

Minutes

Ordinary Meeting

Thursday, 23 June 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 11:00am.

2 WELCOME AND OPENING

Councillor T Landsberg acknowledged the Traditional Custodians of the land on which the meeting took place.

Regional Manager of Scripture Union Sunshine Coast and Widebay for School Chaplaincy Kerry Evans read a prayer.

The Mayor acknowledged Queen Elizabeth II Platinum Jubilee 2022.

The Mayor acknowledged the Sunshine Coast officially being recognised as a UNESCO Biosphere.

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

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

COUNCIL OFFICERS

Chief Executive Officer
A/ Group Executive Built Infrastructure
Group Executive Customer Engagement and Planning Services
Group Executive Economic and Community Development (Teams)
Group Executive Business Performance (Teams)
A/ Group Executive Liveability and Natural Assets
A/ Chief of Staff
A/ Chief Strategy Officer
A/ Coordinator CEO Governance & Operations
Manager Business and Innovation
Coordinator Financial Services
Senior Property Officer
Interim Coordinator Planning Scheme Amendments
Manager Strategic Planning

Council Resolution

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

That Council approve a leave of absence for Councillor J O'Pray for the Ordinary Meetings of Thursday, 28 July 2022 and Thursday, 25 August 2022 should technology and/or telecommunication failures prevent his online attendance.

Carried unanimously.

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

Moved: Councillor P Cox
Seconded: Councillor J Natoli

That the Minutes of the Ordinary Meeting held on 26 May 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

NIL

7 PRESENTATIONS / COUNCILLOR REPORTS

**7.1 PRESENTATION - 2021 AUSTRALIAN INSTITUTE OF HORTICULTURE
GREEN SPACE URBAN AWARD FOR THE MOOLOOLABA FORESHORE
NORTHERN PARKLAND**

Council recognised the Mooloolaba Foreshore Northern Parkland achieving the 2021 Australian Institute of Horticulture Green Space Urban Award.

8 REPORTS DIRECT TO COUNCIL**8.1 2022/23 PROCUREMENT POLICY AND PROCUREMENT AND DISPOSAL FRAMEWORK****File No:** Council meetings**Author:** Manager Business and Innovation
Business Performance Group**Appendices:** App A - Procurement Policy
App B - Contract Manual
App C - Contracting Plan
App D - Local Preference in Procurement Guideline
App E - Social Benefit Procurement Guideline
App F - First Nations Procurement Guideline
App G - Innovation and Market-Led Engagement Guideline
App H - Environment and Sustainability in Procurement Guideline
App I - Significant Contracting Plan - Caloundra Centre Activation - Library
App J - Significant Contracting Plan - First Avenue Streetscape
App K - Significant Contracting Plan - Road Surfacing, Rehabilitation and Construction Asphalt Program
App L - Significant Contracting Plan - Stringybark Road Footbridge Pathway
App M - Significant Contracting Plan - Organic Waste Processing Service
App N - Significant Contracting Plan - Street Sweeping Services
App O - Significant Contracting Plan - Tree Maintenance Services
App P - Significant Contracting Plan - Resource Recovery Centre Operations
App Q - Significant Contracting Plan - Landfill Services

Council Resolution (OM22/45)**Moved:** Councillor J O'Pray**Seconded:** Councillor T Landsberg*That Council:*

- (a) *receive and note the report titled "2022/23 Procurement Policy and Procurement and Disposal Framework"*
- (b) *adopt the proposed procurement and disposal framework as follows:*
 - (i) *Procurement Policy (Appendix A)*
 - (ii) *Contract Manual (Appendix B)*
 - (iii) *Contracting Plan (Appendix C)*
 - (iv) *Local Preference in Procurement Guideline (Appendix D)*
 - (v) *Social Benefit Procurement Guideline (Appendix E)*
 - (vi) *First Nations Procurement Guideline (Appendix F)*

- (vii) Innovation and Market-Led Engagement Guideline (Appendix G)*
- (viii) Environment and Sustainability in Procurement Guideline (Appendix H) and*
- (c) adopt Significant Contracting Plans for the following:*
 - (i) Caloundra Centre Activation - Library (Appendix I)*
 - (ii) First Avenue Streetscape (Appendix J)*
 - (iii) Road Surfacing, Rehabilitation and Construction Asphalt Program (Appendix K)*
 - (iv) Stringybark Road Footbridge Pathway (Appendix L)*
 - (v) Organic Waste Processing Service (Appendix M)*
 - (vi) Street Sweeping Services (Appendix N)*
 - (vii) Tree Maintenance Services (Appendix O)*
 - (viii) Resource Recovery Centre Operations (Appendix P)*
 - (ix) Landfill Services (Appendix Q)*

Carried unanimously.

8.2 APPLICATION OF NATIONAL COMPETITION POLICY 2022/2023

File No:	Council meetings
Author:	Coordinator Commercial Analysis Business Performance Group
Appendices:	App A - Justification for not applying the Code of Competitive Conduct to certain prescribed business activities
Attachments:	Att 1 - Legislative requirements 2022-2023 Att 2 - Business Activity Identification Att 3 - Full Cost Pricing FY2021

Council Resolution (OM22/46)

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

That Council:

- (a) *receive and note the report titled "**Application of National Competition Policy 2022/2023**"*
- (b) *apply Full Cost Pricing to the Waste and Resource Management significant business activity for the 2022/2023 financial year in accordance with section 44(1)(b) of the Local Government Act 2009*
- (c) *apply the Code of Competitive Conduct to the following business activities, for the 2022/2023 financial year, in accordance with section 47 of the Local Government Act 2009:*
 - (i) *Sunshine Coast Holiday Parks; and*
 - (ii) *Quarries*
- (d) *not apply the Code of Competitive Conduct to the following, in accordance with section 47 of the Local Government Act 2009 for the reasons referred to in Appendix A, Justification for not applying the Code of Competitive Conduct to certain prescribed business activities:*
 - (i) *Aquatic Centres*
 - (ii) *Caloundra Indoor Stadium*
 - (iii) *Caloundra Regional Gallery*
 - (iv) *Cemeteries*
 - (v) *Festivals*
 - (vi) *Multisport and Showgrounds*
 - (vii) *Off-street Parking*
 - (viii) *Retail Electricity Strategy and Sunshine Coast Solar Farm*
 - (ix) *Sunshine Coast International Broadband Cable Network*
 - (x) *Sunshine Coast Stadium and Kawana Sports Precinct*
 - (xi) *Venue 114 and Community Spaces.*

Carried unanimously.

8.3 AUDIT COMMITTEE MEETING 23 MAY 2022

File No: Council Meetings
Author: Acting Manager Audit & Assurance
Office of the CEO
Appendices: App A - Audit Committee Minutes 23 May 2022
App B - 2022-2023 Internal Audit Work Plan

Council Resolution (OM22/47)

Moved: Councillor J Natoli
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled “**Audit Committee Meeting 23 May 2022**” and*
- (b) *approve the recommendations contained in the Audit Committee Minutes for the meeting of 23 May 2022 (Appendix A) and*
- (c) *endorse the 2022-2023 Internal Audit Work Plan (Appendix B).*

Carried unanimously.

8.4 DELEGATION TO THE CHIEF EXECUTIVE OFFICER

File No: Council Meeting
Author: Manager Corporate Governance
Office of the CEO
Appendices: App A - 2016-73 (V7) Delegation to the Chief Executive Officer
Attachments: Att 1 - Delegations Guiding Principles (Delegations from Council to the CEO)

Council Resolution (OM22/48)

Moved: Councillor E Hungerford
Seconded: Councillor R Baberowski

That Council:

- (a) *receive and note the report titled “**Delegation to the Chief Executive Officer**” and*
- (b) *adopt Delegation 2016-73 (v7) 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.

8.5 MAY 2022 FINANCIAL PERFORMANCE REPORT

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

Council Resolution (OM22/49)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

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

Carried unanimously.

8.6 DISPOSAL (LEASE) PART OF STATE LAND UNDER TRUST AT 186 SUGAR BAG ROAD, CALOUNDRA WEST

File No: F20/00345
Author: Senior Property Officer
Business Performance Group

Attachments: Att 1 - Aerial Plan
Att 2 - Locality Plan
Att 3 - Lease Area Plan

Council Resolution (OM22/50)

Moved: Councillor T Landsberg
Seconded: Councillor P Cox

That Council:

- (a) *receive and note the report titled “Disposal (Lease) Part of State Land under Trust at 186 Sugar Bag Road, Caloundra West” and*
- (b) *resolve to Lease, Lease A, Lease B & Lease C on SP324775 via Council’s appointed real estate and marketing agent on the open market seeking a private treaty agreement subject to:*
 - (i) *compliance with Section 236 of the Local Government Regulation 2012; and*
 - (ii) *the consideration for the disposal being equal to or greater than the market value of the interest in land.*
- (c) *resolve, pursuant to Section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest (lease) in land over Leases A, B & C on SP324775 located on State Land under Trust at 186 Sugar Bag Road, Caloundra West as:*
 - (i) *the lease has previously twice been offered to the market by public tender; and*
 - (ii) *a lease has not been secured via this process.*

Carried unanimously.

8.7 CHANGES TO THE PROPOSED SITE SPECIFIC AND EDITORIAL MATTERS AMENDMENT - BUDDINA URBAN VILLAGE

File No: Council Meetings
Author: Interim Coordinator Planning Scheme Amendments
Customer Engagement & Planning Services Group
Attachments: Att 1 - Extract of Explanatory Memorandum
Att 2 - Extract of Amendment Instrument

Motion

Moved: Councillor P Cox
Seconded: Councillor R Baberowski

That Council

- (a) receive and note the report titled “Changes to the proposed Site Specific and Editorial Matters Amendment - Buddina Urban Village” and
- (b) for reasons of good planning practice and due to the potential adverse impact on housing choice and availability, decide not to proceed with that part of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Site specific and Editorial Matters, relating to the north-eastern section of Sub-precinct KAW LPSP-4a of the Buddina Urban Village and remove it from the amendment package prior to its submission to the Planning Minister for consideration of State interests.

For: Councillor M Jamieson, Councillor R Baberowski, Councillor T Landsberg, Councillor P Cox and Councillor J O’Pray.

Against: Councillor J Natoli, Councillor W Johnston, Councillor C Dickson, Councillor E Hungerford, Councillor M Suarez and Councillor D Law.

Lost.

Council Resolution

Moved: Councillor W Johnston
Seconded: Councillor R Baberowski

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

Carried unanimously.

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor W Johnston

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

Carried unanimously.

Procedural Motion**Moved: Councillor W Johnston****Seconded: Councillor J Natoli**

That item 8.7 Changes to the proposed site specific and editorial matters amendment – Buddina Urban Village be deferred for consideration at the next Ordinary Meeting of 28 July 2022.

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

9 NOTIFIED MOTIONS

NIL

10 TABLING OF PETITIONS

NIL

11 CONFIDENTIAL SESSION

NIL
