

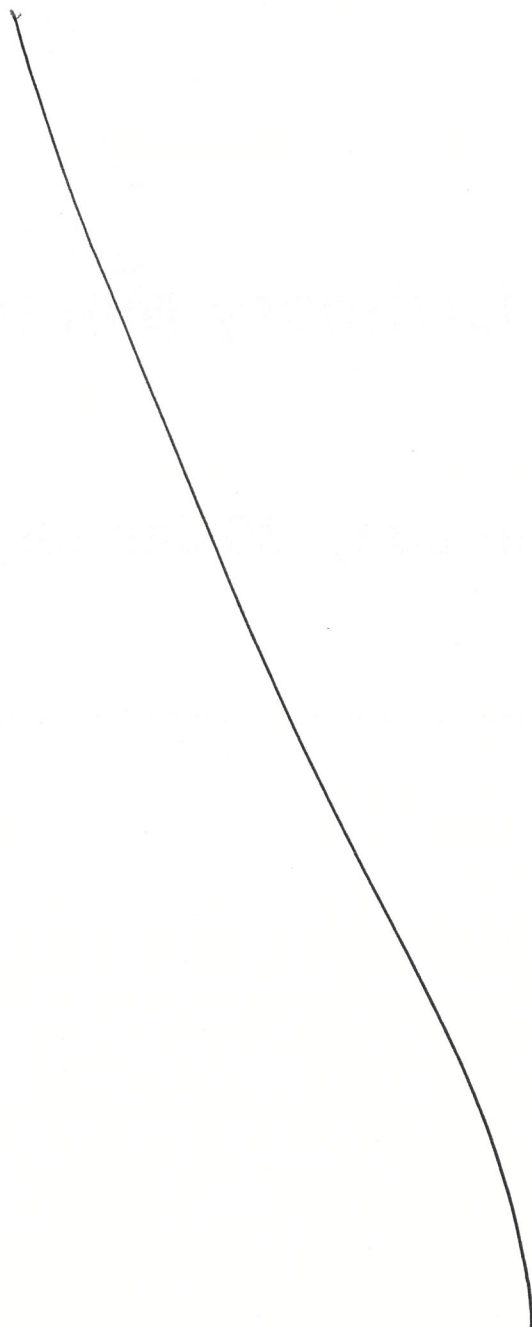
Minutes

Ordinary Meeting

Thursday, 30 January 2020

Council Chambers, 1 Omrah Avenue, Caloundra





Handwritten signature or initials.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING	7
2	WELCOME AND OPENING PRAYER	7
3	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE	7
4	RECEIPT AND CONFIRMATION OF MINUTES	8
5	INFORMING OF PERSONAL INTERESTS	8
5.1	MATERIAL PERSONAL INTEREST	8
5.2	CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST	8
6	MAYORAL MINUTE.....	8
7	PRESENTATIONS / COUNCILLOR REPORTS	9
7.1	PRESENTATION - NATIONAL TRUST HERITAGE AWARDS 2019 (BANKFOOT HOUSE).....	9
8	REPORTS DIRECT TO COUNCIL.....	10
8.1	IMMEDIATE FINANCIAL SUPPORT FOR BUSHFIRE AFFECTED COUNCILS	10
8.2	SUNSHINE COAST COUNCIL CORPORATE PLAN 2020-2024.....	11
8.3	SUNSHINE COAST MASS TRANSIT - UPDATE	12
8.4	LANDSBOROUGH PLACEMAKING MASTER PLAN	13
8.5	TRANSPORT CORRIDOR PLANNING	14
8.6	SUNSHINE COAST FALCONS - PARTNERSHIP AGREEMENT 2020-2021	15
8.7	VEHICLE ACCESS TO COUNCIL - OPEN SPACE PERMIT APPLICATION, BUDERIM.....	17
8.8	CALOUNDRA AERODROME LEASE APPROVAL.....	18
8.9	REQUEST FOR OWNER'S CONSENT TO EXPAND LEASE AREA - DICKY BEACH SURF LIFE SAVING CLUB INC. - COOCHIN STREET, DICKY BEACH	19
8.10	SIGNIFICANT CONTRACTING PLANS.....	21

8.11	DECEMBER 2019 FINANCIAL PERFORMANCE REPORT	22
8.12	DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009.....	23
8.13	CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS	24
8.14	MAKING OF AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2020	25
9	NOTIFIED MOTIONS	26
9.1	INFILL DEVELOPMENT INCENTIVES POLICY	26
9.2	DARK SKY RESERVE DESIGNATIONS.....	27
9.3	COMPASS INSTITUTE LEASE RENEWAL AT MAROOCHY BOTANICAL GARDENS.....	28
9.4	VIC PERREN MEMORIAL PARK, COTTON TREE	29
9.5	BUS FLEET EMISSIONS	30
9.6	SUNSHINE COAST WILD FIRE PREVENTATIVE STRATEGY FOR THE REGION	31
10	TABLING OF PETITIONS.....	32
10.1	PETITION - TRAFFIC ISSUES BADEN POWELL STREET MAROOCHYDORE	32
10.2	PETITION - OBJECTION TO PROPOSED BASKETBALL COURT AND OFF-LEASH DOG AREA KAWANA ISLAND	33
10.3	PETITION - EXCESSIVE SPEED CONCERNS, BURKE STREET, GOLDEN BEACH	34
11	CONFIDENTIAL SESSION.....	37
11.1	CONFIDENTIAL - NOT FOR PUBLIC RELEASE - STRATEGIC LAND PROJECT	38
11.2	CONFIDENTIAL - NOT FOR PUBLIC RELEASE - BRISBANE ROAD CAR PARK - UPDATE ON EXPRESSION OF INTEREST PROCESS	39
11.3	CONFIDENTIAL - NOT FOR PUBLIC RELEASE - APPEAL MATTER - BALD KNOB.....	40
11.4	CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SALE OF SURPLUS LAND	41
12	NEXT MEETING	42
13	MEETING CLOSURE.....	42

14 APPENDICES 43

8.2 SUNSHINE COAST COUNCIL CORPORATE PLAN 2020-2024 – APP A - SUNSHINE COAST COUNCIL CORPORATE PLAN 2020-2024 43

8.3 SUNSHINE COAST MASS TRANSIT – UPDATE – APP A - PWC DRAFT INTERIM FINDINGS REPORT..... 43

8.4 LANDSBOROUGH PLACEMAKING MASTER PLAN - APP A - LANDSBOROUGH PLACEMAKING MASTER PLAN 43

8.12 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009 - APP A - 2016-73 (V5) - DELEGATION TO THE CHIEF EXECUTIVE OFFICER..... 43

8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP A - CONSOLIDATED LOCAL LAW NO. 1 (ADMINISTRATION) 2011 43

8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP B - CONSOLIDATED LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2011 43

8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP C - CONSOLIDATED LOCAL LAW NO. 5 (PARKING) 2011 43

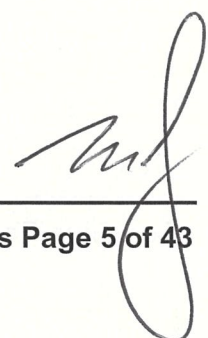
8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP D - CONSOLIDATED LOCAL LAW NO. 7 (SUNSHINE COAST AIRPORT) 2017 43

8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP E - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2016..... 43

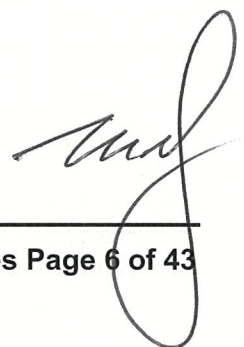
8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP F - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2011..... 43

8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP G - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 4 (LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES, INFRASTRUCTURE AND ROADS) 2011 43

8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP H - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011 43



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

A handwritten signature in black ink, appearing to be 'M. J. ...', is located in the bottom right corner of the page. The signature is written in a cursive style and is positioned above the footer text.

1 DECLARATION OF OPENING

The Chair declared the meeting open at 9.03am.

2 WELCOME AND OPENING PRAYER

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

Pastor John Pearce from C3Powerhouse in Warana to read a prayer.

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

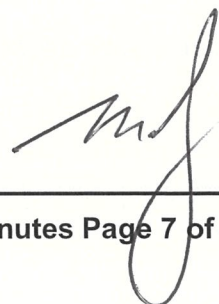
Councillor M Jamieson	Mayor (Chair)
Councillor R Baberowski	Division 1
Councillor T Dwyer	Division 2
Councillor P Cox	Division 3
Councillor J Connolly	Division 4
Councillor J McKay	Division 5 (Absent 1 – 7) & (9.5 – 14)
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10

COUNCIL OFFICERS

Chief Executive Officer
Group Executive Built Infrastructure
Group Executive Customer Engagement and Planning Services
Group Executive Economic and Community Development
A/Group Executive Business Performance
A/Group Executive Liveability and Natural Assets
Chief Strategy Officer
Coordinator CEO Governance & Operations
Coordinator Disaster Management
Project Manager
Coordinator Place Making
Coordinator Transport Network
Manager Sport & Community Venues
Natural Areas Manager
Head of Property
Coordinator Procurement & Contract Performance
Coordinator Financial Services
Coordinator Governance Process & Policy
Manager Transport & Infrastructure Planning
Coordinator Development Audit & Response
Manager Development Services
Development Planner
Solicitor

APOLOGIES

Group Executive Business Performance
Group Executive Liveability and Natural Assets



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

Moved: Councillor C Dickson
Seconded: Councillor S Robinson

That the Minutes of the Ordinary Meeting held on 12 December 2019 be received and confirmed.

Carried unanimously.

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

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 11.1

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 8.6

Councillor T Dwyer informed the meeting of a personal interest for item 8.9

Councillor J O'Pray informed the meeting of a personal interest for item 8.9

Councillor M Jamieson informed the meeting of a personal interest for item 11.2.

6 MAYORAL MINUTE

Nil

Council Resolution

Moved: Councillor M Jamieson
Seconded: Councillor J Connolly

That Council allow an introduction of a new item of business into the Agenda for the Ordinary Meeting held on 30 January 2020, namely Confidential Item 11.4 – Sale of Surplus Land.

Carried unanimously.

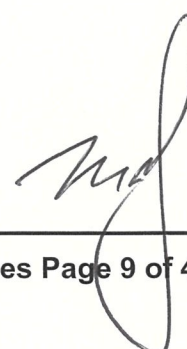
Councillor J McKay was absent for the vote on this motion.

7 PRESENTATIONS / COUNCILLOR REPORTS**7.1 PRESENTATION - NATIONAL TRUST HERITAGE AWARDS 2019
(BANKFOOT HOUSE)**

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

That Council recognise and receive with thanks the high commendation awards received at the National Trust Heritage Awards 2019 for works done at Bankfoot House Heritage Precinct, Glass House Mountains.

Carried unanimously.**Councillor J McKay was absent for the vote on this item.**



8 REPORTS DIRECT TO COUNCIL**8.1 IMMEDIATE FINANCIAL SUPPORT FOR BUSHFIRE AFFECTED COUNCILS**

File No: Council Meeting
Author: Coordinator Disaster Management
Built Infrastructure Group
Attachments: Att 1 - Media Release from Prime Minister's office
Att 2 - Cover letter and Disaster Recovery Funding
Arrangements

Council Resolution (OM20/1)

Moved: Councillor M Jamieson
Seconded: Councillor T Dwyer

That Council:

- (a) *receive and note the report titled "**Immediate Financial Support for Bushfire Affected Councils**"*
- (b) *endorse the proposed approach to developing a Plan of Works in accordance with Queensland Reconstruction Authority guidelines for consideration by Council in March 2020 and*
- (c) *endorse the proposed model for Council to assist and inform the Sunshine Coast community on broader bushfire disaster relief actions, including the continuing implementation of the Environment and Liveability Strategy community engagement and communication campaign with an emphasis on adaptation and resilience measures and associated matters.*

Carried unanimously.

8.2 SUNSHINE COAST COUNCIL CORPORATE PLAN 2020-2024**File No:** F2019/76527**Author:** Coordinator Partnerships & Engagement
Office of the CEO**Appendices:** App A - Sunshine Coast Council Corporate Plan 2020-2024

Council Resolution (OM20/2)**Moved:** Councillor T Dwyer**Seconded:** Councillor R Baberowski*That Council:*

- (a) *receive and note the report titled "**Sunshine Coast Council Corporate Plan 2020-2024**"*
- (b) *adopt the updated Sunshine Coast Council Corporate Plan 2020-2024 (Appendix A) and*
- (c) *delegate to the Chief Executive Officer, in consultation with the Mayor and Portfolio Councillor Corporate Strategy and Finance, to finalise the design of the Sunshine Coast Council Corporate Plan 2020-2024.*

Carried unanimously.

8.3 SUNSHINE COAST MASS TRANSIT - UPDATE

File No: Council Meetings
Author: Project Manager
Liveability & Natural Assets Group
Appendices: App A - PwC draft Interim Findings Report

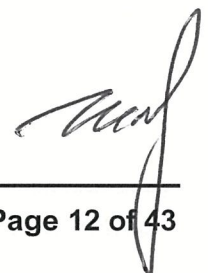
Council Resolution (OM20/3)

Moved: Councillor R Baberowski
Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "***Sunshine Coast Mass Transit - Update***" and
- (b) note the findings of the attached report entitled "Sunshine Coast Mass Transit Preliminary Business Case – Interim Findings Report" (Appendix A).

Carried unanimously.



8.4 LANDSBOROUGH PLACEMAKING MASTER PLAN

File No: Council meetings
Author: Coordinator Place Making
Liveability & Natural Assets Group
Appendices: App A - Landsborough Placemaking Master Plan
Attachments: Att 1 - Community Engagement Summary Report

Council Resolution (OM20/4)

Moved: Councillor R Baberowski
Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "**Landsborough Placemaking Master Plan**"
- (b) adopt the Landsborough Placemaking Master Plan (Appendix A)
- (c) delegate authority to the Chief Executive Officer to make necessary minor amendments to finalise the "Landsborough Placemaking Master Plan" in consultation with the Portfolio Councillor Place Development and Design and Divisional Councillor and
- (d) refer the project to the 2020/21 budget for consideration.

Carried unanimously.

8.5 TRANSPORT CORRIDOR PLANNING**File No:** F2019/79818**Author:** Coordinator Transport Network
Built Infrastructure Group**Attachments:** Att 1 - Land Requirements - Caloundra - *Confidential*
Att 2 - Land Requirements - Buderim - *Confidential*

Council Resolution (OM20/5)**Moved:** Councillor C Dickson**Seconded:** Councillor T Dwyer*That Council:*

- (a) *receive and note the report titled “**Transport Corridor Planning**” and*
- (b) *delegate to the Chief Executive Officer to resolve to negotiate, execute and finalise the acquisition of the properties required to deliver the transport upgrade as discussed in this report.*

Carried unanimously.

8.6 SUNSHINE COAST FALCONS - PARTNERSHIP AGREEMENT 2020-2021

File No: Council meetings
Author: Manager Sport & Community Venues
Economic & Community Development Group
Attachments: Att 1 - Sunshine Coast Falcons Partnership Proposal - season 2020 and 2021 - *Confidential*
Att 2 - Sunshine Coast Falcons - 2019 Game Day Profit and Loss Summary - *Confidential*
Att 3 - Summary of changes within Sunshine Coast Falcons Partnership Proposal and Officer Recommendations - *Confidential*
Att 4 - Falcons Sponsorship Agreement 2018-2019 - *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 8.6 'Sunshine Coast Falcons – Partnership Agreement 2020-2021'.

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

'Councillors, I am informing you that under section 175E (2) of the Local Government Act 2009, it may be perceived that I could have a personal interest in matters that are the subject of Agenda Item 8.6 on the basis that I received an electoral donation of \$2,000 on 15 October 2015 from Vantage Homes.

The founder and director of Vantage Homes, Mr Shane O'Brien, is a director of the Sunshine Coast Falcons.

I have formed the view that given the nature of the personal interest and the fact that Vantage Homes – as the donor – is not a beneficiary or likely to be adversely affected by, any decision that Council may make on agenda item 8.6, that I can appropriately manage any perceived conflict should it exist and that I can impartially make a decision in the public interest on the matter before Council today.

I will now ask the Deputy Mayor to assume the Chair so that you may deliberate on this matter and make the necessary determinations under section 175E (4) of the Local Government Act 2009.'

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

Council Resolution

Moved: Councillor J Connolly
Seconded: Councillor J McKay

That in accordance with s175E(4)(a) of the Local Government Act 2009, Councillor M Jamieson does not have a perceived or real conflict of interest in matters that are to be considered in item 8.6 'Sunshine Coast Falcons – Partnership Agreement 2020-2021'.

For: Councillor T Dwyer, Councillor J Connolly, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford and Councillor S Robinson.

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


Carried.

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

The Mayor returned to the Chair at this time.

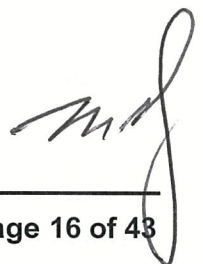
Council Resolution (OM20/6)

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

That Council:

- (a) receive and note the report titled "***Sunshine Coast Falcons - Partnership Agreement 2020-2021***" and
- (b) authorise the Chief Executive Officer to negotiate and execute a partnership agreement with the Sunshine Coast Falcons for a two year period for the 2020 and 2021 seasons.

Carried unanimously.



8.7 VEHICLE ACCESS TO COUNCIL - OPEN SPACE PERMIT APPLICATION, BUDERIM

File No: F2019/1724
Author: Natural Areas Manager
Liveability & Natural Assets Group

Council Resolution (OM20/7)

Moved: Councillor G Rogerson
Seconded: Councillor C Dickson

That Council:

- (a) receive and note the report titled "**Vehicle Access to Council - Open Space Permit Application, Buderim**" and
- (b) approve the vehicle access permit application no. PA19_0047 with the following conditions:
 - i) Approve the vehicle access permit with the following conditions (as per the permit):
 - ii) Access is limited to one day per week (excluding Sundays and public holidays) between the hours of 9am – 1pm
 - iii) The permit is valid for 12 months from the date of issue
 - iv) Access is only permitted to the vehicles indicated in the application (2 x vehicle registrations provided for car/ute category)
 - v) Activities permitted are maintenance only
 - vi) A bond of \$265 is paid to Council upon approval of the permit
 - vii) Public Liability Insurance of \$20 million is held by the resident and proof provided to Council and
 - viii) The resident agrees to pay all costs associated with repair or reinstatement of any damage caused to Council land and infrastructure as a result of the proposed activities.

For: Councillor T Dwyer, Councillor J Connolly, Councillor J McKay, Councillor C Dickson, Councillor G Rogerson and Councillor M Jamieson.

Against: Councillor R Baberowski, Councillor P Cox, Councillor E Hungerford, Councillor J O'Pray and Councillor S Robinson.

Carried.

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor G Rogerson

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

Carried unanimously.

8.8 CALOUNDRA AERODROME LEASE APPROVAL

File No: F15/00378
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Aerial Map of Lease AE on SP253855 in Lot 1 on SP312324

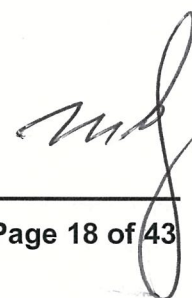
Council Resolution (OM20/8)

Moved: Councillor R Baberowski
Seconded: Councillor T Dwyer

That Council:

- (a) receive and note the report titled "**Caloundra Aerodrome Lease Approval**"
- (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 Lease AE on SP253855 in Lot 1 on SP312324, other than by tender or auction applies, 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 up to two (2) years, with the existing tenant, BP Australia Pty Ltd.

Carried unanimously.



8.9 REQUEST FOR OWNER'S CONSENT TO EXPAND LEASE AREA - DICKY BEACH SURF LIFE SAVING CLUB INC. - COOCHIN STREET, DICKY BEACH

File No: F2018/26818
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Dicky Beach Surf Life Saving Club Inc. Lease Area
Att 2 - Dicky Beach Surf Life Saving Club Inc. proposal for building extension

As required by s175E of the *Local Government Act 2009*, Councillor T Dwyer informed the meeting of a perceived conflict of interest in relation to matters to be considered in item 8.9 'Request for owner's consent to expand lease area – Dicky Beach Surf Life Saving Club Inc.-Coochin Street, Dicky Beach'.

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

- Long term association with Surf Life Saving Australia.

Councillor T Dwyer advised that he will leave the Chamber and will not participate in the discussion or vote on this matter.

As required by s175E of the *Local Government Act 2009*, Councillor J O'Pray informed the meeting of a perceived conflict of interest in relation to matters to be considered in item 8.9 'Request for owner's consent to expand lease area – Dicky Beach Surf Life Saving Club Inc.-Coochin Street, Dicky Beach'.

Councillor J O'Pray set out the following in relation to this interest:

- Life member of Maroochydore Surf Life Saving Club, on the Board of Management of Maroochydore Surf Life Saving Club and a Chairman of Nippers through Maroochydore Surf Life Saving Club.

Councillor J O'Pray advised that he will leave the Chamber and will not participate in the discussion or vote on this matter.

Council Resolution (OM20/9)

Moved: Councillor G Rogerson
Seconded: Councillor P Cox

That Council:

- receive and note the report titled "*Request for Owner's Consent to expand Lease Area - Dicky Beach Surf Life Saving Club Inc. - Coochin Street, Dicky Beach*"
- consent to the request for Owner's Consent for a proposed lease area extension over part Lot 1 SP239732
- lodge an application with the Department of Natural Resources Mines and Energy for a new lease area of approximately 106m² over part of Lot 1 SP239732
- resolve pursuant to Section 236(1)(b)(ii) of the Local Government Regulation 2012 that an exception to dispose of an interest in land (lease) over part of Lot 1

SP239732, other than by tender or auction applies, as the disposal is to a community organisation and

- (e) *resolve to enter into a community lease agreement for the new lease area of approximately 106m² with Dicky Beach Surf Life Saving Club Inc.*

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

Against: Councillor E Hungerford

Carried.

Council Resolution

Moved: Councillor J McKay

Seconded: Councillor P Cox

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

Carried unanimously.

Councillor T Dwyer and Councillor J O'Pray were absent for the discussion and vote on this item.

8.10 SIGNIFICANT CONTRACTING PLANS

File No: Q19222
Author: Coordinator Procurement and Contract Performance
Business Performance Group
Appendices: App A - Significant Contracting Plan - Vehicle Leases -
Confidential
App B - Revised Significant Contracting Plan -
Telecommunications Services - *Confidential*

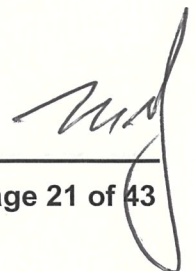
Council Resolution (OM20/10)

Moved: Councillor S Robinson
Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "**Significant Contracting Plans**"
- (b) adopt the Significant Contracting Plans for:
 - (i) Q19222 - Vehicle Leases (Appendix A)
 - (ii) ITT1829 - Telecommunications Services (Appendix B) and
- (c) authorise the Chief Executive Officer to make Appendices publicly available at contract award.

Carried unanimously.



8.11 DECEMBER 2019 FINANCIAL PERFORMANCE REPORT

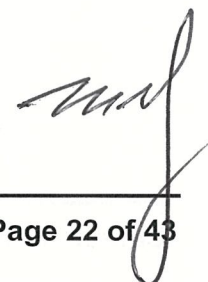
File No: Financial Reports
Author: Coordinator Financial Services
Business Performance Group
Attachments: Att 1 - December 2019 Financial Performance Report

Council Resolution (OM20/11)

Moved: Councillor T Dwyer
Seconded: Councillor E Hungerford

That Council receive and note the report titled “December 2019 Financial Performance Report”.

Carried unanimously.



**8.12 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257
LOCAL GOVERNMENT ACT 2009**

File No: Council meetings
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - 2016-73 (v5) - Delegation to the Chief Executive Officer
Attachments: Att 1 - Delegations - Guiding Principles (Delegations from
Council to the CEO)

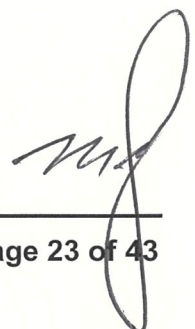
Council Resolution (OM20/12)

Moved: Councillor T Dwyer
Seconded: Councillor J McKay

That Council:

- (a) receive and note the report titled "***Delegation to the Chief Executive Officer - Section 257 Local Government Act 2009***"
- (b) adopt Delegation 2016-73 (v5) Delegation to the Chief Executive Officer (Appendix A)
- (c) note that all other existing specific delegations of authority to the Chief Executive Officer are retained and
- (d) request the LGAQ to provide professional, legal advice to Queensland Councils, outlining the rights of Councillors under the Human Rights Act 2019 or similar and also as assessed against the Councillor's Code of Conduct.

Carried unanimously.



8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS

File No: Council meeting
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - Consolidated Local Law No. 1 (Administration) 2011
App B - Consolidated Local Law No. 2 (Animal Management) 2011
App C - Consolidated Local Law No. 5 (Parking) 2011
App D - Consolidated Local Law No. 7 (Sunshine Coast Airport) 2017
App E - Consolidated Subordinate Local Law No. 1 (Administration) 2016
App F - Consolidated Subordinate Local Law No. 2 (Animal Management) 2011
App G - Consolidated Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011
App H - Consolidated Subordinate Local Law No. 5 (Parking) 2011

Council Resolution (OM20/13)

Moved: Councillor E Hungerford
Seconded: Councillor J McKay

That Council:

- (a) receive and note the report titled "**Consolidation of Local Laws and Subordinate Local Laws**" and
- (b) resolve to adopt consolidated versions of:
 - (i) Local Law No. 1 (Administration) 2011 (Appendix A)
 - (ii) Local Law No. 2 (Animal Management) 2011 (Appendix B)
 - (iii) Local Law No. 5 (Parking) 2011 (Appendix C)
 - (iv) Local Law No. 7 (Sunshine Coast Airport) 2017 (Appendix D)
 - (v) Subordinate Local Law No. 1 (Administration) 2016 (Appendix E)
 - (vi) Subordinate Local Law No. 2 (Animal Management) 2011 (Appendix F)
 - (vii) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011 (Appendix G)
 - (viii) Subordinate Local Law No. 5 (Parking) 2011 (Appendix H).

Carried unanimously.

8.14 MAKING OF AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2020

File No: Council meetings
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - Amendment Local Law No. 1 (Community Health and Environmental Management) 2020

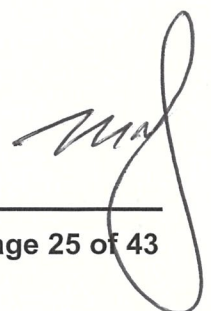
Council Resolution (OM20/14)

Moved: Councillor E Hungerford
Seconded: Councillor S Robinson

That Council:

- (a) receive and note the report titled "***Making of Amendment Local Law No. 1 (Community Health and Environmental Management) 2020***"
- (b) resolve that Amendment Local Law No. 1 (Community Health and Environmental Management) 2020 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions and
- (c) in accordance with Council's 'Process for Making Local Laws' adopted on 1 June 2010, pursuant to section 29 of the Local Government Act 2009, hereby resolve to make:
 - (i) Amendment Local Law No. 1 (Community Health and Environmental Management) 2020 (Appendix A).

Carried unanimously.



9 NOTIFIED MOTIONS**9.1 INFILL DEVELOPMENT INCENTIVES POLICY**

File No: Notice of Motion
Author: Councillor G Rogerson
Notice of Motion

MOTION

Moved: Councillor G Rogerson
Seconded: Councillor J McKay

That Council authorise the Chief Executive Office to prepare a report to Council in relation to the Infill Development Incentives Policy that considers extending the eligible incentives target area in Nambour. A current medium density residential development in Maud Street and the proposed revamped Sundale Development across Petrie Creek, fall just outside the defined target area for application of the policy and the report will address whether the request is in alignment or otherwise with the intent of Council's policy, thereby informing a Council decision on extending or holding the defined target area.

AMENDMENT

Council Resolution (OM20/15)

Moved: Councillor T Dwyer
Seconded: Councillor J Connolly

That Council request the Chief Executive Officer to prepare a report that considers extending the boundaries and the duration of the Infills Development Incentives Policy applicable to Nambour and Caloundra, and such report be presented to the Ordinary Meeting held in June 2020.

Carried unanimously.

The amendment became the motion. The motion moved by Councillor T Dwyer and seconded by Councillor J Connolly 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 S Robinson, Councillor G Rogerson and Councillor M Jamieson.

Against: Councillor E Hungerford.

Carried.

9.2 DARK SKY RESERVE DESIGNATIONS

File No: Notice of Motion
Author: Councillor J McKay
Notice of Motion

Council Resolution (OM20/16)

Moved: Councillor J McKay
Seconded: Councillor C Dickson

That Council request the Chief Executive Officer

- (a) *to investigate appropriate mechanisms, including International Dark Sky Reserve Designations that recognise, protect and celebrate the night sky and*
- (b) *report findings to the Ordinary Meeting scheduled in November 2020.*

Carried unanimously.

9.3 COMPASS INSTITUTE LEASE RENEWAL AT MAROOCHY BOTANICAL GARDENS

File No: Notice of Motion
Author: Councillor J McKay
Notice of Motion

Council Resolution (OM20/17)

Moved: Councillor J McKay
Seconded: Councillor J Connolly

That Council:

- (a) *resolve pursuant to Section 236(1)(c)(iii) and Section 236(1)(b)(ii) of the Local Government Regulation 2012 that an exception to dispose of an interest in land (lease) over Lot 97 on SP269566, 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 the tenant is a community organisation under Section 236(1)(b)(ii); and*
- (b) *resolve to enter into a lease arrangement, for a further term of five (3+2) years, with the existing tenant, Compass Institute for the provision of hospitality services at the Maroochy Regional Bushland Botanic Gardens.*

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

Against: Councillor P Cox, Councillor E Hungerford and Councillor M Jamieson.

Carried.

9.4 VIC PERREN MEMORIAL PARK, COTTON TREE

File No: Notice of Motion
Author: Councillor J Connolly
Notice of Motion

Motion

Moved: Councillor J Connolly
Seconded: Councillor G Rogerson

That Council request the Chief Executive Officer:

- (a) to withdraw infringement notices issued to the owners of vehicles that had parked within the Vic Perren Memorial Park, Cotton Tree on 28 December 2019,
- (b) to review the current signage placed within the Vic Perren Memorial Park, Cotton Tree to ensure adequacy and
- (c) prepare a report to Council that outlines the process to amend the relevant Local Laws to allow for a tiered approach to the issue of infringements for parking in prohibited areas, such as Council parks, with the report to be presented to Council's June 2020 Ordinary Meeting.

For: Councillor J Connolly, Councillor J McKay, Councillor J O'Pray and Councillor G Rogerson.

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

Lost.

Councillor T Dwyer raised a point of order in relation to Councillor J Connolly's use of inappropriate language.

The Mayor considered the point of order within the context of Council's Standing Orders – 'Dealing with unsuitable meeting conduct by a Councillor in a meeting' and requested Councillor J Connolly apologise to Councillor T Dwyer.

Councillor J Connolly apologised to Councillor T Dwyer.

Councillor T Dwyer did not accept the apology as it was conditioned.

The Mayor again requested Councillor J Connolly apologise to Councillor T Dwyer in a sincere fashion with due consideration for Council and its meeting processes.

In compliance with the Mayor's request, Councillor J Connolly apologised to Councillor T Dwyer.

The meeting was adjourned at 3:45pm to allow decorum to be restored to the meeting.

The meeting resumed at 3:52pm.

9.5 BUS FLEET EMISSIONS

File No: Notice of Motion
Author: Councillor T Dwyer
Notice of Motion

Council Resolution (OM20/18)

Moved: Councillor T Dwyer
Seconded: Councillor C Dickson

That Council authorise the Chief Executive Officer to advocate to the Queensland State Government to:

1. *Ensure the current fleet meet noise emission limits, and this is regularly checked for compliance*
2. *Request the bus operator to instruct their drivers to be mindful of their driving techniques to reduce noise, particularly out of hours*
3. *Investigate low cost, easy retrofit opportunities for current fleet vehicles to reduce noise emissions (e.g. improved exhaust elements)*
4. *Request the bus operator to consider the bus fleet scheduled to use the Caloundra Bus Interchange to be buses in the current fleet with lowest noise emission ratings*
5. *Ensure all new fleet chosen includes low noise emissions as an important decision consideration to benefit the whole community, both long term and during all hours of the day as they serve residential areas and*
6. *Bring forward fleet upgrades for the Sunshine Coast.*

Carried unanimously.

Councillor J McKay was absent for the discussion and vote on this item.

9.6 SUNSHINE COAST WILD FIRE PREVENTATIVE STRATEGY FOR THE REGION

File No: Notice of Motion
Author: Councillor R Baberowski
Notice of Motion

MOTION

Moved: Councillor R Baberowski
Seconded: Councillor C Dickson

That Council authorise the Chief Executive Officer to:

- (a) prepare a report for Council's consideration for resourcing our Local Disaster Management Group to lead the development of a new and more comprehensive Sunshine Coast Wild Fire Preventative Strategy for the region. The strategy is to consider such items as a hazard reduction burn regime, QFS resource strategy, indigenous advice, free or discounted green waste disposal during times of total fire bans and other recommendations to achieve the objective and
- (b) present the report at the earliest opportunity and if possible the Ordinary Meeting on 19 March 2020.

AMENDMENT

Council Resolution (OM20/19)

Moved: Councillor T Dwyer
Seconded: Councillor P Cox

That Council authorise the Chief Executive Officer to:

- (a) *prepare a report for Council's consideration for resourcing our Local Disaster Management Group to lead the development of a new and more comprehensive Sunshine Coast Bushfire Preventative Strategy for the region. The report is to consider such items as a hazard reduction burn regime, QFS resource strategy, indigenous advice, free or discounted green waste disposal during times of total fire bans and other matters to achieve the objective and*
- (b) *present the report at the earliest opportunity and if possible the Ordinary Meeting on 19 March 2020.*

Carried unanimously.

The amendment became the motion. The motion moved by Councillor T Dwyer and seconded by Councillor P Cox was put.

Carried unanimously.

Councillor J McKay was absent for the discussion and vote on this item.

10 TABLING OF PETITIONS**10.1 PETITION - TRAFFIC ISSUES BADEN POWELL STREET
MAROOCHYDORE**

File No: Council Meetings
Author: Councillor J O'Pray
Elected Member

Council Resolution (OM20/20)

Moved: Councillor J O'Pray
Seconded: Councillor G Rogerson

That Council resolve the petition tabled by Councillor J O'Pray relating to Traffic Issues Baden Powell Street, Maroochydore be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor J McKay was absent for the discussion and vote on this item.

**10.2 PETITION - OBJECTION TO PROPOSED BASKETBALL COURT AND
OFF-LEASH DOG AREA KAWANA ISLAND**

File No: Council Meetings
Author: Councillor J Connolly
Elected Member

Council Resolution (OM20/21)

Moved: Councillor J Connolly
Seconded: Councillor G Rogerson

That Council resolve the petition tabled by Councillor J Connolly relating to Objection to Proposed Basketball Court and Off-Leash Dog Area at Kawana Island be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor J McKay was absent for the discussion and vote on this item.

10.3 PETITION - EXCESSIVE SPEED CONCERNS, BURKE STREET, GOLDEN BEACH

File No: Council Meetings
Author: Councillor T Dwyer
Elected Member

Council Resolution (OM20/22)

Moved: Councillor T Dwyer
Seconded: Councillor P Cox

That Council resolve the petition tabled by Councillor T Dwyer relating to excessive speed of traffic on Burke Street, Golden Beach, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor J McKay was absent for the discussion and vote on this item.

PERSONAL INTEREST – CONFIDENTIAL ITEMS

As required by s175C of the *Local Government Act 2009*, Councillor M Jamieson informed the meeting of a personal interest in relation to matters to be considered in confidential item 11.1 'Strategic Land Project'.

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

"I may have a material interest in matters that are the subject of Agenda Item 11.1 on the basis that I am a shareholder and director of a corporation that holds an interest in property including a business in the area near the Strategic Land Project.

As that property may or may not derive an advantage from the decision which Council may make on this matter, 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."

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 confidential item 11.2 Brisbane Road Car park – Update on expression of interest process'.

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

'Councillors, as I have done on previous occasions when we have considered matters relating to the Brisbane Road Car Park site, I wish to inform you under section 175E (2) of the Local Government Act 2009 that I may have a personal interest in the matters that are the subject of Agenda Item 11.2, on the basis of a commercial property interest held by my superannuation fund in the Mooloolaba area.

As I have previously informed Council, that interest is not the Brisbane Road Car Park site and nor is it a property adjoining that site.

I have also formed the view that given the nature of the personal interest, I believe I can appropriately manage any perceived conflict should it exist and that I can impartially make a decision in the public interest on the matter before Council today.

I will now ask the Deputy Mayor to assume the Chair so that you may deliberate on this matter and make the necessary determinations under section 175E (4) of the Local Government Act 2009.'

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

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor C Dickson

That in accordance with s175E(4)(a) of the Local Government Act 2009, Councillor M Jamieson does not have a perceived or real conflict of interest in matters that are to be considered in item 11.2 'Brisbane Road Car Park – Update on Expression of Interest process'.

For: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox, Councillor J Connolly, Councillor C Dickson, Councillor E Hungerford and Councillor S Robinson.

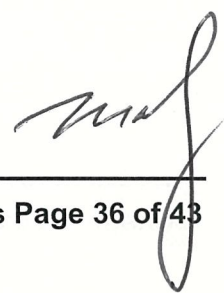
Against: Councillor J O'Pray and Councillor G Rogerson.

Carried.

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

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

The Mayor returned to the Chair at this time.

A handwritten signature in black ink, appearing to be 'M. J. McKay', is located in the bottom right corner of the page. The signature is written in a cursive style and extends slightly above and below the main body of text.

11 CONFIDENTIAL SESSION**CLOSURE OF THE MEETING TO THE PUBLIC****Council Resolution****Moved: Councillor S Robinson****Seconded: Councillor T Dwyer**

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

- 11.1 *Confidential - Not for Public Release - Strategic Land Project*
- 11.2 *Confidential - Not for Public Release - Brisbane Road Car Park - Update on Expression of Interest Process*
- 11.3 *Confidential - Not for Public Release - Appeal Matter - Bald Knob*
- 11.4 *Confidential - Not for Public Release - Sale of Surplus Land*

Carried unanimously.

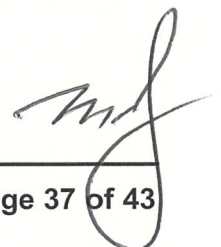
Councillor J McKay was absent for the vote on this motion.

RE-OPENING OF THE MEETING TO THE PUBLIC**Council Resolution****Moved: Councillor R Baberowski****Seconded: Councillor P Cox**

That the meeting be re-opened to the public.

Carried unanimously.

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



11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - STRATEGIC LAND PROJECT

File No: F2019/61725
Author: Manager Transport and Infrastructure Planning
Built Infrastructure Group

In preparing this report, the Chief Executive Officer recommends it be considered 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.

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

Council Resolution (OM20/23)

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

That Council delegate authority to the Chief Executive Officer to enter into negotiations, finalise and execute the acquisition for the identified land in accordance with the outcome of discussions in the confidential session in relation to the strategic land project.

Carried unanimously.

Councillor M Jamieson and Councillor J McKay were absent for the discussion and vote on this item.

The Mayor returned to the Chair at this time.

11.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - BRISBANE ROAD CAR PARK - UPDATE ON EXPRESSION OF INTEREST PROCESS

File No: Council meetings
Author: Head of Business and Innovation
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 (OM20/24)

Moved: Councillor J Connolly
Seconded: Councillor S Robinson

That Council note the discussions held in confidential session regarding the Brisbane Road Car Park – Update on Expression of Interest Process.

Carried unanimously.

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

**11.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - APPEAL MATTER -
BALD KNOB**

File No: MCU18/0189, APL19/0042
Author: Coordinator Development Audit & Response
Customer Engagement & Planning Services Group

In preparing this report, the Chief Executive Officer recommends it be considered confidential in accordance with section 275 (f) of the *Local Government Regulation 2012* as it contains information relating to starting or defending legal proceedings involving the local government.

Council Resolution (OM20/25)

Moved: Councillor P Cox
Seconded: Councillor G Rogerson

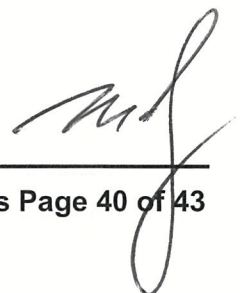
That Council delegate authority to the Chief Executive Officer to negotiate and attempt to settle the planning appeal in Bald Knob.

For: Councillor T Dwyer, Councillor P Cox, Councillor J Connolly,
Councillor E Hungerford, Councillor J O'Pray, Councillor S Robinson,
Councillor G Rogerson and Councillor M Jamieson.

Against: Councillor R Baberowski and Councillor C Dickson.

Carried.

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



11.4 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SALE OF SURPLUS LAND

File No: Council Meeting
Author: Coordinator Strategic Property
Office of the CEO

In preparing this report, the Chief Executive Officer recommends it be considered 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 (OM20/26)

Moved: Councillor J Connolly
Seconded: Councillor E Hungerford

That Council:

- (a) *delegate authority to the Chief Executive Officer to dispose of the properties as discussed in the confidential session in accordance with Local Government Regulation 2012 and*
- (b) *resolve in accordance with Section 236 (2) of Local Government Regulation 2012 that the exception under Section 236 (1) (a) of the Regulation applies to the sale of the properties discussed in the confidential session.*

Carried unanimously.

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


12 NEXT MEETING

The next Ordinary Meeting will be held on 20 February 2020 in the Council Chambers, Corner Currie and Bury Streets, Nambour

13 MEETING CLOSURE

The meeting closed at 5.33pm.

Confirmed 20 February 2020.



CHAIR

- 14 APPENDICES
- 8.2 SUNSHINE COAST COUNCIL CORPORATE PLAN 2020-2024 – APP A - SUNSHINE COAST COUNCIL CORPORATE PLAN 2020-2024
- 8.3 SUNSHINE COAST MASS TRANSIT – UPDATE – APP A - PWC DRAFT INTERIM FINDINGS REPORT
- 8.4 LANDSBOROUGH PLACEMAKING MASTER PLAN - APP A - LANDSBOROUGH PLACEMAKING MASTER PLAN
- 8.12 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009 - APP A - 2016-73 (V5) - DELEGATION TO THE CHIEF EXECUTIVE OFFICER
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP A - CONSOLIDATED LOCAL LAW NO. 1 (ADMINISTRATION) 2011
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP B - CONSOLIDATED LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2011
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP C - CONSOLIDATED LOCAL LAW NO. 5 (PARKING) 2011
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP D - CONSOLIDATED LOCAL LAW NO. 7 (SUNSHINE COAST AIRPORT) 2017
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP E - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2016
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP F - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2011
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP G - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 4 (LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES, INFRASTRUCTURE AND ROADS) 2011
- 8.13 CONSOLIDATION OF LOCAL LAWS AND SUBORDINATE LOCAL LAWS - APP H - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011

mf