

Minutes

Ordinary Meeting

Thursday, 28 July 2022

Council Chambers, Corner Currie and Bury Streets, Nambour

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING	5
2	WELCOME AND OPENING	5
3	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE.....	5
4	RECEIPT AND CONFIRMATION OF MINUTES.....	6
5	MAYORAL MINUTE	7
6	INFORMING OF CONFLICTS OF INTEREST	7
6.1	PRESCRIBED CONFLICTS OF INTEREST	7
6.2	DECLARABLE CONFLICTS OF INTEREST	7
7	PRESENTATIONS / COUNCILLOR REPORTS	8
7.1	PRESENTATION - SHINE A LIGHT ON RACISM VIDEO	8
7.2	PRESENTATION - LANDSCAPE ARCHITECTURE AWARD FOR SMALL PROJECTS AND REGIONAL ACHIEVEMENT AWARD FOR THE SUNSHINE COAST COUNCIL NAMBOUR FORECOURT REVAMP AND LANDSCAPE ARCHITECTURE AWARD FOR INFRASTRUCTURE FOR SIPPY DOWNS DRIVE - BOULEVARD AND GATEWAY.....	9
8	REPORTS DIRECT TO COUNCIL	10
8.1	DEVELOPMENT APPLICATION FOR FUNCTION FACILITY AT 426 AND 430 KIEL MOUNTAIN ROAD KIELS MOUNTAIN	10
8.2	ORGANISATIONAL ZERO-NET EMISSIONS PLAN	13
8.3	MOTIONS FOR THE 126TH LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE	14
8.4	DISPOSAL (EASEMENT) OF PART OF COUNCIL FREEHOLD LAND AT 101 KINGFISHER DR BLI BLI	17
8.5	DISPOSAL (EASEMENT) OF PART OF COUNCIL OWNED LAND 32A SAVILLES ROAD, NAMBOUR	19

8.6 JUNE 2022 FINANCIAL PERFORMANCE REPORT..... 22

8.7 APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBER 23

8.8 REVISED ORGANISATION STRUCTURE 24

9 NOTIFIED MOTIONS 25

10 TABLING OF PETITIONS 25

10.1 PETITION - CHANGE PARKING RESTRICTIONS IN THE BIRTINYA PRECINCT 25

10.2 PETITION - ENABLE DISABLED ACCESS TO THE PLAYGROUND NEAR THE MOOLOOLABA SURF CLUB..... 25

11 CONFIDENTIAL SESSION 26

12 NEXT MEETING 27

13 MEETING CLOSURE 27

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 9:00am.

2 WELCOME AND OPENING

Councillor R Baberowski acknowledged the Traditional Custodians of the land on which the meeting took place.

Pastor Steve Nixon from the Sanctuary Park Church of Christ read a prayer.

The Mayor acknowledged the passing of former Maroochy Shire Council Deputy Chairperson Cecily (Robin) Dunn.

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 (Absent Item 1 – 8.1)
Councillor E Hungerford	Division 7
Councillor J O'Pray	Division 8 (Via Teams)
Councillor M Suarez	Division 9
Councillor D Law	Division 10

COUNCIL OFFICERS

Chief Executive Officer
A/ Group Executive Built Infrastructure
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/ Coordinator CEO Governance & Operations
Development Planner
Coordinator Sustainability
Senior Property Officer
Senior Property Officer
Coordinator Financial Services

ATTENDEES

Principal Engineer - MWA Environmental

APOLOGIES

Councillor C Dickson Division 6

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

That the Minutes of the Special Meeting (Budget Adoption) held on 23 June 2022 be received and confirmed.

Carried Unanimously.

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

Council Resolution**Moved: Councillor D Law****Seconded: Councillor J Natoli**

That the Minutes of the Ordinary Meeting held on 23 June 2022 be received and confirmed.

Carried Unanimously.

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

5 MAYORAL MINUTE

NIL

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

NIL

6.2 DECLARABLE CONFLICTS OF INTEREST

Councillor J Natoli notified Council of a Declarable Conflict of Interest in relation to Item 8.1 Development Application for Function Facility at 426 and 430 Kiel Mountain Road Kiels Mountain.

Councillor M Jamieson notified Council of a Declarable Conflict of Interest in relation to Item 8.1 Development Application for Function Facility at 426 and 430 Kiel Mountain Road Kiels Mountain.

Councillor M Jamieson notified Council of a Declarable Conflict of Interest in relation to Item 8.3 Motions for the 126th Local Government Association of Queensland Annual Conference.

Councillor M Jamieson notified Council of a Declarable Conflict of Interest in relation to Item 8.4 Disposal (Easement) of Part of Council Freehold Land at 101 Kingfisher Dr Bli Bli.

Councillor T Landsberg notified Council of a Declarable Conflict of Interest in relation to Item 8.5 Disposal (Easement) of Part of Council Owned Land 32A Savilles Road, Nambour.

Councillor M Jamieson notified Council of a Declarable Conflict of Interest in relation to Item 8.5 Disposal (Easement) of Part of Council Owned Land 32A Savilles Road, Nambour.

7 PRESENTATIONS / COUNCILLOR REPORTS

7.1 PRESENTATION - SHINE A LIGHT ON RACISM VIDEO

Council Resolution

Moved: Councillor D Law
Seconded: Councillor J Natoli

That Council recognise the official launch of the Shine a light on racism video.

Carried Unanimously.

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



7.2 PRESENTATION - LANDSCAPE ARCHITECTURE AWARD FOR SMALL PROJECTS AND REGIONAL ACHIEVEMENT AWARD FOR THE SUNSHINE COAST COUNCIL NAMBOUR FORECOURT REVAMP AND LANDSCAPE ARCHITECTURE AWARD FOR INFRASTRUCTURE FOR SIPPY DOWNS DRIVE - BOULEVARD AND GATEWAY

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor M Suarez

That Council recognise the achievement of the Landscape Architecture Award for Small Projects and Regional Achievement Award for the Sunshine Coast Council Nambour Forecourt Revamp and the Landscape Architecture Award for Infrastructure for Sippy Downs Drive – Boulevard and Gateway.

Carried Unanimously.

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

8 REPORTS DIRECT TO COUNCIL**8.1 DEVELOPMENT APPLICATION FOR FUNCTION FACILITY AT 426 AND 430 KIEL MOUNTAIN ROAD KIELS MOUNTAIN**

File No: MCU21/0002
Author: Development Planner
Customer Engagement & Planning Services Group
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Council's External Acoustic Specialist Report
Att 3 - Proposal Plans

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor J Natoli gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.1 Development Application for Function Facility at 426 and 430 Kiel Mountain Road Kiels Mountain.

I, Councillor Joe Natoli, notify that I have a Declarable Conflict of Interest in Item 8.1 to be considered at the Ordinary Meeting on 28 July 2022 due to:

Having undertaken a paid self improvement course with Dymphna Margaret Boholt who is a director of Memlaw Pty Ltd. An applicant for function facility at 426 and 430 Kiel Mountain Road, Kiels Mountain.

Councillor J Natoli informed the Meeting that he would voluntarily not participate in the decision and left the place at which the meeting was being held, including any area set aside for the public and stayed away while the matter was considered and voted on.

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor M Jamieson gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.1 Development Application for Function Facility at 426 and 430 Kiel Mountain Road Kiels Mountain.

I, Councillor Mark Jamieson, notify that I have a Declarable Conflict of Interest in Item 8.1 "Development Application for Function Facility at 426 and 430 Kiel Mountain Road Kiels Mountain" to be considered at the Ordinary Meeting on Thursday 28 July 2022.

As previously notified to Council, I received the following electoral donations in 2012 from Andrew Stevens, who is the Managing Director of Project Urban Pty Ltd:

- *On 3 January 2012, I received a donation of \$380; and*
- *On 3 February 2012, I received a further donation of \$570.*

The cumulative total of these donations is \$950.

Each of these electoral donations was received well outside of my relevant term as a Councillor and therefore, are not a Prescribed Conflict of Interest.

In relation to Mr Steven's interest in the development application which is the subject of Agenda Item 8.1, it is my understanding that Project Urban (of which Mr Stevens is the Managing Director) is the planning consultant to the applicant.

I have no ongoing relationship with Mr Stevens, Project Urban or its associated entities, beyond having received these electoral donations in early 2012.

Further, I note that when I informed Council of this interest at the Ordinary Meetings on 22 July 2021 and on 24 March 2022 in relation to two other development applications at different locations, Council resolved that I could participate in the discussions and the decisions relating to those matters.

On this basis, I have formed the view that I can appropriately manage any conflict, should it exist, and that I can impartially make a decision in the public interest on the matter which is the subject of Agenda Item 8.1, which is to be considered at the meeting on 28 July 2022.

The Mayor vacated the Chair at this time.

The Deputy Mayor took the Chair at this time.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor M Jamieson may participate in a decision in relation to Agenda Item 8.1, including by voting on the matter.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor E Hungerford

*In accordance with s150ES(3)(b)(i) of the *Local Government Act 2009*, that despite Councillor M Jamieson's conflict of interest, Councillor M Jamieson may participate in the discussions and decision relating to Agenda Item 8.1, due to the interest not being considered to be sufficient to undermine the ability of the Councillor to form an impartial view and exercise their vote in the public interest.*

Carried Unanimously.

Councillor J Natoli and Councillor W Johnston were absent for the vote on this motion.

In accordance with s150ET(2) of the *Local Government Act 2009*, Councillor M Jamieson was not eligible to vote, and did not vote, on this matter.

The Mayor returned to the chair at this time.

Council Resolution (OM22/51)

Moved: Councillor E Hungerford

Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "***Development Application for Function Facility at 426 and 430 Kiel Mountain Road Kiels Mountain***"
- (b) APPROVE Application No. MCU21/0002, and grant a Development Permit for Material Change of Use of Premises to Establish a Function Facility subject to imposition of reasonable and relevant conditions in Appendix A and
- (c) note all future requests for a negotiated decision notice and requested changes to the approval to be determined by delegated Council officers where the changes would not have a material impact on the outcome of the original decision.

Carried unanimously.

Councillor J Natoli and Councillor W Johnston were absent for the discussion and vote on this motion.

Council Resolution

Moved: Councillor M Suarez

Seconded: Councillor T Landsberg

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

Carried unanimously.

Councillor J Natoli and Councillor W Johnston were absent for the vote on this motion.

8.2 ORGANISATIONAL ZERO-NET EMISSIONS PLAN

File No: Council meetings
Author: Coordinator Sustainability
Liveability & Natural Assets Group
Appendices: App A - Organisational Zero-net Emissions Plan 2022

Council Resolution (OM22/52)

Moved: Councillor M Suarez
Seconded: Councillor D Law

That Council:

- (a) receive and note the report titled “**Organisational Zero-net Emissions Plan**” and
- (b) adopt the *Organisational Zero-net Emissions Plan 2022 (Appendix A)*.

Carried unanimously.

Council Resolution

Moved: Councillor M Suarez
Seconded: Councillor E Hungerford

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

Carried unanimously.

Council Resolution

Moved: Councillor W Johnston
Seconded: Councillor M Suarez

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

Carried unanimously.

8.3 MOTIONS FOR THE 126TH LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE

File No:	Council Meetings
Author:	Coordinator Councillor Governance Office of the CEO
Attachments:	Att 1 - Proposed motion - review and amendment of the Animal Care and Protection Act 2001, the Animal Management (Cats and Dogs) Act 2008, and their interaction with the Planning Act 2016 Att 2 - Proposed motion - removal of barriers to the achievement of locally responsive and sustainable design Att 3 - Proposed motion - contributed assets and impacts on auditing and finances

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor M Jamieson gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.3 Motions for the 126th Local Government Association of Queensland Annual Conference.

I, Councillor Mark Jamieson, notify that I have a Declarable Conflict of Interest in Item 8.3 "Motions for the 126th Local Government Association of Queensland Annual Conference" to be considered at the Ordinary Meeting on Thursday 28 July 2022 due to the fact that I am a Director and President of the Local Government Association of Queensland (LGAQ).

I receive remuneration from this role and this is noted in my Register of Interests.

In relation to the LGAQ's interest in the matter that is the subject of this agenda item, I am of the view this is no different to the interest the LGAQ would have in any council in Queensland considering motions to submit for consideration at the LGAQ's Annual Conference.

The LGAQ does not derive any monetary or other financial or reputational benefit from our Council's consideration of potential Conference motions and neither do I.

Council is simply responding to a formal request made by the LGAQ to all member councils to consider and nominate potential motions for debate at the LGAQ's Annual Conference on 17 to 19 October 2022.

I also note that when I notified Council of this interest at the Ordinary Meeting on 22 July 2021 in relation to the motions that were proposed to be submitted to last year's LGAQ Annual Conference, Council resolved unanimously that I could participate in the discussions and the decision relating to those matters.

On this basis, I have formed the view that I can appropriately manage any conflict, should it exist, and that I can impartially make a decision in the public interest on the matter which is the subject of Agenda Item 8.3, which is to be considered at the meeting on 28 July 2022.

The Mayor vacated the Chair at this time.

The Deputy Mayor took the Chair at this time.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor M Jamieson may participate in a decision in relation to agenda item 8.3, including by voting on the matter.

Council Resolution

Moved: Councillor T Landsberg

Seconded: Councillor E Hungerford

In accordance with s150ES(3)(b)(i) of the Local Government Act 2009, that despite Councillor M Jamieson's conflict of interest, Councillor M Jamieson may participate in the discussions and decision relating to Agenda Item 8.3 due to:

- *The extensive local knowledge held as the Division Councillor*
- *The historical/in-depth knowledge of the issue held by the Councillor*
- *The expertise in the subject matter held by the Councillor*
- *The interest is not considered to be sufficient to undermine the ability of the Councillor to form an impartial view and exercise their vote in the public interest and*
- *The interest being considered to be sufficiently remote so as not to unduly influence the impartiality of the Councillor.*

Carried unanimously.

In accordance with s150ET(2) of the *Local Government Act 2009*, Councillor M Jamieson was not eligible to vote, and did not vote, on this matter.

The Mayor returned to the chair at this time.

Council Resolution (OM22/53)**Moved:** Councillor J Natoli**Seconded:** Councillor R Baberowski*That Council:*

- (a) receive and note the report titled "**Motions for the 126th Local Government Association of Queensland Annual Conference**" and
- (b) endorse the following motions for forwarding to the Local Government Association of Queensland for inclusion in the 126th Annual Conference agenda:
 1. That the Local Government Association of Queensland advocate to the Queensland Government to undertake a full review of the Animal Care and Protection Act 2001 and the Animal Management (Cats and Dogs) Act 2008, together with their interaction with the Planning Act 2016, to achieve a more effective regulatory framework for the breeding and sale of cats and dogs and the assessment of development applications relating to such uses.
 2. That the Local Government Association of Queensland advocate to the Federal and Queensland Governments for changes to existing planning and building legislation and plan-making processes to remove barriers to the achievement of locally responsive and sustainable design, including by:
 - a. making changes to the Queensland Development Code and National Construction Code to provide for more locally responsive and sustainable design measures to be incorporated in planning schemes or alternatively, amending these Codes to include such measures as mandatory requirements
 - b. amending State plan-making guidelines and the State interest-review process to better support the incorporation of locally responsive and sustainable design outcomes in planning schemes and
 - c. any such other actions considered necessary and appropriate to achieve the objective of the motion.
 3. That the Local Government Association of Queensland advocate to the Queensland Government to work with the Queensland Audit Office (QAO) to review financial statement materiality levels for contributed assets received by Councils experiencing high rates of growth.

Carried unanimously.

8.4 DISPOSAL (EASEMENT) OF PART OF COUNCIL FREEHOLD LAND AT 101 KINGFISHER DR BLI BLI

File No: F2022/37498
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Aerial Map
Att 2 - Locality Plan
Att 3 - Easement Location Plan
Att 4 - Easement A SP336227

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor M Jamieson gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.4 “Disposal (Easement) of part of Council freehold land at 101 Kingfisher Dr Bli Bli”

I, Councillor Mark Jamieson, notify that I have a Declarable Conflict of Interest in Item 8.4 “Disposal (Easement) of part of Council freehold land at 101 Kingfisher Dr Bli Bli” to be considered at the Ordinary Meeting on Thursday 28 July 2022 due to the fact that I received an electoral donation of \$2,000 on 11 February 2016 from Covey and Associates.

This donation was received outside of my relevant term as a Councillor – which commenced on 5 April 2016 – and therefore does not constitute a Prescribed Conflict of Interest within the context of the Local Government Act 2009.

In relation to Covey and Associates’ interest in the matter which is the subject of Agenda Item 8.4, I am advised they are a consultant to the Good Samaritan Catholic College, which is the adjoining landowner seeking the drainage easement over Council land.

I have no ongoing relationship with Covey and Associates beyond having received the electoral donation noted above in early 2016.

On this basis, I have formed the view that I can appropriately manage any conflict, should it exist, and that I can impartially make a decision in the public interest on the matter which is the subject of Agenda Item 8.4, which is to be considered at the meeting on 28 July 2022.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor M Jamieson may participate in a decision in relation to agenda item 8.4, including by voting on the matter.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor E Hungerford

In accordance with s150ES(3)(b)(i) of the Local Government Act 2009, that despite Councillor M Jamieson’s conflict of interest, Councillor M Jamieson may participate in the discussions and decision relating to Agenda Item 8.4 due to the interest not being considered to be sufficient to undermine the ability of the Councillor to form an impartial view and exercise their vote in the public interest.

Carried unanimously.

In accordance with s150ET(2) of the *Local Government Act 2009*, Councillor M Jamieson was not eligible to vote, and did not vote, on this matter.

The Mayor returned to the chair at this time.

Council Resolution (OM22/54)

Moved: Councillor M Suarez

Seconded: Councillor D Law

That Council:

- (a) receive and note the report titled "***Disposal (Easement) of Part of Council Freehold Land at 101 Kingfisher Dr Bli Bli***" and
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest (easement) in land over part of Council freehold Lot 803 SP287406, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(c)(iv) to a person who owns adjoining land.

Carried unanimously.

8.5 DISPOSAL (EASEMENT) OF PART OF COUNCIL OWNED LAND 32A SAVILLES ROAD, NAMBOUR

File No: F2022/39731
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Lot 901 SP309489 aerial map
Att 2 - Survey Plan SP312964

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor T Landsberg gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.5 “Disposal (Easement) of part of Council owned land at 32A Savilles Road, Nambour”.

I, Councillor T Landsberg, notify that I have a Declarable Conflict of Interest in Item 8.5 – Disposal (Easement) of Part of Council Owned Land 32A Savilles Road, Nambour, to be considered at the Ordinary Meeting on 28 July 2022 due to:

Council’s Property Management team has liaised with the Sunshine Coast Survey Manager of RPS Group in relation to the proposed electrical easement in favour of Energex Limited. Mr Brad Williams is the General Manager, Planning and Development at RPS Group on the Sunshine Coast, and he is also a member of Not-for-Profit group Windansea Boardriders. Mr Williams has provided planning and development services to that Club free of charge on matters that are unrelated to the development application that is being considered by Council.

The declarable conflict of interest may arise because I am a member and President of Windansea Boardriders. While the association with Mr Williams is remote of my Councillor duties, this declaration is made in the event that a member of the community may perceive that I have a predisposition to support the work of the planning consultant. Given the remoteness of the association and that RPS Australia East Pty Ltd is not the applicant in this matter before Council, but rather the consultant to the developer. I believe I can appropriately manage any perceived conflict – should it exist – and that I can impartially decide in the public interest on the matter before Council.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor T Landsberg may participate in a decision in relation to agenda item 8.5, including by voting on the matter.

Council Resolution

Moved: Councillor E Hungerford
Seconded: Councillor W Johnston

*In accordance with s150ES(3)(b)(i) of the *Local Government Act 2009*, that despite Councillor T Landsberg’s conflict of interest, Councillor T Landsberg may participate in the discussions and decision relating to Agenda Item 8.5 due to the interest being considered to be sufficiently remote so as not to unduly influence the impartiality of the Councillor.*

Carried unanimously.

In accordance with s150ET(2) of the *Local Government Act 2009*, Councillor T Landsberg was not eligible to vote, and did not vote, on this matter.

In accordance with s150ES(3) of the *Local Government Act 2009*, Councillor M Jamieson was not eligible to vote, and did not vote, on this matter.

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor M Jamieson gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.5 “Disposal (Easement) of part of Council owned land at 32A Savilles Road, Nambour”.

I, Councillor Mark Jamieson, notify that I have a Declarable Conflict of Interest in Item 8.5 “Disposal (Easement) of part of Council owned land at 32A Savilles Road, Nambour” to be considered at the Ordinary Meeting on Thursday 28 July 2022 due to the fact that I received the following two electoral donations from entities associated with the RPS Group:

- \$380 on 18 January 2012 from RPS Australia East Pty Ltd; and
- \$400 on 11 February 2016 from RPS Consultants.

The cumulative total of these donations is \$780.

Both of these donations were received outside of my relevant term as a Councillor – which commenced on 5 April 2016 – and therefore do not constitute a Prescribed Conflict of Interest within the context of the Local Government Act 2009.

In relation to RPS Group’s interest in the matter which is the subject of Agenda Item 8.5, I am advised they were consulted on behalf of the developer in relation to the proposed electrical easement in favour of Energex Limited.

I have no ongoing relationship with RPS Group beyond having received the electoral donations noted above in January 2012 and early 2016.

On this basis, I have formed the view that I can appropriately manage any conflict, should it exist, and that I can impartially make a decision in the public interest on the matter which is the subject of Agenda Item 8.5, which is to be considered at the meeting on 28 July 2022.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor M Jamieson may participate in a decision in relation to agenda item 8.5, including by voting on the matter.

Council Resolution

Moved: Councillor W Johnston
Seconded: Councillor P Cox

In accordance with s150ES(3)(b)(i) of the Local Government Act 2009, that despite Councillor M Jamieson’s conflict of interest, Councillor M Jamieson may participate in the discussions and decision relating to Agenda Item 8.5 due to the interest being considered to be sufficiently remote so as not to unduly influence the impartiality of the Councillor.

Carried unanimously.

In accordance with s150ET(2) of the *Local Government Act 2009*, Councillor M Jamieson was not eligible to vote, and did not vote, on this matter.

The Mayor returned to the chair at this time.

Council Resolution (OM22/55)**Moved:** Councillor D Law**Seconded:** Councillor M Suarez*That Council:*

- (a) *receive and note the report titled “**Disposal (Easement) of Part of Council Owned Land 32A Savilles Road, Nambour**”*
- (b) *resolve, pursuant to section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land over part of Lot 901 SP309489 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 Limited is a government agency.*

Carried unanimously.

8.6 JUNE 2022 FINANCIAL PERFORMANCE REPORT

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

Council Resolution (OM22/56)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

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

Carried unanimously.

8.7 APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBER

File No: Council Meetings
Author: Chief Strategy Officer
Office of the CEO
Attachments: Att 1 - Selection Panel's Recommended Candidate - *Confidential*

Council Resolution (OM22/57)

Moved: Councillor J Natoli
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled “**Appointment of Independent Audit Committee Member**” and*
- (b) *approve the appointment of the additional independent Audit Committee member, as discussed in confidential session, for a term of three years from and including 1 August 2022 and concluding on 31 July 2025 and*
- (c) *authorise the Chief Executive Officer to publicly release the name of the person appointed as the additional member of the Audit Committee, should Council endorse the recommendations in this report.*

Carried unanimously.

8.8 REVISED ORGANISATION STRUCTURE

File No: Council meetings
Author: Chief Executive Officer
Office of the CEO

Council Resolution (OM22/58)

Moved: Councillor M Suarez
Seconded: Councillor J Natoli

That Council:

- (a) *receive and note the report titled “**Revised Organisation Structure**”*
- (b) *resolve in accordance with section 196 (1) of the Local Government Act 2009 to adopt a new organisational structure for the Sunshine Coast Regional Council comprising:*
- (i) *the following six service groups -*
- *Built Infrastructure Group*
 - *Business Performance Group*
 - *Civic Governance Group*
 - *Customer and Planning Services Group*
 - *Economic and Community Development Group*
 - *Liveability and Natural Assets Group*
- (ii) *a small unit to be named “CEO Support Services” to provide executive, administrative and logistical support to the Chief Executive Officer and*
- (c) *authorise the Chief Executive Officer to proceed with the implementation arrangements outlined in this report to give effect to the new organisational structure as outlined in (a) above.*

Carried unanimously.

9 NOTIFIED MOTIONS

NIL

10 TABLING OF PETITIONS**10.1 PETITION - CHANGE PARKING RESTRICTIONS IN THE BIRTINYA PRECINCT****Council Resolution** (OM22/59)**Moved: Councillor P Cox****Seconded: Councillor E Hungerford**

That the petition tabled by Councillor P Cox relating to the request to change parking restrictions in the Birtinya precinct be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.**10.2 PETITION - ENABLE DISABLED ACCESS TO THE PLAYGROUND NEAR THE MOOLOOLABA SURF CLUB****Council Resolution** (OM22/60)**Moved: Councillor J Natoli****Seconded: Councillor P Cox**

That the petition tabled by Councillor J Natoli relating to the request to provide disabled access to the playground near the Mooloolaba Surf Club and a children's playground to remain located between Loo with a View and Mooloolaba Surf Club in any future upgrades or redevelopment of the foreshore, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

11 CONFIDENTIAL SESSION

NIL

12 NEXT MEETING

The next Ordinary Meeting will be held on 25 August 2022 in the Council Chambers, 1 Omrah Avenue, Caloundra

13 MEETING CLOSURE

The meeting closed at 11:47am.

Confirmed 25 August 2022.

CHAIR
