

Minutes

Ordinary Meeting

Thursday, 25 July 2019

Council Chambers, 1 Omrah Avenue, Caloundra



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TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING	6
2	WELCOME AND OPENING PRAYER	6
3	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE	6
4	RECEIPT AND CONFIRMATION OF MINUTES	7
5	INFORMING OF PERSONAL INTERESTS	7
5.1	MATERIAL PERSONAL INTEREST	7
5.2	CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST	7
6	MAYORAL MINUTE	7
7	PRESENTATIONS / COUNCILLOR REPORTS	9
8	REPORTS DIRECT TO COUNCIL	10
8.1	SUNSHINE COAST MASS TRANSIT PROJECT UPDATE	10
8.2	DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH A FUNERAL PARLOUR AND FUNCTION FACILITY AT 57 MOUNTAIN VIEW ROAD, BALD KNOB	11
8.3	2019 SPORTS FIELD MAINTENANCE FUNDING PROGRAM	12
8.4	MOTION FOR THE 123RD LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE	13
8.5	JUNE 2019 INTERIM FINANCIAL PERFORMANCE REPORT	14
8.6	BIOSECURITY SURVEILLANCE PROGRAM	15
8.7	BIOSECURITY FERAL ANIMAL PREVENTION AND CONTROL PROGRAM	16
8.8	EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A SEWERAGE EASEMENT WITHIN LOT 17 RP198758	17
8.9	EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A VOLUMETRIC ELECTRICAL EASEMENT WITHIN LOT 77 RP92943	18

8.10	DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009.....	19
8.11	CONSOLIDATION OF SUBORDINATE LOCAL LAWS	20
8.12	TRUSTEESHIP OF LAND - DOONAN.....	21
8.13	SUNSHINE COAST CITY HALL - PROJECT UPDATE	22
8.14	DEVELOPMENT APPLICATION FOR A PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE (VARIATION REQUEST TO VARY THE EFFECT OF THE SUNSHINE COAST PLANNING SCHEME 2014 FOR DUAL OCCUPANCIES ON 23 FUTURE RESIDENTIAL LOTS) AT 50 ABBOTTS ROAD, PALMWOODS.....	23
9	NOTIFIED MOTIONS	24
10	TABLING OF PETITIONS.....	24
10.1	PETITION - OPPOSITION TO MCU18/0311 AT 2312 STEVE IRWIN WAY, LANDSBOROUGH	24
11	CONFIDENTIAL SESSION	25
11.1	CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAJOR EVENT OPPORTUNITY	26
12	NEXT MEETING	27
13	MEETING CLOSURE.....	27
14	APPENDICES	28
8.1	SUNSHINE COAST MASS TRANSIT PROJECT UPDATE - APP A - STRATEGIC BUSINESS CASE.....	28
8.3	2019 SPORTS FIELD MAINTENANCE FUNDING PROGRAM - APP A - 2019 SPORTS FIELD MAINTENANCE FUNDING PROGRAM RECOMMENDATIONS.....	28
8.6	BIOSECURITY SURVEILLANCE PROGRAM - APP A - 9 AUGUST 2019 TO 31 JULY 2020 SURVEILLANCE PROGRAM FOR SUNSHINE COAST COUNCIL UNDER THE BIOSECURITY ACT 2014	28
8.7	BIOSECURITY FERAL ANIMAL PREVENTION AND CONTROL PROGRAM - APP A - 9 AUGUST 2019 TO 31 JULY 2020 SURVEILLANCE PROGRAM FOR SUNSHINE COAST COUNCIL UNDER THE BIOSECURITY ACT 2014.....	28
8.10	DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009 - APP A - 2016-73 (V4) DELEGATION TO THE CHIEF EXECUTIVE OFFICER.....	28

- 8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS - APP A -
CONSOLIDATED SUBORDINATE LOCAL LAW NO. 1
(ADMINISTRATION) 201628
- 8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS - APP B -
CONSOLIDATED SUBORDINATE LOCAL LAW NO. 2 (ANIMAL
MANAGEMENT) 201128
- 8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS - APP C -
CONSOLIDATED SUBORDINATE LOCAL LAW NO. 3
(COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT)
201128

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 9:02am.

2 WELCOME AND OPENING PRAYER

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

Pastor Michael Rafferty from Sonshine Baptist, Caloundra read a prayer.

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

Councillor M Jamieson	Mayor (Chair) (Item 8.6 – 13)
Councillor R Baberowski	Division 1
Councillor T Dwyer	Division 2
Councillor P Cox	Division 3
Councillor J Connolly	Division 4
Councillor J McKay	Division 5
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8
Councillor S Robinson	Division 9
Councillor G Rogerson	Division 10

BOARD OF MANAGEMENT

Chief Executive Officer
Group Executive Built Infrastructure
Group Executive Business Performance
Group Executive Customer Engagement and Planning Services
Group Executive Economic and Community Development
Group Executive Liveability and Natural Assets

APOLOGIES

Councillor C Dickson Division 6

COUNCIL OFFICERS

Project Manager
Program Director Urban Growth
Manager Development Services
Principal Development Planner
Parks Community Sports Field Officer
Coordinator Financial Services
Team Leader Vector & Pest, Plant, Education and Control
Coordinator Healthy Places
Team Leader Animal Education & Control
Property Officer
Manager Business and Innovation
Senior Development Planner
Manager Sport & Community Venues
Head of Tourism & Major Events
Chief Financial Officer
Coordinator CEO Governance & Operations

4 RECEIPT AND CONFIRMATION OF MINUTES**Council Resolution****Moved: Councillor E Hungerford****Seconded: Councillor T Dwyer**

That the Minutes of the Special Meeting (2019/20 Budget Adoption) held on 20 June 2019 and the Ordinary Meeting held on 20 June 2019 be received and confirmed.

Carried unanimously.

5 INFORMING OF PERSONAL INTERESTS**5.1 MATERIAL PERSONAL INTEREST**

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

5.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST

Pursuant to Section 175E of the Local Government Act 2009, no declarations of conflict of interest were made during this meeting.

6 MAYORAL MINUTE

Nil

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

That Council allow an introduction of new items of business into the Agenda for the Ordinary Meeting held on Thursday 25 July 2019, namely:

- *Item 8.13 – Sunshine Coast City Hall – Project Update and*
- *Item 8.14 – Development Application for a Preliminary Approval for a Material Change of Use at 50 Abbotts Road, Palmwoods.*

Carried unanimously.

7 PRESENTATIONS / COUNCILLOR REPORTS

The Mayor provided a verbal update on The Blue Heart, an area of more than 5,000 hectares in the Maroochy River Catchment. The area is a key focus for the Blue Carbon Project. This project is a priority for the state government's \$500 million Land Restoration Fund.

A handwritten signature in black ink, appearing to be 'M. J.', is located in the bottom right corner of the page.

8 REPORTS DIRECT TO COUNCIL**8.1 SUNSHINE COAST MASS TRANSIT PROJECT UPDATE**

File No: Council Meetings
Authors: Project Manager
Liveability & Natural Assets Group
Appendices: App A - Strategic Business Case
Attachments: Att 1 - Infrastructure Australia Stage 1 Template

Council Resolution (OM19/102)

Moved: Councillor R Baberowski
Seconded: Councillor J Connolly

That Council

- (a) *receive and note the report titled "**Sunshine Coast Mass Transit Project Update**"*
- (b) *endorse the Strategic Business Case for Sunshine Coast Mass Transit at Appendix A, for the purpose of facilitating further consideration by relevant State and Federal Government agencies*
- (c) *refer the Strategic Business Case for Sunshine Coast Mass Transit and in the form of a completed "Infrastructure Australia Stage 1 Template" to Infrastructure Australia for its consideration and inclusion in the Infrastructure Priority List, and advise Infrastructure Australia of the intention to complete a Preliminary Business Case*
- (d) *refer the Strategic Business Case for the Sunshine Coast Mass Transit to Building Queensland for its consideration and inclusion in the Infrastructure Pipeline, and advise Building Queensland of an intention to complete a Preliminary Business Case*
- (e) *refer the Strategic Business Case for the Sunshine Coast Mass Transit to other relevant government agencies including Transport and Main Roads and Queensland Treasury, and advise the agencies an intention to complete a Preliminary Business Case and*
- (f) *update the project website to provide access to the Strategic Business Case and a summary of the Strategic Business Case.*

Carried unanimously.

8.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH A FUNERAL PARLOUR AND FUNCTION FACILITY AT 57 MOUNTAIN VIEW ROAD, BALD KNOB

File No: MCU18/0189
Author: Development Planner
Customer Engagement & Planning Services Group
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Proposal Plans
Att 2 - Detailed Assessment Report

Council Resolution (OM19/103)

Moved: Councillor R Baberowski
Seconded: Councillor J McKay

That Council:

- (a) *receive and note the report titled “**Development Application for Material Change of Use of premises to establish a funeral parlour and function facility at 57 Mountain View Road, Bald Knob**” and*
- (b) *REFUSE application No. MCU18/0189 for a Development Permit for Material Change of Use of Premises to Establish a Funeral Parlour and Function Facility at 57 Mountain View Road, Bald Knob for the following reasons:*
 - (i) *The proposal conflicts with the Rural zone code of the Planning Scheme 2014 as a Funeral Parlour is an inconsistent use within the zone*
 - (ii) *The proposal would cause unreasonable impacts to the rural character and amenity of the surrounding sensitive land uses by way of noise and traffic impacts.*

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

Carried.



8.3 2019 SPORTS FIELD MAINTENANCE FUNDING PROGRAM

File No: Council Meetings
Author: Team Leader Community Connections
Economic & Community Development Group
Appendices: App A - 2019 Sports Field Maintenance Funding Program
Recommendations

Council Resolution (OM19/104)

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

That Council:

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

Carried unanimously.

8.4 MOTION FOR THE 123RD LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE

File No: Council Meetings
Author: Coordinator Councillor Governance
Office of the CEO
Attachments: Att 1 - Motion - Partnership with Power Utilities in delivering
Underground Power

Council Resolution (OM19/105)

Moved: Councillor T Dwyer
Seconded: Councillor R Baberowski

That Council:

- (a) receive and note the report titled "***Motion for the 123rd Local Government Association of Queensland Annual Conference***" and
- (b) endorse the following motion titled "Partnership with Power Utilities in delivering Underground Power" for forwarding to the Local Government Association of Queensland for inclusion in the 123rd Annual Conference agenda –

That the Local Government Association of Queensland lobbies the peak power utilities' industry body to jointly fund undergrounding power where the change to existing overhead power supplies is required as part of a local government's urban upgrade capital works program, and is called up in the local government's planning scheme.

Carried unanimously.



8.5 JUNE 2019 INTERIM FINANCIAL PERFORMANCE REPORT

File No: Financial Reports

Author: Coordinator Financial Services
Business Performance Group

Attachments: Att 1 - June 2019 Interim Financial Performance Report

Council Resolution (OM19/106)

Moved: Councillor T Dwyer

Seconded: Councillor E Hungerford

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

Carried unanimously.

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

8.6 BIOSECURITY SURVEILLANCE PROGRAM**File No:** F2016/210350**Author:** Coordinator Healthy Places
Customer Engagement & Planning Services Group**Appendices:** App A - 9 August 2019 to 31 July 2020 Surveillance Program for
Sunshine Coast Council under the Biosecurity Act 2014

Council Resolution (OM19/107)**Moved:** Councillor J McKay**Seconded:** Councillor R Baberowski*That Council:*

- (a) receive and note the report titled "**Biosecurity Surveillance Program**"
- (b) adopt the 9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council in accordance with section 235 of the Biosecurity Act 2014
- (c) authorise the carrying out of 9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council (Appendix A) in accordance with section 235 of the Biosecurity Act 2014 and
- (d) note the following details of the 9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council (which are required to be specified in this authorisation under Section 236 Biosecurity Act 2014):
 - (i) relates to invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014
 - (ii) purpose is to monitor for compliance with the Biosecurity Act 2014 and monitor the presence and extent of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014
 - (iii) the period over which the program is carried out is from 9 August 2019 to 31 July 2020
 - (iv) is for monitoring compliance with the Biosecurity Act 2014 and places that will be entered and inspected are privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m²
 - (v) is for determining the presence or extent of the spread of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014 and applies to privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m²
 - (vi) surveillance in the localities of Balmoral Ridge, Diamond Valley, Mooloolah Valley, Beerwah, Mt Mellum, Bells Creek, Crohamhurst, North Maleny, Mons, Tanawha, Forest Glen, Maroochy River, Bli Bli, Peachester, Montville and Mapleton and
 - (vii) Individual properties also previously known to harbour invasive biosecurity matter will be surveyed for ongoing compliance.

Carried unanimously.**Councillor M Jamieson was absent for the discussion and vote on this item.**

8.7 BIOSECURITY FERAL ANIMAL PREVENTION AND CONTROL PROGRAM

File No: F2108/30481

Author: Coordinator Healthy Places
Customer Engagement & Planning Services Group

Appendices: App A - 9 August 2019 to 31 July 2020 Surveillance Program for
Sunshine Coast Council under the Biosecurity Act 2014

Council Resolution (OM19/108)

Moved: Councillor G Rogerson

Seconded: Councillor S Robinson

That Council:

- (a) *receive and note the report titled "**Biosecurity Feral Animal Prevention and Control Program**"*
- (b) *adopt the 9 August 2019 to 31 July 2020 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area in accordance with section 235 of the Biosecurity Act 2014 and*
- (c) *authorise the carrying out of the 9 August 2019 to 31 July 2020 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area (Appendix A) in accordance with section 235 of the Biosecurity Act 2014.*

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.



8.8 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A SEWERAGE EASEMENT WITHIN LOT 17 RP198758**File No:** F2019/37299**Author:** Senior Property Officer
Business Performance Group**Attachments:** Att 1 - Lot 17 RP198758 aerial map
Att 2 - Unitywater sewage pumping station upgrade plan
Att 3 - Easement A in Lot 17 RP198758

Council Resolution (OM19/109)**Moved:** Councillor S Robinson**Seconded:** Councillor P Cox*That Council:*

- (a) *receive and note the report titled "**Exception Under Local Government Regulation 2012 for a Sewerage Easement Within Lot 17 RP198758**"*
- (b) *resolve, pursuant to section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land at Lot 17 RP198758, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and*
- (c) *note that Unitywater is a government agency.*

Carried unanimously.**Councillor M Jamieson was absent for the discussion and vote on this item.**

8.9 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A VOLUMETRIC ELECTRICAL EASEMENT WITHIN LOT 77 RP92943

File No: F2019/39527

Author: Senior Property Officer
Business Performance Group

Attachments: Att 1 - Energex substation plans – Submarine Cable Landing Station
Att 2 - Lot 77 RP92943 proposed Easement location
Att 3 - Easement A SP309971

Council Resolution (OM19/110)

Moved: Councillor S Robinson

Seconded: Councillor P Cox

That Council:

- (a) *receive and note the report titled “**Exception Under Local Government Regulation 2012 for a Volumetric Electrical Easement Within Lot 77 RP92943**”*
- (b) *resolve, pursuant to section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land at Lot 77 RP92943, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and*
- (c) *note that Energex is a government agency.*

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.

**8.10 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 (v4) Delegation to the Chief Executive Officer
Attachments: Att 1 - Delegation Guiding Principles - Delegations from Council
to the CEO

Council Resolution (OM19/111)

Moved: Councillor S Robinson
Seconded: Councillor E Hungerford

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 (v4) Delegation to the Chief Executive Officer (Appendix A) and
- (c) note that all other existing specific delegations of authority to the Chief Executive Officer are retained.

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.

8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS

File No: Council meetings
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - Consolidated Subordinate Local Law No. 1
(Administration) 2016
App B - Consolidated Subordinate Local Law No. 2 (Animal
Management) 2011
App C - Consolidated Subordinate Local Law No. 3 (Community
Health and Environmental Management) 2011

Council Resolution (OM19/112)

Moved: Councillor E Hungerford
Seconded: Councillor R Baberowski

That Council:

- (a) receive and note the report titled "***Consolidation of Subordinate Local Laws***" and
- (b) resolve to adopt consolidated versions of:
 - (i) Subordinate Local Law No. 1 (Administration) 2016 (Appendix A)
 - (ii) Subordinate Local Law No. 2 (Animal Management) 2011 (Appendix B)
 - (iii) Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011 (Appendix C).

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.



8.12 TRUSTEESHIP OF LAND - DOONAN**File No:** F2019/23395**Author:** Property Officer
Office of the CEO**Attachments:** Att 1 - 60 Fellowship Drive, Doonan - Building Images

Council Resolution (OM19/113)**Moved:** Councillor S Robinson**Seconded:** Councillor P Cox*That Council:*

- (a) *receive and note the report titled "**Trusteeship of land - Doonan**"*
- (b) *resolve to accept the offer from Department of Natural Resources, Mines and Energy for Council to act as Trustee over Lot 103 on SP251355 at 60 Fellowship Drive, Doonan and*
- (c) *resolve to refer a funding request for required site holding costs to the next available budget review process.*

For: Councillor T Dwyer, Councillor P Cox, Councillor J Connolly,
Councillor J McKay, Councillor E Hungerford, Councillor J O'Pray,
Councillor S Robinson and Councillor G Rogerson.**Against:** Councillor R Baberowski.**Carried.****Councillor M Jamieson was absent for the discussion and vote on this item.**

8.13 SUNSHINE COAST CITY HALL - PROJECT UPDATE

File No: Council meetings
Author: Group Executive
Business Performance Group

Council Resolution (OM19/114)

Moved: Councillor J Connolly
Seconded: Councillor J O'Pray

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

For: Councillor R Baberowski, Councillor T Dwyer, Councillor P Cox,
Councillor J Connolly, Councillor J McKay, Councillor E Hungerford,
Councillor J O'Pray and Councillor S Robinson.

Against: Councillor G Rogerson.

Carried.

Councillor M Jamieson was absent for the discussion and vote on this item.

8.14 DEVELOPMENT APPLICATION FOR A PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE (VARIATION REQUEST TO VARY THE EFFECT OF THE SUNSHINE COAST PLANNING SCHEME 2014 FOR DUAL OCCUPANCIES ON 23 FUTURE RESIDENTIAL LOTS) AT 50 ABBOTTS ROAD, PALMWOODS

File No: MCU18/0345
Author: Senior Development Planner
Customer Engagement & Planning Services Group
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Proposal Plan
Att 3 - Concurrence agency response

Council Resolution (OM19/115)

Moved: Councillor J McKay
Seconded: Councillor R Baberowski

That Council:

- (a) *receive and note the report titled “**Development application for a Preliminary Approval for a Material Change of Use (Variation request to vary the effect of the Sunshine Coast Planning Scheme 2014 for Dual Occupancies on 23 future residential lots) at 50 Abbots Road, Palmwoods**” and*
- (b) *REFUSE application number MCU18/0345 for a Preliminary Approval for a Material Change of Use (Variation request to vary the effect of the Sunshine Coast Planning Scheme 2014 for Dual occupancies on 23 future residential lots for the following reasons:*
 - (i) *The proposal conflicts with the Palmwoods Local plan code of the Planning Scheme 2014 which requires this zone to be typified by low-rise dwelling houses.*
 - (ii) *The development impacts on the density, character and amenity of the area which is intended to be low density residential.*

For: Councillor R Baberowski, Councillor P Cox, Councillor J Connolly, Councillor J McKay and Councillor G Rogerson.

Against: Councillor T Dwyer, Councillor E Hungerford, Councillor J O'Pray and Councillor S Robinson.

Carried.

Councillor M Jamieson was absent for the discussion and vote on this item.

9 NOTIFIED MOTIONS

Nil

10 TABLING OF PETITIONS**10.1 PETITION - OPPOSITION TO MCU18/0311 AT 2312 STEVE IRWIN WAY, LANDSBOROUGH**

Council Resolution (OM19/116)

Moved: Councillor R Baberowski

Seconded: Councillor J McKay

That Council resolve the petition tabled by Councillor R Baberowski relating to Development Application MCU18/0311 at 2312 Steve Irwin Way, Landsborough, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.

11 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:

11.1 *Confidential - Not for Public Release - Major Event Opportunity*

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.

RE-OPENING OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Councillor G Rogerson

Seconded: Councillor P Cox

That the meeting be re-opened to the public.

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.



11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAJOR EVENT OPPORTUNITY**File No: Eddie****Author: Coordinator Tourism & Major Events
Economic & Community Development Group**

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. (Negotiations with the rights holder of the event are ongoing and Council is aware that there are numerous other competitive bids in play for this project.)

Council Resolution (OM19/117)**Moved: Councillor J O'Pray****Seconded: Councillor G Rogerson**

That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to the major event opportunity.

Carried unanimously.

Councillor M Jamieson was absent for the discussion and vote on this item.

12 NEXT MEETING

The next Ordinary Meeting will be held on 22 August 2019 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE

The meeting closed at 1:44pm.

Confirmed 22 August 2019.



CHAIR



14 APPENDICES

- 8.1 SUNSHINE COAST MASS TRANSIT PROJECT UPDATE - APP A - STRATEGIC BUSINESS CASE
- 8.3 2019 SPORTS FIELD MAINTENANCE FUNDING PROGRAM - APP A - 2019 SPORTS FIELD MAINTENANCE FUNDING PROGRAM RECOMMENDATIONS
- 8.6 BIOSECURITY SURVEILLANCE PROGRAM - APP A - 9 AUGUST 2019 TO 31 JULY 2020 SURVEILLANCE PROGRAM FOR SUNSHINE COAST COUNCIL UNDER THE BIOSECURITY ACT 2014
- 8.7 BIOSECURITY FERAL ANIMAL PREVENTION AND CONTROL PROGRAM - APP A - 9 AUGUST 2019 TO 31 JULY 2020 SURVEILLANCE PROGRAM FOR SUNSHINE COAST COUNCIL UNDER THE BIOSECURITY ACT 2014
- 8.10 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009 - APP A - 2016-73 (V4) DELEGATION TO THE CHIEF EXECUTIVE OFFICER
- 8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS - APP A - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2016
- 8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS - APP B - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2011
- 8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS - APP C - CONSOLIDATED SUBORDINATE LOCAL LAW NO. 3 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2011
-