

Minutes

Ordinary Meeting

Thursday, 12 December 2013

Council Chambers, 9 Pelican Street, Tewantin

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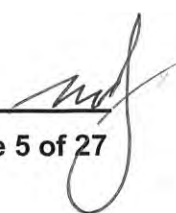
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Please Note: The resolutions as shown in italics throughout these minutes are the resolutions carried by the Council.



1 DECLARATION OF OPENING

The Chair declared the meeting open at 9.00am.

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

Councillor M Jamieson	Mayor (Chair)
Councillor R Baberowski	Division 1 (Absent 7.1.1)
Councillor T Dwyer	Division 2
Councillor P Cox	Division 3
Councillor C Thompson	Division 4
Councillor J McKay	Division 5
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7 (Absent 7.1.1-7.2.4)
Councillor J O'Pray	Division 8
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10
Councillor R Green	Division 11
Councillor T Wellington	Division 12

EXECUTIVE LEADERSHIP TEAM

Chief Executive Officer
Executive Director Executive Office
Executive Director Finance and Business
Executive Director Infrastructure Services
Executive Director Community Services
Acting Executive Director Regional Strategy and Planning

APOLOGIES

Executive Director Regional Strategy and Planning

COUNCIL OFFICERS

Coordinator Planning Application (North)
Development Planner
Manager Finance
Financial Accounting Manager
Manager Corporate Governance
Governance Strategy and Policy Coordinator
Community Planning and Strategies Manager
Manager Community Facilities
Community and Performance Venues Manager
Community Sports and Facility Planning Manager
Procurement and Contracts Performance Manager
Manager Parks and Gardens
Team Leader Landscape and Urban Design (North)
Operations Manager

3 RECEIPT AND CONFIRMATION OF MINUTES

Council Resolution (OM13/245)

Moved: Councillor C Thompson
Seconded: Councillor T Dwyer

That the Minutes of the Special Meeting (Palmview Structure Plan and Associated Matters) held on 11 November 2013, Ordinary Meeting held on 14 November 2013, Special Meeting held on 18 November 2013 and Special Meeting held on 25 November 2013 be received and confirmed.

Carried unanimously.

4 OBLIGATIONS OF COUNCILLORS**4.1 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS**

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

4.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Councillor R Green declared a perceived conflict of interest in relation to item 7.1.1 (as defined in section 173 of the *Local Government Act 2009*) due to his association with an affected party.

Councillor R Green declared a perceived conflict of interest in relation to item 7.1.2 (as defined in section 173 of the *Local Government Act 2009*) due to his association with the applicant.

Councillor T Dwyer declared a perceived conflict of interest in relation to item 7.3.1 (as defined in section 173 of the *Local Government Act 2009*) as a board member and chair of the Sunshine Coast Events Centre.

5 MAYORAL MINUTE

Nil.

PROCEDURAL MOTION

Moved: Councillor M Jamieson
Seconded: Councillor C Thompson

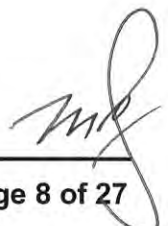
That Council suspend standing orders to consider presentations later in the agenda and item 7.1.1 next on the agenda due to public interest.

Carried.

Items 7.1.1 – 7.2.4 inclusive were dealt with at this time.

6 PRESENTATIONS

6.1 SUNSHINE COAST LOCAL GOVERNMENT



7 REPORTS DIRECT TO COUNCIL**7.1 REGIONAL STRATEGY AND PLANNING****7.1.1 DEVELOPMENT APPLICATION FOR MULTIPLE HOUSING TYPE 2 -
DUPLEX AND OPERATIONAL WORKS AT 7 LAKE WEYBA DRIVE
NOOSAVILLE**

File No: MCU13/0200 & OPW13/0799
Author: Planning Technical Officer
Regional Strategy & Planning Department
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Proposal Plans

Councillor R Green declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to his association with an affected party. Councillor R Green remained in the meeting room for the debate and decision on this matter.

Council Resolution (OM13/246)

Moved: Councillor C Thompson
Seconded: Councillor G Rogerson

That Council APPROVE WITH CONDITIONS Application No. MCU13/0200 and OPW13/0799 and grant a Development Permit for a Material Change of Use - Multiple Housing Type 2 (Duplex) and a Development Permit for Operational Works (Drainage works, earthworks & landscaping) situated at 7 Lake Weyba Dr Noosaville, in accordance with the conditions at Appendix A.

Carried unanimously.

7.1.2 UPDATED REPORT - DEVELOPMENT APPLICATION FOR ANIMAL HUSBANDRY TYPE 2 INTENSIVE (POULTRY FARM) AT 136 TOP FORESTRY ROAD, RIDGEWOOD

File No: MCU12/0184
Author: Development Planner
Regional Strategy & Planning Department
Attachments: Att 1 - Revised Heavy Vehicle Estimation
Att 2 - Proposed Upgrades to Top Forestry Road
Att 3 - Odour Models

Councillor R Green declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his past association with the applicant. Councillor R Green remained in the meeting room for the debate and decision on this matter.

Council Resolution (OM13/247)

Moved: Councillor T Wellington
Seconded: Councillor S Robinson

That Council defer to the new Noosa Shire Council consideration of application MCU12/0184 for a Development Permit for Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming), situated at 136 Top Forestry Rd, Ridgewood to allow:

- (a) the applicant time to submit their proposed infrastructure agreement and for the matter to be negotiated*
- (b) additional odour modelling to be undertaken to address the missed receptors and the spreading of poultry manure in combination with the sheds and manure stockpiles.*

For: Councillor R Baberowski, Councillor C Thompson, Councillor J McKay, Councillor C Dickson, Councillor J O'Pray, Councillor S Robinson, Councillor T Wellington and Councillor M Jamieson.

Against: Councillor T Dwyer, Councillor P Cox, Councillor G Rogerson and Councillor R Green.

Carried.

7.2 FINANCE AND BUSINESS

7.2.1 OCTOBER 2013 FINANCIAL PERFORMANCE REPORT

File No: Financial Reports
Author: Financial Services Manager
Finance & Business Department
Attachments: Att 1 - October 2013 Financial Performance Report

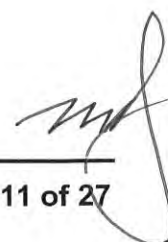
Council Resolution (OM13/248)

Moved: Councillor C Thompson
Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "**October 2013 Financial Performance Report**" and
- (b) write-off unrecoverable income of \$11,000.00 in relation to Petrac Leisure NNS-S Pty Ltd, \$75,556.30 in relation to Whites Waste Pty Ltd (T/A Jim's Skip Bins) and \$49,174.50 in relation to Caravan Park Management.

Carried unanimously.



7.2.2 BUDGET REVIEW 2 2013/2014

File No: Budget
Author: Financial Services Manager
Finance & Business Department
Appendices: App A - 2013/2014 Budget Review 2 Financial Statements
Attachments: Att 1 - 2013/2014 Budget Review 2 Requests and Adjustments

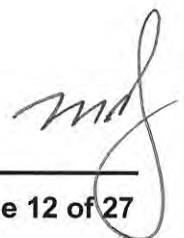
Council Resolution (OM13/249)

Moved: Councillor C Thompson
Seconded: Councillor S Robinson

That Council:

- (a) *receive and note the report titled "**Budget Review 2 2013/2014**" and*
- (b) *adopt the amended 2013/2014 Budget Review 2 Financial Statements to include the identified operating and capital budget adjustments (Appendix A).*

Carried unanimously.



7.2.3 2012/2013 FINANCIAL STATEMENTS**File No:** ECM**Author:** Financial Accounting Manager
Finance & Business Department**Attachments:** Att 1 - Independent Auditor's Report (*Under Separate Cover*)
Att 2 - 2012/2013 Financial Statements (*Under Separate Cover*)

Council Resolution (OM13/250)**Moved:** Councillor C Thompson**Seconded:** Councillor T Dwyer*That Council*

- (a) *receive and note the report titled "2012/2013 Financial Statements" and*
- (b) *adopt the 2012/2013 Financial Statements (Attachment 2).*

Carried unanimously.

7.2.4 MAKING OF AMENDMENT SUBORDINATE LOCAL LAW NO.4 (ANIMAL MANAGEMENT) 2013

File No: 22.12.1
Author: Manager Corporate Governance
Finance & Business Department
Appendices: App A - Amendment Subordinate Local Law No.4 (Animal Management) 2013
Attachments: Att 1 - Summary of submissions received

Council Resolution (OM13/251)

Moved: Councillor T Dwyer
Seconded: Councillor R Baberowski

That Council:

- (a) *receive and note the report titled "**Making of Amendment Subordinate Local law No.4 (Animal Management) 2013**"*
- (b) *hereby resolves that proposed Amendment Subordinate Local Law No. 4 (Animal Management) 2013, 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 laws do not contain any possible anti-competitive provisions as the amendments relate to the management of domestic animals and does not relate to commercial activity*
- (c) *accordingly, hereby resolve to make Amendment Subordinate Local Law No.4 (Animal Management) 2013, with amendment to map 2.5.11 (since advertised) to provide for an additional spectators area along Arthur Street and*
- (d) *subject to the amendments referred to in resolution (c) above, the Chief Executive Officer be authorised to make any necessary administrative and formatting amendments to the documents as part of the final proof reading and cross referencing.*

Carried unanimously.

Item 6.1 was dealt with at this time.

PROCEDURAL MOTION

Moved: Councillor T Dwyer
Seconded: Councillor R Green

That Council suspend standing orders to consider item 7.3.2 next on the agenda due to staff availability.

Carried unanimously.

Item 7.3.2 was dealt with at this time.

7.3 COMMUNITY SERVICES

7.3.1 DRAFT SUNSHINE COAST PERFORMANCE AND COMMUNITY VENUES PLAN 2013-2028

File No:	Statutory Meetings
Authors:	Planning Officer (Community) Community Services Department Community and Performance Venues Manager Community Services Department
Appendices:	App A - Draft Sunshine Coast Performance and Community Venues Plan 2013-2028 (<i>Under Separate Cover</i>) App B - Supporting Resources (<i>Under Separate Cover</i>)
Attachments:	Att 1 - Asset Management Costings

Councillor T Dwyer declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) as a board member and chair of the Sunshine Coast Events Centre. Councillor T Dwyer remained the meeting room for the debate and decision on this matter.

Council Resolution (OM13/252)

Moved: Councillor J McKay
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled “Draft Sunshine Coast Performance and Community Venues Plan 2013-2028”*
- (b) *endorse the Draft Sunshine Coast Performance and Community Venues Plan 2013-2028 (Appendix A) for public exhibition and comment*
- (c) *note the document titled Volume 2: Supporting Resources (Appendix B)*
- (d) *request the Chief Executive Officer collate and consider all feedback received as part of the public exhibition and comment and present the final Draft Sunshine Coast Performance and Community Venues Plan 2013-2028 to council for adoption.*

Carried unanimously.

7.3.2 YMCA PROPOSAL TO LEASE ARTHUR STREET HALL AND SURROUNDING LAND

File No:	Statutory Meetings
Authors:	Community Sports and Facility Planning Manager Community Services Department Aquatic and Leisure Facilities Manager Community Services Department
Appendices:	App A - Ground Floor Plan - Caloundra Central Park - Gymnastics Facility
Attachments:	Att 1 - Caloundra Tennis Association support to relinquish part of leased area Att 2 - Caloundra Central Park Site Plan

Council Resolution (OM13/253)**Moved:** Councillor T Dwyer**Seconded:** Councillor J O'Pray*That Council:*

- (a) *receive and note the report titled "YMCA proposal to lease Arthur Street Hall and surrounding land"*
- (b) *resolve that a tender process is not required as lease of the proposed land to the YMCA is an exception under section 236(1)(b)(ii) of the Local Government Regulation 2012*
- (c) *authorise the Chief Executive Officer to enter into a 20 year head lease to YMCA over the site as identified in Appendix A, once the Caloundra Tennis Association relinquish part of their leased area (being lot 409 on CG 6381) and*
- (d) *delegate the Chief Executive Officer to negotiate and finalise arrangements with the YMCA regarding branding and infrastructure charges fees for development of the site.*

Amendment**Moved:** Councillor C Thompson**Seconded:** Councillor S Robinson*That Council:*

- (a) receive and note the report titled "YMCA proposal to lease Arthur Street Hall and surrounding land"
- (b) to ensure transparent and effective processes and decision-making in the public interest and in accordance with Section 4 (2) of the Local Government Act 2009, seek Expressions of Interest from community groups / not for profit sector, for a potential lease over the site as identified in Appendix A, with such an Expressions of Interest process being conditional on agreement being finalised for the Caloundra Tennis Association to relinquish part of their currently leased area (being lot 409 on CG 6381) and further that
- (c) the Chief Executive Officer be requested to report back to Council on the submissions

received from the Expressions of Interest process.

For: Councillor C Thompson, Councillor C Dickson, Councillor E Hungerford, Councillor S Robinson and Councillor M Jamieson.

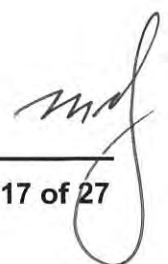
Against: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor J McKay, Councillor J O'Pray, Councillor G Rogerson, Councillor R Green and Councillor T Wellington.

Lost.

The motion moved by Cr T Dwyer and seconded by Cr O'Pray was put.

Carried unanimously.

Item 7.3.1 was dealt with at this time.



7.4 INFRASTRUCTURE SERVICES**7.4.1 MULLER PARK REVISION OF LANDSCAPE PLAN****File No:** 8263**Author:** Landscape Architect / Urban Designer
Infrastructure Services Department**Appendices:** App A - Muller Park Revised Landscape Plan

Council Resolution (OM13/254)**Moved:** Councillor S Robinson**Seconded:** Councillor E Hungerford*That Council:*

- (a) *receive and note the report titled "**Muller Park Revision of Landscape Plan**"*
- (b) *endorse the Muller Park Revised Landscape Plan dated 25 July 2013 (Appendix A) to guide the future development of Muller Park, subject to funding being available in future annual budgets, as outlined in Council adopted 10 year capital works program, or through external State or Federal grants programs, and*
- (c) *in accordance with Section 4 (2) of the Local Government Act 2009 seek expressions of interest from the community for the utilisation of the new lease area for appropriate non motorised water sporting activities, to ensure transparent and effective processes, and decision-making in the public interest.*

Carried unanimously.



7.4.2 KRAUSS LOCOMOTIVE DISPLAY

File No: Parks
Author: Team Leader Landscape and Urban Design (North)
Infrastructure Services Department
Attachments: Att 1 - Krauss Locomotive Display - Design Report
Att 2 - Buderim Central Parklands Landscape Concept Plan
Att 3 - Buderim Design Studio Tramways
Att 4 - DTMR Preliminary Approval Letter

Council Resolution (OM13/255)

Moved: Councillor E Hungerford
Seconded: Councillor G Rogerson

That Council:

- (a) receive and note the report titled "***Krauss Locomotive Display***"
- (b) endorse the Krauss Locomotive Display Design Report in principle to enable relevant user groups to progress the future planning and to allow them to progress applications for external funding and Sunshine Coast Council grants for implementation initiatives and
- (c) note that there are no funds in the current or future capital works program for this project and the intention is that it will be fully funded and managed by the relevant community group.

Carried unanimously.

7.5 EXECUTIVE OFFICE

Nil.

8 NOTIFIED MOTIONS**8.1 NOTICES OF RESCISSION**

Nil.

8.2 NOTICES OF MOTION**8.2.1 NOTICE OF MOTION - STATE FUNDING GRANT**

File No: Statutory Meetings
Author: Councillor Jenny McKay
Notice of Motion
Attachments: Att 1 - Letter to Minister Environment and Heritage Protection

Council Resolution (OM13/256)

Moved: Councillor J McKay
Seconded: Councillor C Dickson

That Council authorise the Chief Executive Officer to write to the Minister for Local Government, Community Recovery and Resilience, the Hon. David Crisafulli MP seeking urgent consideration of a \$30,000 funding grant to allow for the completion of technical site analysis associated with a possible new swimming pool on Education Queensland land in Maleny.

Carried unanimously.

8.3 FORESHADOWED NOTICES OF MOTIONNil.

9 TABLING OF PETITIONS**9.1 PETITION - SEALING OF UHLMANN'S ROAD, BLACK MOUNTAIN****Council Resolution** (OM13/257)

Moved: Councillor T Wellington
Seconded: Councillor C Thompson

That Council resolve the petition tabled by Councillor Wellington in relation to sealing of Uhlmann's Road, Black Mountain be received and referred to the Chief Executive Officer to determine appropriate action.

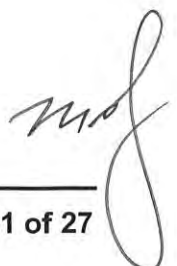
Carried unanimously.

9.2 PETITION - OBI OBI CREEK PLANTING PROPOSAL BY GREEN HILLS**Council Resolution** (OM13/258)

Moved: Councillor J McKay
Seconded: Councillor R Baberowski

That Council resolve the petition tabled by Councillor J McKay in relation to the proposed planning of a wildlife corridor by Green Hills on the banks of Obi Obi Creek on the Maleny Community Precinct be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.



10 CONFIDENTIAL SESSION

CLOSURE OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor R Baberowski

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

- 10.2.1 *Confidential - Not for Public Release - Heritage Precinct Nambour*
- 10.5.1 *Confidential - Not for Public Release - Car Parking*

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor G Rogerson

That the meeting be re-opened to the public.

Carried unanimously.



10.1 REGIONAL STRATEGY AND PLANNING

Nil.

10.2 FINANCE AND BUSINESS**10.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - HERITAGE PRECINCT NAMBOUR****File No: ECM****Author: Coordinator Property, Projects and Development
Finance & Business Department**

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

Council Resolution (OM13/259)**Moved: Councillor G Rogerson****Seconded: Councillor C Thompson**

That Council defer consideration of the Heritage Precinct Nambour until a future Ordinary Meeting of Council.

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

Against: Councillor E Hungerford and Councillor T Wellington.

Carried.



10.3 COMMUNITY SERVICES

Nil.

10.4 INFRASTRUCTURE SERVICES

Nil.

10.5 EXECUTIVE OFFICE**10.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - CAR PARKING**

File No: Statutory Meeting
Author: Executive Director
Executive Office

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 it.

Council Resolution (OM13/260)

Moved: Councillor G Rogerson
Seconded: Councillor R Green

That Council defer consideration Car Parking item until a future Ordinary Meeting of council.

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

Against: Councillor E Hungerford.

Carried.

11 NEXT MEETING

The next Ordinary Meeting will be held on 30 January 2014 in the Council Chambers, 1 Omrah Avenue, Caloundra.

12 MEETING CLOSURE

The meeting closed at 1.04 pm.

Confirmed 30 January 2014.



CHAIR

13 APPENDICES**7.1.1 DA FOR MULTIPLE HOUSING TYPE 2 – DUPLEX AND OPERATIONAL WORKS AT 7 LAKE WEYBA DRIVE NOOSAVILLE – APPENDIX A – CONDITIONS OF APPROVAL**

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM121213/Attach1.pdf>

7.2.2 BUDGET REVIEW 2 2013-2014 – APPENDIX A 2013/2014 BUDGET REVIEW 2 FINANCIAL STATEMENTS

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM121213/Attach7.pdf>

7.2.3 2012/2013 FINANCIAL STATEMENTS - ATTACHMENT 2 - 2012/2013 FINANCIAL STATEMENTS

http://sunshinecoast.qld.gov.au/addfiles/agendaHTML/OM121213/Attach%201/OM_12122013_ATT_EXCLUDED_WEB.HTM

7.2.4 MAKING OF AMENDMENT SUBORDINATE LOCAL LAW NO. 4 (ANIMAL MANAGEMENT) – APPENDIX A – AMENDMENT SUBORDINATE LOCAL LAW NO. 4 (ANIMAL MANAGEMENT) 2013 – AMENDED

http://www.sunshinecoast.qld.gov.au/addfiles/documents/meetingAttachments/7.2.4%20Amend%20Sub%20Local%20Law%20No%20%204_App%20A%20Amended.pdf

7.3.1 DRAFT SUNSHINE COAST PERFORMANCE AND COMMUNITY VENUES PLAN – APPENDIX A – DRAFT SUNSHINE COAST PERFORMANCE AND COMMUNITY VENUES PLAN 2013-2028

http://sunshinecoast.qld.gov.au/addfiles/agendaHTML/OM121213/Agenda/OM_12122013_AGN_AT_WEB.HTM

7.3.1 DRAFT SUNSHINE COAST PERFORMANCE AND COMMUNITY VENUES PLAN – APPENDIX B – SUPPORTING RESOURCES

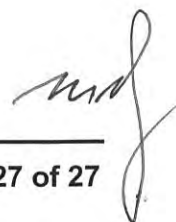
http://sunshinecoast.qld.gov.au/addfiles/agendaHTML/OM121213/Agenda/OM_12122013_AGN_AT_WEB.HTM

**7.3.2 YMCA PROPOSAL TO LEASE ARTHUR STREET HALL AND
SURROUNDING LAND – APPENDIX A – GROUND FLOOR PLAN –
CALOUNDRA CENTRAL PARK – GYMNASTICS FACILITY**

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM121213/Attach12.pdf>

**7.4.1 MULLER PARK REVISION OF LANDSCAPE PLAN – APPENDIX A –
MULLER PARK REVISED LANDSCAPE PLAN**

<http://www.sunshinecoast.qld.gov.au/addfiles/agendaAttachments/OM121213/Attach15.pdf>





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