

# Minutes

## **Special Meeting (Region Making Projects)**

**Friday, 29 June 2018**

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





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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 3:02pm.

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

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

Councillor M Jamieson	Mayor (Chair)
Councillor R Baberowski	Division 1
Councillor T Dwyer	Division 2 (Via Teleconference)
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**

A/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

**APOLOGIES**

Chief Executive Officer

**COUNCIL OFFICERS**

Coordinator CEO Governance & Operations  
Manager Business Development

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

*In accordance with s276 of the Local Government Regulation 2012 that Councillor T Dwyer be permitted to take part in the Special Meeting by teleconferencing.*

**Carried unanimously.**

**Councillor R Baberowski was absent for the vote on this motion.**

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**3 INFORMING OF PERSONAL INTERESTS****3.1 MATERIAL PERSONAL INTEREST**

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

**3.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST**

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

Councillor M Jamieson informed the meeting of a personal interest for item 5.2.1 Brisbane Road Car Park Development.

Councillor M Jamieson made a statement noting that there may be a perceived conflict of interest on the basis of a property interest in the Mooloolaba area.

Councillor M Jamieson further disclosed that he formed the view that given the circumstances associated with the basis of the perceived conflict of interest, he believed he could appropriately manage any perceived conflict should it exist and could impartially make a decision in the public interest on the matters before Council.

Councillor J O'Pray informed the meeting of a personal interest for item 5.2.1 Brisbane Road Car Park Development.

Councillor J O'Pray made a statement noting that there may be a perceived conflict of interest due to a personal association with an affected party.

Councillor J O'Pray further disclosed that he formed the view that given the circumstances associated with the basis of the perceived conflict of interest, he believed he could appropriately manage any perceived conflict should it exist and could impartially make a decision in the public interest on the matters before Council.

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4      **REPORTS DIRECT TO COUNCIL**

Nil

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**Councillor M Jamieson informed the meeting under s175E (2) of the *Local Government Act 2009* that there may exist a belief that he has a personal interest in Item 5.2.1, on the basis that he had previously declared a perceived conflict of interest in relation to four reports that Council has considered in the past that have some relevance to the Brisbane Road Car Park project.**

In relation to three of those reports – which were considered by Council on 11 December 2014, 30 March 2015 and 10 November 2016 – Councillor Jamieson had declared that there may exist a perceived conflict of interest on the basis of a property interest in the Mooloolaba area. That interest is not the Brisbane Road Car Park site and nor is it a property adjoining that site.

In relation to a report considered by Council on 28 January 2016, Councillor Jamieson declared that there may exist a perceived conflict of interest on the basis that at that time, being 28 January 2016, Councillor Jamieson had received a donation of \$872 from Walter Iezzi on 28 April 2012. Mr Iezzi had at 28 January 2016, a commercial interest in the matter that was being considered by Council on 28 January 2016. Councillor Jamieson left the meeting on 28 January 2016 while this report was considered and voted on.

In informing Councillors that there may be a view that he has a personal interest in the matter that is to be considered today, Councillor Jamieson requested an opportunity to outline why the personal interests are not relevant to the matters contained in Item 5.2.1.

**At this time, in accordance with s12(5) of the *Local Government Act 2009*, the Mayor delegated the chairing of the meeting to Councillor C Dickson.**

**The Mayor vacated the chair.**

**Councillor C Dickson took the chair at this time.**

**As required by s175E (2) 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 5.2.1.**

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

In relation to the information that I have provided to you this afternoon, I would like to put to you that the matters that were the subject of the four declarations that I made in 2014, 2015 and 2016 are not relevant to the matters contained in the report that is being considered today at Item 5.2.1.

I will deal with each previous declaration in turn.

The declaration I made in respect of Item 11.4.2 that was considered by Council at its Ordinary Meeting on 11 December 2014 was made because that agenda report related to the development of a Place Making Visioning Plan for Mooloolaba. As I have an interest in a property in Mooloolaba, I considered it appropriate to make a declaration of a perceived conflict of interest. The substance of the declaration I made did not relate to the Brisbane Road Car Park site.

The declaration I made in respect of Item 5.2.1 that was considered by Council at a Special Meeting on 30 March 2015 was made from an abundance of caution as the matters under consideration, whilst relating specifically to the Brisbane Road Car park site, might have been construed as providing a wider investment benefit for properties in Mooloolaba. The substance of the declaration that I made did not relate to the Brisbane Road Car Park site.

The declaration I made in respect of Item 11.1.1 that was considered by Council at its Ordinary Meeting on 10 November 2016 was made because that agenda report related to interim car parking arrangements that could be considered in Mooloolaba. As I have an interest in a property in Mooloolaba, I considered it appropriate to make a declaration of a perceived conflict of interest. The substance of the declaration I made did not relate to the Brisbane Road Car Park site itself.

The declaration I made in respect of Item 8.5.2 that was considered by Council at its Ordinary Meeting on 28 January 2016 was made because that agenda report related to the respondents to the expressions of interest that had been issued in relation to the development Brisbane Road Car Park site. As Mr lezzi donated to my 2012 campaign and had a commercial interest in the matter that was being considered by Council on that day, I considered it appropriate to make a declaration of a perceived conflict of interest and leave that meeting. As that commercial interest in the Brisbane Road Car Park no longer exists, I consider that the declaration I made on that day is not relevant to the report that is being considered by Council today.

### **Council Resolution**

**Moved: Councillor G Rogerson**

**Seconded: Councillor J Connolly**

That in accordance with s175E(4)(a) of the *Local Government Act 2009*, Councillor M Jamieson has a real or perceived conflict of interest in matters that are to be considered in item 5.2.1.

**For: Councillor G Rogerson.**

**Against: 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 and Councillor S Robinson.**

**Lost.**

**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.**

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**5 CONFIDENTIAL SESSION****CLOSURE OF THE MEETING TO THE PUBLIC****Council Resolution****Moved: Councillor G Rogerson****Seconded: Councillor J Connolly**

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

5.1.1 *Confidential - Not for Public Release - Sunshine Coast International Broadband Network Project*

5.2.1 *Confidential - Not for Public Release - Brisbane Road Car Park Development*

**Carried unanimously.**

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

*That the meeting be re-opened to the public.*

**Carried unanimously.**

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Councillor J O'Pray informed the meeting under s175E(2) of the *Local Government Act 2009* that there may exist a belief that he has a personal interest in Item 5.2.1, on the basis that I have previously declared a perceived conflict of interest in relation to a report that was considered by Council on 28 January 2016 in relation to the Brisbane Road Car Park project.

In relation to that report, Councillor J O'Pray declared that there may exist a perceived conflict of interest due to a personal association with an affected party and left the room.

In informing Councillors that there may be a view that he has a personal interest in the matter that is to be considered today, Councillor J O'Pray requested an opportunity to outline why the personal interest is not relevant to the matters contained in Item 5.2.1.

**As required by s175E(2) of the *Local Government Act 2009*, Councillor J O'Pray informed the meeting of a personal interest in relation to matters to be considered in item 5.2.1.**

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

The declaration I made at that meeting was made because that agenda report related to the respondents to the expressions of interest that had been issued in relation to the development Brisbane Road Car Park site. Mr Paul Smith is an associate of mine and at the time was a fellow member of the Sunshine Coast Events Board. As Mr Smith was associated with a party that had a commercial interest in the matter that was being considered by Council on that day, I considered it appropriate to make a declaration of a perceived conflict of interest and leave that meeting. As that commercial interest in the Brisbane Road Car Park no longer exists, I consider that the declaration I made on that day is not relevant to the report that is being considered by Council today.

### Council Resolution

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

That in accordance with s175E(4)(a) of the *Local Government Act 2009*, Councillor J O'Pray has a real or perceived conflict of interest in matters that are to be considered in item 5.2.1.

**For: Councillor G Rogerson.**

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

Lost.

In accordance with s175E (4) of the *Local Government Act 2009*, Councillor J O'Pray did not vote on this matter.

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**CLOSURE OF THE MEETING TO THE PUBLIC**

**Council Resolution**

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

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

5.2.1 Confidential - Not for Public Release - Brisbane Road Car Park Development

**Carried unanimously.**

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

**Council Resolution**

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

*That the meeting be re-opened to the public.*

**Carried unanimously.**

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**5.1 ECONOMIC AND COMMUNITY DEVELOPMENT****5.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST  
INTERNATIONAL BROADBAND NETWORK PROJECT**

**File No:** Council meetings  
**Author:** Group Executive  
Economic & Community Development Group

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

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**Council Resolution** (SM18/11)

**Moved:** Councillor S Robinson  
**Seconded:** Councillor E Hungerford

*That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to the Sunshine Coast International Broadband Network project.*

**Carried unanimously.**

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**5.2 BUSINESS PERFORMANCE****5.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - BRISBANE ROAD CAR PARK DEVELOPMENT**

**File No:** Council meetings  
**Author:** Manager Business Development  
Business Performance Group

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

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**Council Resolution** (SM18/12)

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

*That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to Brisbane Road Car Park, Mooloolaba.*

**For:** Councillor R Baberowski, Councillor T Dwyer, 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.**

Councillor J O'Pray left the meeting for the vote on this item.

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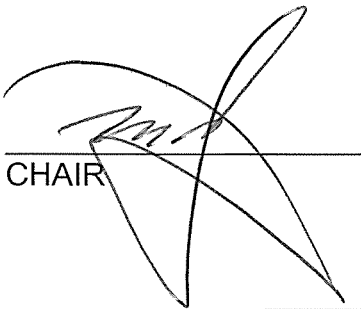
**6 NEXT MEETING**

Nil

**7 MEETING CLOSURE**

The meeting closed at 5:13pm.

Confirmed 19 July 2018.

  
CHAIR

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