowski  
**Seconded:** Councillor T Dwyer

*That Council:*

- (a) receive and note the report titled "**Heritage Levy Policy**" and
- (b) endorse the revised Strategic Policy - Heritage Levy (Appendix A).

**AMENDMENT**

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

*That Council:*

- (a) receive and note the report titled "**Heritage Levy Policy**"
- (b) endorse the revised Strategic Policy - Heritage Levy (Appendix A) and
- (c) Investigate, for consideration as part of the 2020/21 budget development program, the viability of broadening the criteria for the Built Heritage Conservation Fund to enable access by community groups for the maintenance of heritage listed properties that are community owned and managed for community purposes.

**For:** Councillor J Connolly, Councillor J McKay, Councillor C Dickson and Councillor G Rogerson.

**Against:** Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor E Hungerford, Councillor J O'Pray, Councillor S Robinson and Councillor M Jamieson.

Lost.

The Motion moved by Councillor R Baberowski and seconded by Councillor T Dwyer was put.

Carried unanimously.

Councillor T Dwyer raised a point of order in relation to Councillor G Rogerson speaking to the motion more than once. The Chair upheld the point of order.

Councillor T Dwyer raised a point of order in relation to Councillor G Rogerson bringing new information into the discussion. The Chair upheld the point of order.

Councillor R Baberowski raised a point of order in relation to Councillor G Rogerson speaking to the Motion not the Amendment. The Chair upheld the point of order.

---

**8.6 GAZETTAL OF BATHING RESERVE FOR BOKARINA**

**File No:** Council meetings  
**Author:** Team Leader Managed Sports Complexes  
Economic & Community Development Group  
**Attachments:** Att 1 - Proposed bathing reserve for Bokarina

---

**Council Resolution** (OM19/123)

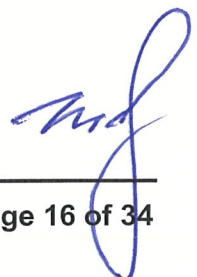
**Moved:** Councillor P Cox  
**Seconded:** Councillor J O'Pray

*That Council:*

- (a) *receive and note the report titled "**Gazettal of bathing reserve for Bokarina**"*
- (b) *resolve to make application for a new bathing reserve and repeal the existing Wurtulla bathing reserve, which will have the effect of extending the existing Wurtulla bathing reserve by approximately 700 metres and*
- (c) *proceed to commence the local law making process to amend Subordinate Local Law No. 2 (Animal Management), to remove the dog off leash area on map SLL 2.6.24 between beach access 247- 245 to allow for the declaration of a bathing reserve.*

**Carried unanimously.**

---





**8.7 FESTIVE SEASON PROGRAM 2019/20****File No:** 190919-6148**Author:** Coordinator Creative Arts & Events  
Economic & Community Development Group

---

**Council Resolution** (OM19/124)**Moved:** Councillor J McKay**Seconded:** Councillor R Baberowski*That Council:*

- (a) receive and note the report titled "***Festive Season Program 2019/20***"
- (b) renew/extend for one year (2020 delivery) the three \$10,000 agreements for the Nambour Community Carols, the Glasshouse Community Carols and the Coolum Christmas in the Park events
- (c) renew/extend for one year (2020 delivery) the \$60,000 agreement for the Calvary Christian Church to deliver the Carols at Cotton Tree and the Carols on Kings events
- (d) renew/extend for one year (2021 delivery) the agreements for the Kings Beach and the Maleny Australia Day flag raising events and
- (e) receive a report by February 2021 which seeks Council direction for future Christmas and Australia Day funding agreements and festive infrastructure, including the Divisional Discretionary Festive Fund.

**Carried unanimously.**

---

---

**8.8 LEASE AGREEMENT KABI KABI PEOPLES ABORIGINAL CORPORATION AT 331 - 335 FINLAND ROAD, MARCOOLA**

**File No:** SCAEP CHMP  
**Author:** Project Director (Sunshine Coast Airport Expansion)  
Built Infrastructure Group

---

**As required by s175E of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting of a personal interest in matters that are subject of Agenda Item 8.8 on the basis of the following:**

I am informing you that under section 175C (2) of the *Local Government Act 2009*, I may have a personal interest in matters that are the subject of Agenda Item 8.8 on the basis that I am an Employer representative Director of LGIASuper, which holds a 32% stake in the Sunshine Coast Airport through its asset manager, Palisade Investment Partners.

Out of a considerable abundance of caution and in line with the requirements of section 175C (2) of the Act, I will leave the Chamber and not participate in the discussion or vote on this matter.

**The Mayor left the meeting and the Deputy Mayor took the Chair at this time.**

**Council Resolution** (OM19/125)

**Moved:** Councillor J O'Pray  
**Seconded:** Councillor J McKay

*That Council:*

- (a) *receive and note the report titled "**Lease Agreement Kabi Kabi Peoples Aboriginal Corporation at 331 - 335 Finland Road, Marcoola**"*
- (b) *resolve, pursuant to Section 236(2) Local Government Regulation 2012, that an exception to dispose of an interest in land at Lot 1 RP 133655 (331 - 335 Finland Road, Marcoola), other than by tender or auction applies, as the disposal is, pursuant to Section 236(1)(c)(ii) to a person whose restored enjoyment of the land is consistent with Aboriginal tradition or Island custom and*
- (c) *approve the preparation, negotiation and execution of a lease to the Kabi Kabi Peoples Aboriginal Corporation for a term not less than 25 years with an annual rent in the sum of \$1 per annum.*

**Carried unanimously.**

**The Mayor was absent for the discussion and vote on this item.**

---

**The Mayor resumed the Chair at this time.**

---

**8.9 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR  
COMMERCIAL LEASE C SP178915 IN LOT 1 RP92714, 30-32  
WHITECROSS ROAD, BLI BLI**

**File No:** F15/00430  
**Author:** Senior Property Officer  
Business Performance Group  
**Attachments:** Att 1 - Lease C SP178915 in Lot 1 RP92714 aerial map  
Att 2 - Lot 1 RP92714 locality aerial map  
Att 3 - Lease C SP178915 in Lot 1 RP92714  
Att 4 - Telstra Corporation Limited facility

---

**Council Resolution** (OM19/126)

**Moved:** Councillor S Robinson  
**Seconded:** Councillor P Cox

*That Council:*

- (a) *receive and note the report titled "Exception Under Local Government Regulation 2012 for Commercial Lease C SP178915 in Lot 1 RP92714, 30-32 Whitecross Road, Bli Bli" and*
- (b) *resolve in accordance with section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land (lease) at Lot 1 RP92714, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(c)(iii) to the existing tenant of the land.*

**Carried unanimously.**

---

**8.10 JULY 2019 FINANCIAL PERFORMANCE REPORT**

**File No:** Financial Reports

**Author:** Coordinator Financial Services  
Business Performance Group

**Attachments:** Att 1 - July 2019 Financial Performance Report

---

**Council Resolution** (OM19/127)

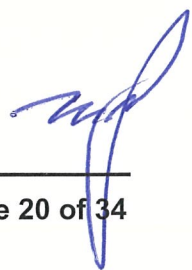
**Moved:** Councillor T Dwyer

**Seconded:** Councillor E Hungerford

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

Carried unanimously.

---





8.11 SUNSHINE COAST CITY HALL - PROJECT UPDATE

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

---

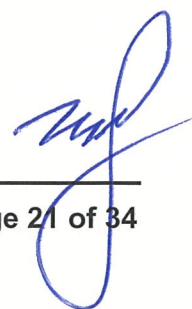
Council Resolution (OM19/128)

Moved: Councillor J Connolly  
Seconded: Councillor T Dwyer

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

Carried unanimously.

---



---

**8.12 PROPOSED AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO.2 (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. 1 (Community Healthy and Environmental Management) 2019  
App B - Amendment Subordinate Local Law No. 2 (Community Health and Environmental Management) 2019

---

**Council Resolution** (OM19/129)

**Moved:** Councillor E Hungerford  
**Seconded:** Councillor P Cox

*That Council:*

- (a) *receive and note the report titled “**Proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2019 and Amendment Subordinate Local Law No.2 (Community Health and Environmental Management) 2019**”*
- (b) *resolve to propose to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2019 and Amendment Subordinate Local Law No. 2 (Community Health and Environmental Management) 2019 (Appendix A)*
- (c) *resolve to undertake Community Consultation during the period 23 August to 23 September 2019 (32 days)*
- (d) *resolve to undertake a State Interest Check in relation to the proposed amending local law pursuant to section 29A of the Local Government Act 2009*
- (e) *resolve that proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2019 and Amendment Subordinate Local Law No. 2 (Community Health and Environmental Management) 2019 have been reviewed in accordance with section 38 of the Local Government Act 2009 and that it has been identified that the law contains several anti-competitive provisions that should not be excluded from review and that have potential impacts and*
- (f) *resolve to undertake a public interest review of the anti-competitive provisions and hereby authorise the Chief Executive Officer to conduct the review during the Community Consultation period in accordance with the State Government’s National Competition Policy – Guidelines for conducting reviews on anti-competitive provisions in local laws (version 1).*

**Carried unanimously.**

---

**8.13 PROPOSED 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

---

**Council Resolution** (OM19/130)

**Moved:** Councillor T Dwyer  
**Seconded:** Councillor J McKay

*That Council:*

- (a) *receive and note the report titled “**Proposed Amendment Local Law No. 2 (Miscellaneous) 2019 and Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019**”*
- (b) *resolve to propose to make Amendment Local Law No. 2 (Miscellaneous) 2019 (Appendix A)*
- (c) *resolve to propose to make Amendment Subordinate Local Law No. 3 (Miscellaneous) 2019 (Appendix B)*
- (d) *resolve to undertake a State interest check in relation to the proposed local law and subordinate local law pursuant to section 29A of the Local Government Act 2009*
- (e) *resolve to undertake community consultation on the draft local law and subordinate local law for thirty-two (32) days*
- (f) *resolve that proposed 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 that it has been identified that the laws contain several anti-competitive provisions that should not be excluded from review and that have potential impacts and*
- (g) *resolve to undertake a public interest review of the anti-competitive provisions and hereby authorise the Chief Executive Officer to conduct the review during the community consultation period (23 August 2019 – 23 September 2019) in accordance with the State Government’s National Competition Policy – Guidelines for conducting reviews on anti-competitive provisions in local laws (version 1).*

**Carried unanimously.**



---

**8.14 INDEPENDENT AUDIT COMMITTEE MEMBER TRANSITION STRATEGY**

**File No:** Council meetings  
**Author:** Manager Audit and Assurance  
Office of the CEO  
**Attachments:** Att 1 - Audit Committee Charter

---

**Council Resolution** (OM19/131)**Moved:** Councillor C Dickson**Seconded:** Councillor T Dwyer*That Council:*

- (a) *receive and note the report titled "**Independent Audit Committee Member Transition Strategy**"*
- (b) *endorse the Independent Audit Committee Member Transition Strategy and*
- (c) *appoint Mr. Peter Dowling AM as Audit Committee Chair and Mr. Len Scanlan as an Independent Audit Committee Member by extending their existing individual contracts to 31 December 2020.*

**Carried unanimously.**

---

**8.15 SYSTEMATIC INSPECTION PROGRAM - REGULATED DOGS**

**File No:** F2016/209704  
**Author:** Coordinator Response Services  
Customer Engagement & Planning Services Group  
**Attachments:** Att 1 - Requirements for keeping a regulated dog

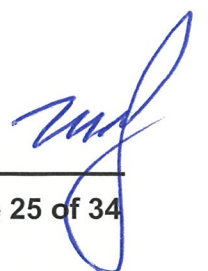
---

**Council Resolution** (OM19/132)**Moved:** Councillor J McKay**Seconded:** Councillor P Cox*That Council:*

- (a) receive and note the report titled "**Systematic Inspection Program - Regulated Dogs**" and
- (b) approve the following systematic inspection program for the Sunshine Coast Council area in accordance with the Animal Management (Cats and Dogs) Act 2008, section 113 (Approval of an inspection program authorising entry):
  - (i) compliance audit of the premises within the region where Council's Regulated Dog Register indicates a regulated dog is being kept to occur from 21 October 2019 to 31 January 2020.

**Carried unanimously.**

---



---

**8.16 INTERNATIONAL TRAVEL ASSOCIATED WITH THE 2032 OLYMPIC AND PARALYMPIC GAMES BID**

**File No:** Council meetings  
**Author:** Chief of Staff  
Office of the Chief Executive Officer

---

**Council Resolution** (OM19/133)

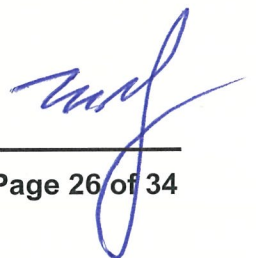
**Moved:** Councillor J O'Pray  
**Seconded:** Councillor T Dwyer

*That Council:*

- (a) *receive and note the report titled "International Travel associated with the 2032 Olympic and Paralympic Games Bid"*
- (b) *approve for Mayor Mark Jamieson to travel to Switzerland and France from 7 September 2019 to 13 September 2019 as a representative of the Council of Mayors South East Queensland to participate in the official Government delegation to meet with the President of the International Olympic Committee and inspect the Paris venues for the 2024 Olympic and Paralympic Games and*
- (c) *note that the costs associated with Mayor Jamieson's travel to Switzerland and France will be met by the Council of Mayors South East Queensland.*

**Carried unanimously.**

---





---

**9 NOTIFIED MOTIONS****9.1 NOTICE OF MOTION - MOOLOOLABA CARPORT TRIAL AREA**

**File No:** Council meetings  
**Author:** Councillor John Connolly  
Notice of Motion  
**Appendices:** App A - Carport Trial Area Map

---

Councillor M Jamieson made the following statement and requested inclusion in the minutes:

1. *On previous occasions when matters relating to this subject have become before Council, I have declared a personal interest based on electoral donations that I have received from Mr Tim Ryan on 31 January 2012 and 13 November 2015*
2. *I have been advised that the carport on Mr Ryan's property has since received the requisite development approval from Council*
3. *I have also been advised that the matter which is the subject of Notice of Motion No. 9.1 which is before Council today has no bearing on Mr Ryan, either beneficially or detrimentally*
4. *Accordingly, I do not consider that I have a personal interest in relation to the matters that are the subject of Notice of Motion No. 9.1 to be considered by Council today and*
5. *If a matter should arise during the course of the debate on this Motion relating to Mr Ryan, then I will make the necessary declaration and withdraw from further participation in Council's consideration of this matter.*

Councillor J O'Pray made the following statement and requested inclusion in the minutes:

1. *I have previously declared a perceived conflict of interest in this matter on the basis that I received electoral donations from Mr Tim Ryan and*
2. *The carport has since been issued an approval. If anything relating to Mr Ryans property is discussed I will leave the room.*

**MOTION**

**Moved:** Councillor J Connolly  
**Seconded:** Councillor C Dickson

That Council request the Chief Executive Officer to prepare a report for Council to consider a Strategic Policy – Assessment of amenity and aesthetics considerations for particular building work – carports, to be applicable to the area per Appendix A.

**AMENDMENT**

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

That Council request the Chief Executive Officer to prepare a report for Council to consider a Strategic Policy – Assessment of amenity and aesthetics considerations for particular building work – carports, to be applicable across the Sunshine Coast Local Government Area.

**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.

The motion moved by Councillor J Connolly and Seconded by Councillor C Dickson was put.

**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.

**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 E Hungerford

*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 G Rogerson  
**Seconded:** Councillor E Hungerford

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

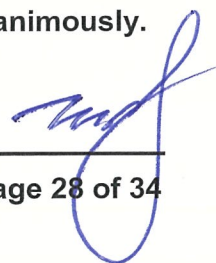
Carried unanimously.

**Council Resolution**

**Moved:** Councillor G Rogerson  
**Seconded:** Councillor T Dwyer

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

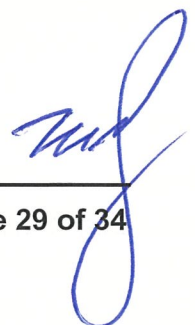
Carried unanimously.



Councillor T Dwyer raised a point of order in relation to Councillor G Rogerson speaking to the Motion not the Amendment. The Chair upheld the point of order.

Councillor T Dwyer raised a subsequent point of order in relation to Councillor G Rogerson speaking to the Motion not the Amendment. The Chair upheld the point of order.

---





**9.2 NOTICE OF MOTION - COMMERCIAL USE OF PUBLIC LAND IN BUDERIM**

**File No:** Council meetings  
**Author:** Councillor C Dickson  
Notice of Motion

---

**MOTION**

**Moved:** Councillor C Dickson  
**Seconded:** Councillor G Rogerson

That Council authorise the Chief Executive Officer to prepare a report to Council regarding the commercial use of public land in Elizabeth Daniels Park Car Park, Buderim.

**Council Resolution**

**Moved:** Councillor J Connolly  
**Seconded:** Councillor P Cox

*That the motion moved by Councillor C Dickson and seconded by Councillor G Rogerson in relation to Commercial use of Public Land, Buderim be withdrawn from the Ordinary Meeting Agenda with the approval of Council.*

**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.

---

**10 TABLING OF PETITIONS****10.1 PETITION - DECLARATION OF CLIMATE EMERGENCY**

**File No:** Council meetings  
**Author:** Councillor J McKay

---

**Council Resolution** (OM19/134)

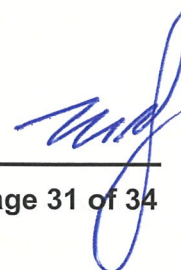
**Moved:** Councillor J McKay  
**Seconded:** Councillor G Rogerson

*That Council resolve the petition tabled by Councillor J McKay relating to the request to declare a climate emergency be received and referred to the Chief Executive Officer to determine appropriate action.*

Carried unanimously.

Councillor T Dwyer raised a point of order in regard to the member presenting the petition having one minute to speak to the petition. The Mayor noted the point of order and at his discretion allowed Councillor G Rogerson to speak to the motion.

---



**11 NEXT MEETING**

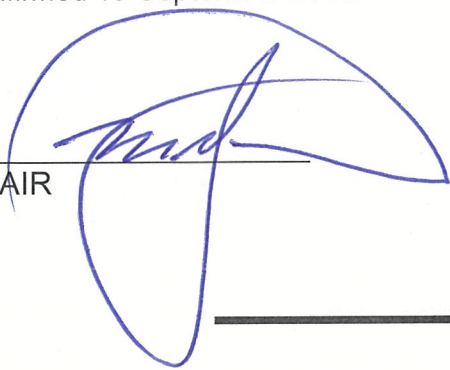
The next Ordinary Meeting will be held on 19 September 2019 in the Council Chambers, 1 Omrah Avenue, Caloundra.

**12 MEETING CLOSURE**

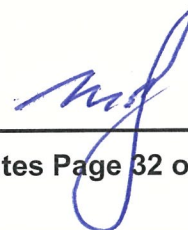
The meeting closed at 1:34pm.

Confirmed 19 September 2019.

CHAIR



---





---

**14 APPENDICES**

- 8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19 - APP A - CEO'S QUARTERLY PROGRESS REPORT Q4 2018-19
- 8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19 - APP B - OPERATIONAL PLAN ACTIVITIES Q4 2018-19
- 8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2018/19 - APP C - QUARTERLY SNAPSHOT REPORT Q4 2018-19
- 8.2 DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (SHOPPING CENTRE) AND PRELIMINARY APPROVAL (MIXED USE DEVELOPMENT) AT 106, 108, 110 & 124 MEMORIAL DRIVE, 1 & 3 COOK STREET, 18 ELIZABETH STREET & 9 CAPLICK WAY EUMUNDI - APP A - RECOMMENDED CONDITIONS OF APPROVAL
- 8.3 PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA - APP A - EXISTING CONDITIONS OF APPROVAL FOR MASTER PLAN NO.38
- 8.3 PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA - APP B - EXISTING CONDITIONS OF APPROVAL FOR MASTER PLAN NO.39
- 8.3 PROPOSED GYM WITHIN EXISTING DEVELOPMENT - REGATTA BOULEVARD BIRTINYA - APP C - CONDITIONS FOR MCU19/0107 - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (INDOOR ENTERTAINMENT - GYMNASIUM)
- 8.4 COMMUNITY PARTNERSHIP FUNDING PROGRAM RECOMMENDATIONS 2019 - APP A - COMMUNITY PARTNERSHIP FUNDING PROGRAM RECOMMENDATIONS 2019
- 8.5 HERITAGE LEVY POLICY - APP A - STRATEGIC POLICY - HERITAGE LEVY
- 8.12 PROPOSED AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO.2 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 - APP A - AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTHY AND ENVIRONMENTAL MANAGEMENT) 2019
- 8.12 PROPOSED AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 AND AMENDMENT SUBORDINATE LOCAL LAW NO.2 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019 - APP B - AMENDMENT SUBORDINATE LOCAL LAW NO. 2 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2019

- 8.13 PROPOSED 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 PROPOSED 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

