

# Minutes

## Ordinary Meeting

**Thursday, 23 April 2015**

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



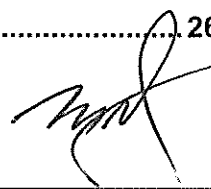
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8.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE  
288-316 YANDINA-COOLUM RD COOLUM BEACH QLD 4573 –  
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8.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE  
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Please 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. ...'.

**1 DECLARATION OF OPENING**

The Chair declared the meeting open at 9.00am.

**2 OPENING PRAYER**

Reverend Helen Chick from St. Peters Anglican Church 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 C Thompson	Division 4
Councillor J McKay	Division 5
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10

**EXECUTIVE LEADERSHIP TEAM**

Chief Executive Officer  
 Director Community Services  
 Director Corporate Services  
 Director Corporate Strategy and Delivery  
 Director Infrastructure Services  
 Director Regional Strategy and Planning

**APOLOGIES**

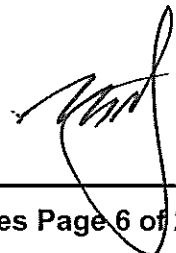
Councillor J O'Pray                      Division 8

**COUNCIL OFFICERS**

Manager Transport and Infrastructure Policy  
 Senior Development Planner  
 Development Planner  
 Principal Development Planner  
 Manager Waste and Resource Management  
 Coordinator Recovery Diversion and Disposal  
 Coordinator Property Project and Development  
 Coordinator Major Events Liaison  
 Coordinator Sunshine Coast Events  
 Solicitor  
 Coordinator Biodiversity and Waterways  
 Manager Environment and Sustainable Policy  
 Specialist Advisor

**EXTERNAL**

Mr David Perkins, Cardno HRP (Planning Consultants)

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


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

*That the Minutes of the Ordinary Meeting held on 26 March 2015 and the Special Meeting (Sunshine Coast Airport, Maroochydore City Centre Development Company, Mooloolaba Planning Project and Mooloolaba Commercial Property) held on 30 March 2015 be received and confirmed.  
Carried.*

Carried.

## 5 OBLIGATIONS OF COUNCILLORS

### 5.1 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.

### 5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Councillor M Jamieson declared a perceived conflict of interest in item 11.6.2 (as defined in section 173 of the *Local Government Act 2009*) due to an interest in land in the area.

## 6 MAYORAL MINUTE

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**PROCEDURAL MOTION**

**Moved:** Councillor C Thompson  
**Seconded:** Councillor J McKay

*That Council suspend standing orders to consider Item 8.2.4 (Nambour Heritage Tramway Feasibility Assessment Report) and Item 8.1.2 (DA for MCU at 909 Yandina – Coolum Road, Valdora) out of order due to public interest.*

**Carried unanimously.**

Item 8.2.4 was dealt with at this time.

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**7 PRESENTATIONS****7.1 PRESENTATION - ACKNOWLEDGEMENT AND FAREWELL - JOHN KNAGGS CEO**

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Council acknowledged and farewelled John Knaggs, Chief Executive Officer of the Sunshine Coast Regional Council.

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The Deputy Mayor took the chair at this time.



**8 REPORTS DIRECT TO COUNCIL****8.1 REGIONAL STRATEGY AND PLANNING****8.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE 288-316 YANDINA-COOLUM RD COOLUM BEACH QLD 4573**

**File No:** MCU14/0046  
**Author:** Senior Development Planner  
Regional Strategy & Planning Department  
**Appendices:** App A - Conditions of Approval  
**Attachments:** Att 1 - Proposal Plans

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**Council Resolution** (OM15/49)

**Moved:** Councillor S Robinson  
**Seconded:** Councillor C Dickson

*That Council:*

- (a) *approve with conditions Application No. MCU14/0046 and grant a Development Permit for Material Change of Use of Premises (Service Station and ancillary Car Wash) situated at 288-316 Yandina-Coolum Road, Coolum Beach, in accordance with Appendix A and*
- (b) *find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:*
1. *sufficient economic need has been demonstrated to provide support for the use despite its conflict with the subject site's Sustainable Canelands Precinct*
  2. *the proposal is consistent with Regulatory Provisions of the South East Queensland Regional plan and*
  3. *it has been sufficiently demonstrated that all site constraints, particularly flooding risk, can be appropriately mitigated.*

**Carried unanimously.**

**Mayor Jamieson was absent for the vote on this item.**

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**8.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE  
(RENEWABLE ENERGY FACILITY) AT 909 YANDINA - COOLUM ROAD,  
VALDORA**

**File No:** MCU14/0161  
**Authors:** Development Planner  
Regional Strategy & Planning Department  
Principal Development Planner  
Regional Strategy & Planning Department  
**Appendices:** App A - Assessment of Application (*Under Separate Cover*)  
**Attachments:** Att 1 - Concurrence Agency Response

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**Council Resolution** (OM15/50)

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

*That Council approve with Conditions Application No. MCU14/0161 and grant a Development Permit for a Development Permit for Material Change of Use of Premises (Renewable Energy Facility) situated at 909 Yandina-Coolum Road, Valdora, in accordance with Appendix A (Assessment of Application) received from the external independent assessor.*

**Carried unanimously.**

Item 7.1 was dealt with at this time.

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8.2 CORPORATE SERVICES

8.2.1 FEBRUARY 2015 FINANCIAL PERFORMANCE REPORT

File No: Financial Reports  
Author: Acting Coordinator Financial Services  
Corporate Services Department  
Attachments: Att 1 - February 2015 Financial Performance Report

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Council Resolution (OM15/51)

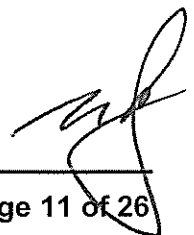
Moved: Councillor C Thompson  
Seconded: Councillor E Hungerford

*That Council receive and note the report titled "February 2015 Financial Performance Report".*

Carried unanimously.

Mayor Jamieson was absent for the vote on this item.

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**8.2.2 PONTOON/WATERWAY LEASES - LAKE KAWANA, BIRTINYA**

**File No:** Asset Management/Leasing Out  
**Author:** Senior Property Officer  
Corporate Services Department  
**Attachments:** Att 1 - Lake Kawana Birtinya - Quay Line Plan  
Att 2 - Excerpt - Rental Assessment Report for Proposed Leases  
Att 3 - Lake Management Plan Excerpt

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**Council Resolution**

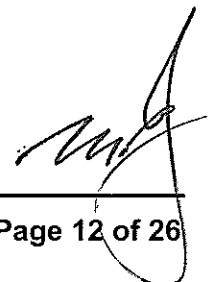
**Moved:** Councillor P Cox  
**Seconded:** Councillor G Rogerson

*That the item be withdrawn until further advice from the Chief Executive Officer.*

**Carried unanimously.**

**Mayor Jamieson was absent for the vote on this item.**

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**8.2.3 EXCEPTION UNDER THE LOCAL GOVERNMENT REGULATION 2012 -  
PROPOSED LEASES TO COMMUNITY ORGANISATIONS**

File No: CLE000  
Author: Senior Property Officer  
Corporate Services Department  
Appendices: App A - Exception for 2015

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**Council Resolution**

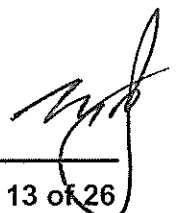
Moved: Councillor G Rogerson  
Seconded: Councillor E Hungerford

*That the item be withdrawn until further advice from the Chief Executive Officer.*

**Carried unanimously.**

**Mayor Jamieson was absent for the vote on this item.**

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**8.2.4 NAMBOUR HERITAGE TRAMWAY FEASIBILITY ASSESSMENT REPORT**

**File No:** Financial Management  
**Author:** Manager Finance  
Corporate Services Department  
**Attachments:** Att 1 - C Change Feasibility Assessment Report (*Under Separate Cover*)  
Att 2 - Nambour Heritage Tramway Group Presentation

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**PROCEDURAL MOTION**

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

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

**Carried unanimously.**

**Council Resolution** (OM15/52)

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

*That Council:*

- (a) *receive and note the report titled "Nambour Heritage Tramway Feasibility Assessment Report"*
- (b) *note the Feasibility Analysis of the Nambour Heritage Tramway report*
- (c) *note that an amount of at least \$2.1 million in funding may be needed to deliver the project*
- (d) *support the Nambour Heritage Tramway project via a joint funding and partnership arrangement with the Nambour Heritage Tramway Group (the Group), whereby the Group is responsible for the purchase of the tram, is to act as the Infrastructure Manager and Rail Transport Operator and Operator of the Tramway; with the Council responsible for land acquisition, buildings, tram track and signalling upgrading*
- (e) *note that considerable work has been completed and that additional work is required between Council and the Group to complete overall project governance and funding, key project hold points for future decisions by Council and joint partnership arrangements, before a final project funding arrangement, project start date, can be confirmed by Council*
- (f) *request the Chief Executive Officer to include an allocation of \$500,000 in the 2015/16 draft Budget for future consideration by Council and further, that an additional amount of \$500,000 be included in each of the 2016/17 and 2017/18 draft Budgets for consideration by Council at the time. Further that these funds represent the maximum funding allocation by Council for this project and further that such funding is to be available for land acquisition, buildings and other associated capital works approved from time to time by the Chief Executive Officer*

- (g) *pending funding as per (f) above, being included in the 2015/2016 budget request the Chief Executive Officer to draft a Heads of Agreement document in consultation with the Group, to formally recognise - the parties' roles and responsibilities including the governance, funding and key project hold points described above; confirmation of the \$600,000 project funds to come from the Group via a combination of fund raising and grants from other governments fully realisable by 30 June 2017 or such other earlier date; agreed assets and operations insurance coverage; recognition that Council supports the Group in any application for funding to other governments, provides support to the Group to obtain necessary accreditation as an Infrastructure Manager and Rail Transport Operator and continues to provide support and advice and*
- (h) *pending funding as per (f) above, being included in the 2015/2016 budget request the Chief Executive Officer to provide a project report to Council by 31 December 2015 on the status of key project hold points, project milestones, potential project funding arrangements and the status of the Heads of Agreement document with the Group.*

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

**Against:** Councillor C Thompson.

Carried.

Councillor T Dwyer raised a point of order in relation to Councillor G Rogerson debating the item. The Mayor upheld the point of order.

Item 8.1.2 was dealt with at this time.

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**8.3 COMMUNITY SERVICES**

Nil

**8.4 INFRASTRUCTURE SERVICES**

Nil

**8.5 CORPORATE STRATEGY AND DELIVERY**

Nil

**8.6 OFFICE OF THE MAYOR AND THE CEO**

Nil

**9 NOTIFIED MOTIONS**

**9.1 NOTICES OF RESCISSION**

Nil

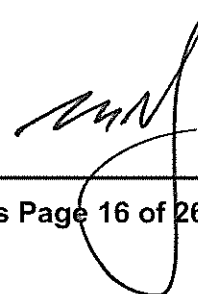
**9.2 NOTICES OF MOTION**

Nil

**9.3 FORESHADOWED NOTICES OF MOTION**

Nil

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**10 TABLING OF PETITIONS****10.1 PETITION - OBJECTION TO PLANNING SCHEME AMENDMENT AT YAROOMBA**

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**Council Resolution** (OM15/53)**Moved:** Councillor S Robinson**Seconded:** Councillor J McKay

*That Council resolve the petition tabled by Councillor S Robinson in relation to objections to the Planning Scheme Amendment at Yaroomba be received and referred to the Chief Executive Officer to determine appropriate action.*

**Carried unanimously.**

**Mayor Jamieson was absent for the vote on this item.**

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**10.2 PETITION - LANDING PROCEDURES AT CALOUNDRA AERODROME**

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**Council Resolution** (OM15/54)**Moved:** Councillor R Baberowski**Seconded:** Councillor T Dwyer

*That Council resolve the petition tabled by Councillor R Baberowski in relation to landing procedures at Caloundra Aerodrome be received and referred to the Chief Executive Officer to determine appropriate action.*

**Carried unanimously.**

**Mayor Jamieson was absent for the vote on this item.**

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**The Mayor returned to the chair at this time.**

**11 CONFIDENTIAL SESSION****CLOSURE OF THE MEETING TO THE PUBLIC****Council Resolution****Moved: Councillor C Dickson****Seconded: Councillor J McKay**

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

11.3.1 *Confidential - Not for Public Release - Property Acquisition*

11.4.1 *Confidential - Not for Public Release - Major and Regional Events Sponsorship Applications*

11.5.1 *Confidential - Not for Public Release - South Maroochy Drainage Board*

11.6.1 *Confidential - Not for Public Release - Property Environmental Assessment, Buderim*

11.6.2 *Confidential - Not for Public Release - Future Transport Considerations*

**Carried unanimously.**

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**RE-OPENING OF THE MEETING TO THE PUBLIC****Council Resolution****Moved: Councillor C Thompson****Seconded: Councillor T Dwyer**

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

**Carried unanimously.**

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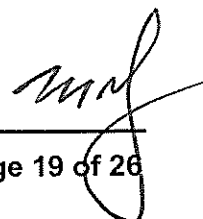
**11.1 CORPORATE SERVICES**

Nil

**11.2 COMMUNITY SERVICES**

Nil

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**11.3 INFRASTRUCTURE SERVICES****11.3.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPERTY ACQUISITION**

**File No:** Statutory Meetings  
**Author:** Coordinator Recovery Diversion and Disposal  
Infrastructure Services Department

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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.

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**Council Resolution** (OM15/55)

**Moved:** Councillor C Thompson  
**Seconded:** Councillor J McKay

*That Council:*

- (a) *resolve to proceed to acquire by compulsory acquisition the whole of the property described as Lot 1 on CG 2584, for sanitation purposes*
- (b) *if no objections are received from any person or entity entitled to be served with a notice of intention to resume, Council resolve that Lot 1 CG 2584 is required to be taken for sanitation purposes and that application be made to the Minister for Natural Resources and Mines to take the land under Section 9 of the Acquisition of Land Act 1967 and*
- (c) *delegate authority to the Chief Executive Officer to take action as may be required to effect the acquisition and, subject to a maximum value discussed in closed session, settle any claim for compensation, subject to adequate funding being included in the 2015/16 budget.*

**For:** Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox,  
Councillor C Thompson, Councillor J McKay, Councillor C Dickson,  
Councillor E Hungerford and Councillor M Jamieson.

**Against:** Councillor S Robinson and Councillor G Rogerson.

Carried.

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**11.4 CORPORATE STRATEGY AND DELIVERY****11.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAJOR AND REGIONAL EVENTS SPONSORSHIP APPLICATIONS**

**File No:** ECM  
**Author:** Coordinator Major Events Liaison  
Corporate Strategy and Delivery Department

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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** (OM15/56)

**Moved:** Councillor C Thompson  
**Seconded:** Councillor S Robinson

*That Council approve the sponsorships in accordance with the recommendations of the Sunshine Coast Events Board as discussed in confidential session.*

**Carried unanimously.**

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**11.5 OFFICE OF THE MAYOR AND THE CEO****11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SOUTH MAROOCHY DRAINAGE BOARD**

**File No:** ECM  
**Author:** Solicitor  
Office of the Mayor and Chief Executive Officer

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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.

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**Council Resolution** (OM15/57)

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

*That Council advise the Minister for State Development and Natural Resources and Mines, the Hon. Anthony Lynham, MP, that no change be made to the current arrangement to the South Maroochy Drainage Board and request the Chief Executive Officer to have further discussions with the affected parties.*

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

**Against:** Councillor G Rogerson.

Carried.

**11.6 REGIONAL STRATEGY AND PLANNING****11.6.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPERTY ENVIRONMENTAL ASSESSMENT, BUDERIM**

**File No:** EL002  
**Author:** Coordinator Biodiversity and Waterways  
Regional Strategy & Planning Department

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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.

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**Council Resolution** (OM15/58)

**Moved:** Councillor J McKay  
**Seconded:** Councillor C Thompson

*That Council note the discussions held in confidential session in relation to Property Environmental Assessment, Buderim.*

**For:** Councillor C Thompson, Councillor J McKay, Councillor C Dickson, Councillor E Hungerford, Councillor S Robinson, Councillor G Rogerson and Councillor M Jamieson.

**Against:** Councillor R Baberowski, Councillor T Dwyer and Councillor P Cox.

Carried.

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**11.6.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - FUTURE TRANSPORT CONSIDERATIONS**

**File No:** Statutory meetings  
**Author:** Project Coordinator  
Regional Strategy & Planning Department

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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.

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**Councillor M Jamieson declared a perceived conflict of interest in this matter (as defined in section 173 of the *Local Government Act 2009*) due to an interest in land in the area. Councillor M Jamieson remained in the meeting room for the debate and decision on this matter.**

**Council Resolution** (OM15/59)

**Moved:** Councillor S Robinson  
**Seconded:** Councillor C Thompson

*That Council:*

- (a) *authorise the Chief Executive Officer to proceed in accordance with the direction given in confidential session*
- (b) *confirm the recommended light rail route corridor with which to proceed to more detailed feasibility and business case studies*
- (c) *confirm support for progressing the establishment of a high frequency branded forerunner bus in conjunction with the State Government*
- (d) *authorise the Chief Executive Officer to write to the Minister for Transport outlining the findings of the Sunshine Coast Light Rail Route Options Consultation Report and the recommended route and seeking their support for progressing with more detailed feasibility and business case studies and*
- (e) *authorise the Chief Executive Officer following completion of (d) above to release the findings on the Sunshine Coast Light Rail Route Options Consultation Report.*

**Carried unanimously.**




**12 NEXT MEETING**

The next Ordinary Meeting will be held on 21 May 2015 in the Council Chambers, 1 Omrah Avenue, Caloundra.

**13 MEETING CLOSURE**

The meeting closed at 1:14pm.

Confirmed 21 May 2015.

  
\_\_\_\_\_  
CHAIR

**14 APPENDICES**

**8.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE 288-316 YANDINA-COOLUM RD COOLUM BEACH QLD 4573 – APPENDIX A – CONDITIONS OF APPROVAL**

Item 8.1.1 DA MCU Yandina-Coolum Rd App A Conditions of Approval

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**8.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (RENEWABLE ENERGY FACILITY) AT 909 YANDINA - COOLUM ROAD, VALDORA – APPENDIX A – ASSESSMENT OF APPLICATION**

Item 8.1.2 DA MCU Renewable Energy Facility Valdora App A Assessment

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