

Minutes

Ordinary Meeting

Thursday, 26 May 2022

Council Chambers, 1 Omrah Avenue, Caloundra

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

1 DECLARATION OF OPENING

The Chair declared the meeting open at 9:01am.

2 WELCOME AND OPENING

Councillor D Law introduced Dr Hope O'Chin also known as Aunty Hope from Hope Dreaming Indigenous Corporation who provided a Welcome to Country.

The Chair acknowledged National Sorry Day and the Chamber observed one minute's silence.

Pastor Rodney Jobe from Church on the Rise, Maleny read a prayer.

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

Councillor M Jamieson	Mayor (Chair) (Teams)
Councillor R Baberowski	Division 1 (Deputy Mayor) (Teams)
Councillor T Landsberg	Division 2
Councillor P Cox	Division 3
Councillor J Natoli	Division 4
Councillor W Johnston	Division 5 (Teams) (Absent Item 11 – 13)
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8 (Teams)
Councillor M Suarez	Division 9
Councillor D Law	Division 10

COUNCIL OFFICERS

Chief Executive Officer
Group Executive Built Infrastructure
Group Executive Customer Engagement and Planning Services
Group Executive Economic and Community Development
Group Executive Business Performance
A/Group Executive Liveability and Natural Assets
A/Chief of Staff
A/Chief Strategy Officer
A/Director, Major Projects and Strategic Property
A/Coordinator CEO Governance & Operations
Coordinator Financial Services
Chief Financial Officer
Manager Development Services
Senior Transport Planner, Transport Strategy & Policy
Manager Transport and Infrastructure Planning
Property & Project Officer
Coordinator Strategic Property

APOLOGIES

NIL

4 RECEIPT AND CONFIRMATION OF MINUTES**Council Resolution****Moved: Councillor J Natoli****Seconded: Councillor E Hungerford**

That the Minutes of the Ordinary Meeting held on 28 April 2022 be received and confirmed.

Carried unanimously.

5 MAYORAL MINUTE

NIL

6 INFORMING OF CONFLICTS OF INTEREST**6.1 PRESCRIBED CONFLICTS OF INTEREST**

NIL

6.2 DECLARABLE CONFLICTS OF INTEREST

Councillor W Johnston notified Council of a Declarable Conflict of Interest in relation to Item 8.12 Infill Development Incentives Policy – Extension.

7 PRESENTATIONS / COUNCILLOR REPORTS**7.1 PRESENTATION - AIRPORT PROJECT AWARD****Council Resolution****Moved: Councillor E Hungerford****Seconded: Councillor J O'Pray**

That Council recognise the achievement of the Airport Expansion Project taking out the prize for 'Best Public Works Project over \$5 Million' due to its innovation and benefit to the community.

Carried unanimously.

7.2 PRESENTATION - SUNSHINE COAST RECREATION PARKS PLAN**Council Resolution****Moved: Councillor M Suarez****Seconded: Councillor P Cox**

That Council recognise at the Parks and Leisure Australia QLD (PLA) awards Sunshine Coast Council was awarded best Strategic and Master Planning for the submission entered on the Sunshine Coast Recreation Parks Plan 2021-2031.

Carried unanimously.

8 REPORTS DIRECT TO COUNCIL**8.1 SUNSHINE COAST COUNCIL CORPORATE PLAN 2022-2026****File No:** D2022/375389**Author:** Coordinator, Corporate Planning and Performance
Office of the CEO**Appendices:** App A - Corporate Plan 2022-2026

Council Resolution (OM22/28)**Moved:** Councillor M Suarez**Seconded:** Councillor E Hungerford*That Council:*

- (a) *receive and note the report titled “**Sunshine Coast Council Corporate Plan 2022-2026**”*
- (b) *adopt the Sunshine Coast Council Corporate Plan 2022-2026 (Appendix A)*
- (c) *authorise the Chief Executive Officer, (in consultation with the Mayor and the Portfolio Councillors of Our Outstanding Organisation), to make minor administrative amendments to Sunshine Coast Council Corporate Plan 2022-2026 prior to online publication (if required).*

Carried unanimously.

8.2 QUARTERLY PROGRESS REPORT - QUARTER 3 2021/22

File No: Council Meetings
Author: Coordinator, Corporate Planning and Performance
Office of the CEO
Appendices: App A - Chief Executive Officer's Quarterly Highlights Report
Quarter 3, 2021/22
App B - Operational Plan Activities Report Quarter 3, 2021/22

Council Resolution (OM22/29)

Moved: Councillor E Hungerford
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled "**Quarterly Progress Report - Quarter 3 2021/22**" and*
- (b) *note the Chief Executive Officer's Quarterly Highlights Report - Quarter 3, 2021/22 (Appendix A) and*
- (c) *note the Operational Plan Activities Report - Quarter 3, 2021/22 (Appendix B) reporting on implementation of the Corporate and Operational Plans.*

Carried unanimously.

8.3 INVESTMENT POLICY FOR 2022/23

File No: Council Meetings
Author: Coordinator Financial Accounting
Business Performance Group
Appendices: App A - 2022/23 Investment Policy

Council Resolution (OM22/30)**Moved:** Councillor E Hungerford**Seconded:** Councillor J Natoli*That Council:*

- (a) receive and note the report titled "***Investment Policy for 2022/23***" and
- (b) adopt the 2022/23 Investment Policy (Appendix A).

Carried unanimously.

8.4 DEBT POLICY FOR 2022/23

File No: Council Meetings
Author: Coordinator Financial Services
Business Performance Group
Appendices: App A - 2022/23 Debt Policy

Council Resolution (OM22/31)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

That Council:

- (a) receive and note the report titled "***Debt Policy for 2022/23***" and
- (b) adopt the 2022/23 Debt Policy (Appendix A).

Carried unanimously.

8.5 REVENUE POLICY FOR 2022/23

File No: Council Meetings
Author: Chief Financial Officer
Business Performance Group
Appendices: App A - 2022/23 Revenue Policy

Council Resolution (OM22/32)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

That Council:

- (a) receive and note the report titled "**Revenue Policy for 2022/23**" and
- (b) adopt the 2022/23 Revenue Policy (Appendix A).

Carried unanimously.

8.6 REGISTER OF GENERAL COST-RECOVERY FEES AND COMMERCIAL CHARGES 2022/23

File No:	Council Meetings
Author:	Coordinator Financial Services Business Performance Group
Appendices:	App A - Register of General Cost-Recovery Fees and Commercial Charges 2022/23
Attachments:	Att 1 - General Cost-Recovery Fees and Commercial Charges 2022/23 Notes

Council Resolution (OM22/33)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

That Council:

- (a) *receive and note the report titled “**Register of General Cost-Recovery Fees and Commercial Charges 2022/23**”*
- (b) *adopt the fees detailed in the Register of General Cost-Recovery Fees and Commercial Charges 2022/23 (Appendix A)*
- (c) *resolve that, in relation to those cost-recovery fees to which Section 97 of the Local Government Act 2009 apply:*
 - (i) *the applicant is the person liable to pay these fees*
 - (ii) *the fee must be paid at or before the time the application is lodged and*
- (d) *delegate to the Chief Executive Officer the power to amend commercial charges to which Section 262(3)(c) of the Local Government Act 2009 apply.*

Carried unanimously.

**8.7 DEVELOPMENT SERVICES REGISTER OF COST RECOVERY FEES
AND COMMERCIAL CHARGES 2022/23**

File No:	Council Meetings
Author:	Manager Development Services Customer Engagement & Planning Services Group
Appendices:	App A - Development Services Register for Cost-recovery Fees and Commercial Charges 2022/23
Attachments:	Att 1 - Development Services Comparison of 2021/22 Fees and Charges to 2022/23 Att 2 - Urban Development Institute of Australia (UDIA) QLD Sunshine Coast Development Application Fees 2021

Council Resolution (OM22/34)

Moved: Councillor C Dickson
Seconded: Councillor M Suarez

That Council:

- (a) *receive and note the report titled "**Development Services Register of Cost Recovery Fees and Commercial Charges 2022/23**"*
- (b) *adopt the fees detailed in the Development Services Register of Cost-recovery Fees and Commercial Charges for Sunshine Coast Council 2021/22 (Appendix A)*
- (c) *resolve that, in relation to those cost recovery fees to which Section 97 of the Local Government Act 2009 apply:*
 - (i) *the applicant is the person liable to pay these fees and*
 - (ii) *the fee must be paid at or before the time the application is lodged and*
- (d) *delegate to the Chief Executive Officer the power:*
 - (i) *to amend commercial charges to which section 262(3)(c) of the Local Government Act 2009 apply*
 - (ii) *to determine a reasonable fee based on cost recovery principles when a price on application is requested.*

Carried unanimously.

8.8 APRIL 2022 FINANCIAL PERFORMANCE REPORT

File No: Council Meetings
Author: Coordinator Financial Services
Business Performance Group
Attachments: Att 1 - April 2022 Financial Performance Report
Att 2 - 2021/22 Capital Grant Funded Project Report April 2022

Council Resolution (OM22/35)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

That Council receive and note the report titled “April 2022 Financial Performance Report”.

Carried unanimously.

8.9 SALE OF LAND FOR ARREARS OF RATES

File No: Council Meetings
Author: Chief Financial Officer
Business Performance Group
Attachments: Att 1 - Sale of Land List - *Confidential*

Council Resolution (OM22/36)

Moved: Councillor E Hungerford
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled "Sale of Land for Arrears of Rates"*
- (b) *pursuant to Section 140(2) of the Local Government Regulation 2012 sell the land where some or all of the rates or charges for the land have been overdue for at least three years as at 31 December 2021 in accordance with Chapter 4, Part 12, Division 3 of the Local Government Regulation 2012 to recover outstanding rates and charges and*
- (c) *delegate to the Chief Executive Officer the power to take all further steps under Chapter 4, Part 12, Division 3 of the Local Government Regulation 2012 to effect sale of the land procedures, including for the avoidance of doubt the power to end sale procedures.*

Carried unanimously.

8.10 THINKCHANGE - WORKING TOGETHER FOR EFFECTIVE TRAVEL BEHAVIOUR CHANGE

File No: F2022/24818
Author: Senior Transport Planner, Transport Strategy & Policy
Built Infrastructure Group
Appendices: App A - Travel Behaviour Change Program 'ThinkChange'
Attachments: Att 1 - Summary of ThinkChange Consultation Activities
Att 2 - ThinkChange - Working together for a healthier, more
connected, and sustainable Sunshine Coast

Council Resolution (OM22/37)

Moved: Councillor R Baberowski
Seconded: Councillor P Cox

That Council:

- (a) *receive and note the report titled “**ThinkChange - Working together for Effective Travel Behaviour Change**” and*
- (b) *endorse the Travel Behaviour Change Program, ThinkChange (Appendix A).*

Carried unanimously.

8.11 LOCAL GOVERNMENT INFRASTRUCTURE PLAN INTERIM AMENDMENT

File No: F2022/9068
Author: Manager Transport and Infrastructure Planning
Built Infrastructure Group
Appendices: App A - Amendment Instrument

Council Resolution (OM22/38)

Moved: Councillor E Hungerford
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled “**Local Government Infrastructure Plan Interim Amendment**”,*
- (b) *decide to make an interim amendment to the Sunshine Coast Regional Council Local Government Infrastructure Plan, in accordance with the Planning Act 2016 and Minister’s Guidelines and Rules,*
- (c) *delegate authority to the Chief Executive Officer to carry out the statutory process to prepare and progress the proposed Interim Local Government Infrastructure Plan Amendment, in accordance with the Minister’s Guidelines and Rules 2020, and commence a 15-business day public notification period of the interim amendment provided as Appendix A – Amendment Instrument (as amended), and*
- (d) *delegate authority to the Chief Executive Officer to commence a five-year review of the Local Government Infrastructure Plan in compliance with Section 25(3) of the Planning Act 2016.*

Carried unanimously.

8.12 INFILL DEVELOPMENT INCENTIVES POLICY - EXTENSION

File No: F2022/23535
Author: Manager Transport and Infrastructure Planning
Built Infrastructure Group
Appendices: App A - Infill Development Incentives Policy - Extension
Attachments: Att 1 - Fact Sheet: Infill Development Incentives Policy - 1 July
2022 to 30 June 2025

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor W Johnston gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.12 – Infill Development Incentives Policy - Extension.

I, Councillor W Johnston, notify that I have a Declarable Conflict of Interest in Item 8.12 to be considered at the Ordinary Meeting on Thursday 26 May 2022 as my wife and I own a property at 12 Baldwin Street Caloundra.

Councillor W Johnston informed the Meeting that he would voluntarily not participate in the decision and left the meeting and stayed away while the matter was considered and voted on.

Council Resolution (OM22/39)

Moved: Councillor T Landsberg
Seconded: Councillor D Law

That Council:

- (a) *receive and note the report titled “Infill Development Incentives Policy - Extension” and*
- (b) *adopt the Infill Development Incentives Policy (Appendix A).*

For: Councillor M Jamieson, Councillor R Baberowski, Councillor T Landsberg, Councillor J Natoli, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray, Councillor M Suarez and Councillor D Law.

Against: Councillor P Cox.

Carried.

Councillor W Johnston was absent for the discussion and vote on this motion.

8.13 ACQUISITION & DISPOSAL OF LAND - MALENY

File No: Council Meetings
Author: Property & Project Officer
Office of the CEO

MOTION

Moved: Councillor E Hungerford
Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "**Acquisition & Disposal of Land - Maleny**" and
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of land identified as Lot 1 on Drawing 12254-PRO05 and forming part of a new Lot 905 on SP335098 (Preliminary Plan) other than by tender or auction applies, pursuant to section 236(1)(c)(v), all or some of the consideration for the disposal is consideration other than money
- (c) resolve, to purchase the land identified as Lot 2 on Drawing 12254-PRO05 and forming part of part of a new Lot 15 on SP335098 (Preliminary Plan).

AMENDMENT

Council Resolution (OM22/40)

Moved: Councillor W Johnston
Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled "**Acquisition & Disposal of Land - Maleny**"*
- (b) *resolve, pursuant to section 236(2) of the Local Government Regulation 2012, that an exception to dispose of land identified as Lot 1 on Drawing 12254-PRO05 and forming part of a new Lot 905 on SP335098 (Preliminary Plan) other than by tender or auction applies, pursuant to section 236(1)(c)(v), all or some of the consideration for the disposal is consideration other than money*
- (c) *resolve, to purchase the land identified as Lot 2 on Drawing 12254-PRO05 and forming part of a new Lot 15 on SP335098 (Preliminary Plan) and*
- (d) *approve that, in accordance with the intent of the Maleny Community Precinct Master Plan, the revenue from the disposal of Lot 1 on Drawing 12254-PRO05 and forming part of a new Lot 905 on SP335098 (Preliminary Plan) be held as restricted cash to be used for the provision of infrastructure within the Maleny Community Precinct.*

For: Councillor R Baberowski, Councillor T Landsberg, Councillor J Natoli, Councillor W Johnston, Councillor C Dickson, Councillor J O'Pray and Councillor M Suarez.

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

Carried.

The amendment became the motion.

Procedural Motion

Moved: Councillor D Law
Seconded: Councillor J Natoli

That Council defer Item 8.13 Acquisition & Disposal of Land Maleny until July Ordinary Meeting 2022.

For: Councillor J Natoli and Councillor D Law.

Against: Councillor M Jamieson, Councillor R Baberowski, Councillor T Landsberg, Councillor P Cox, Councillor W Johnston, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray and Councillor M Suarez.

Lost.

The motion moved by Councillor W Johnston and seconded by Councillor C Dickson was put to vote.

For: Councillor M Jamieson, Councillor R Baberowski, Councillor T Landsberg, Councillor P Cox, Councillor W Johnston, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray and Councillor M Suarez.

Against: Councillor J Natoli and Councillor D Law.

Carried.

Councillor D Law raised a point of order in relation to Councillor W Johnston suggesting inaccurate assumptions. The Chair ruled the point of order not be upheld.

9 NOTIFIED MOTIONS

NIL

10 TABLING OF PETITIONS**10.1 PETITION - RETAIN LOO WITH A VIEW AND OBSERVATION DECKS AT MOOLOOLABA****Council Resolution** (OM22/41)**Moved: Councillor J Natoli****Seconded: Councillor C Dickson**

That the petition tabled by Councillor J Natoli relating to the request to retain the Loo with a View and Observation Decks at Mooloolaba be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor W Johnston was absent for this motion.

10.2 PETITION - 163 TOOLBOROUGH ROAD, YANDINA CREEK

Council Resolution (OM22/42)

Moved: Councillor M Suarez
Seconded: Councillor E Hungerford

That the petition tabled by Councillor M Suarez in relation to the business operating at 163 Toolborough Road, Yandina Creek be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor W Johnston was absent for this motion.



10.3 PETITION - HIDDEN VALLEY ROAD UPGRADE, NORTH ARM

Council Resolution (OM22/43)

Moved: Councillor D Law
Seconded: Councillor J Natoli

That the petition tabled by Councillor D Law relating to the Hidden Valley Road upgrade be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor W Johnston was absent for this motion.

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

That the meeting be closed to the public pursuant to s254J(3)(g) of the Local Government Regulation 2012 to consider the following items:

- 11.1 *Confidential - Not for Public Release - Maroochydore City Centre Development Agreement - Contractual and Master Planning Update*

Carried unanimously.

Councillor W Johnston was absent for the vote on this motion.

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

That the meeting be re-opened to the public.

Carried unanimously.

Councillor W Johnston was absent for the vote on this motion.

11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAROOCHYDORE CITY CENTRE DEVELOPMENT AGREEMENT - CONTRACTUAL AND MASTER PLANNING UPDATE

File No: Council meetings
Author: Project Accountant
Office of the CEO

In preparing this report, the Chief Executive Officer recommends it be considered confidential in accordance with section 254J (3) (g) of the Local Government Regulation 2012 as it contains information relating to negotiations of a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

The information contained in this report is confidential as it relates to negotiations with parties to the Maroochydore City Development Agreement that are relevant to specific conditions in that agreement. The disclosure of this information at this time may breach commercial confidentiality undertakings with another party and would likely not be in Council's interests.

The subject of the matters canvassed in this report may however, be released to the public at an appropriate time when the negotiations on these matters are finalised. A specific recommendation seeking to authorise the Chief Executive Officer to publicly release the subject of these matters at the appropriate time, is included in this report.

Council will need to resolve its decision on this report in that part of the Council meeting which is viewable by the public.

Council Resolution (OM22/44)

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

That Council:

- (a) *note progress on specific contractual conditions in clauses 7 and 8 of the Maroochydore City Centre Development Agreement*
- (b) *authorise the Chief Executive Officer to respond to Walker Maroochydore Developments Pty Ltd in the context of clause 7.5 and clause 8.2 (f) (i) of the Maroochydore City Centre Development Agreement in line with discussions in confidential session*
- (c) *authorise the Chief Executive Officer to progress with the requisite actions in line with discussions in confidential session*
- (d) *note that a further report will be presented to Council prior to 31 December 2022 on the actions progressed in line with paragraph (c) above and*
- (e) *authorise the Chief Executive Officer to release the subject of the matters canvassed in this report at the appropriate time when the release of that information would no longer adversely impact the commercial interests of other parties and/or the interests of Council.*

For: Councillor M Jamieson, Councillor T Landsberg, Councillor P Cox, Councillor J Natoli, Councillor C Dickson, Councillor E Hungerford, Councillor J O'Pray, Councillor M Suarez and Councillor D Law.

Against: Councillor R Baberowski.

Carried.

Councillor W Johnston was absent for the discussion and vote on this motion.
