

Minutes

Ordinary Meeting

Thursday, 25 August 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 9:00am.

2 WELCOME AND OPENING

Councillor D Law acknowledged the Traditional Custodians of the land on which the meeting took place.

Pastor Lawrence Seiuli from Nambour Christian Church read a prayer.

The Chair acknowledged the recent passing of Councillor Natoli's mother Romilda Maria Angelica Natoli and expresses Council's deepest condolences to Councillor Natoli and his family on the loss of his mother.

Councillor W Johnston acknowledged the passing of former employee of Landsborough Shire Council - Max Poole.

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

Councillor R Baberowski	Division 1 (Deputy Mayor) (Chair)
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 (Teams)
Councillor E Hungerford	Division 7
Councillor M Suarez	Division 9
Councillor D Law	Division 10

COUNCIL OFFICERS

Chief Executive Officer
 A/Group Executive Built Infrastructure
 A/Group Executive Customer and Planning Services
 A/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
 Coordinator Financial Services
 Principal Development Planner
 Senior Property Officer
 Team Leader Vector & Pest Plant Education & Control
 Coordinator Healthy Places
 Community Connections and Partnerships - Lead
 Major Event Team Lead

APOLOGIES

Councillor M Jamieson	Mayor
Councillor J O'Pray	Division 8 (Leave of absence)

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 July 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 J Natoli notified Council of a Declarable Conflict of Interest in relation to Item 8.3 Development Application MCU22/0075 – Tourist Park – 185-205 Diddillibah Road Woombye.

Councillor C Dickson notified Council of a Declarable Conflict of Interest in relation to Item 8.4 Disposal (Easement) of Part of Council Freehold Land at 34 Greenview Terrace, Palmview.

Councillor T Landsberg notified Council of a Declarable Conflict of Interest in relation to Item 8.4 Disposal (Easement) of Part of Council Freehold Land at 34 Greenview Terrace, Palmview.

Council Resolution

Moved: Councillor P Cox
Seconded: Councillor T Landsberg

That Council allow the introduction of a new item of business into the Agenda for the Ordinary Meeting held on Thursday 25 August 2022, namely "Item 8.9 - Council of Mayors South East Queensland – Proposed Delegation to North America".

Carried unanimously.

7 PRESENTATIONS / COUNCILLOR REPORTS

NIL

8 REPORTS DIRECT TO COUNCIL**8.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2021/22**

File No: Council Meeting
Author: Coordinator, Corporate Planning and Performance
Office of the CEO
Appendices: App A - Chief Executive Officer's Quarterly Highlights Report
Quarter 4, 2021/22
App B - Operational Plan Activities Report Quarter 4, 2021/22

Council Resolution (OM22/61)

Moved: Councillor W Johnston
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "Quarterly Progress Report - Quarter 4, 2021/22" and*
- (b) *note the Chief Executive Officer's Quarterly Highlights Report - Quarter 4, 2021/22 (Appendix A) and*
- (c) *note the Operational Plan Activities Report - Quarter 4, 2021/22 (Appendix B) reporting on implementation of the Corporate and Operational Plans.*

Carried unanimously.

Council Resolution

Moved: Councillor T Landsberg
Seconded: Councillor J Natoli

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

Carried unanimously.

Council Resolution

Moved: Councillor M Suarez
Seconded: Councillor D Law

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

Carried unanimously.

8.2 JULY 2022 FINANCIAL PERFORMANCE REPORT

File No: Council meetings
Author: Coordinator Financial Services
Business Performance Group
Attachments: Att 1 - July 2022 Financial Performance Report

Council Resolution (OM22/62)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

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

Carried unanimously.

8.3 DEVELOPMENT APPLICATION MCU22/0075 - TOURIST PARK - 185 -205 DIDDILLIBAH ROAD WOOMBYE

File No: MCU22/0075
Author: Senior Development Planner
Customer & Planning Services Group
Appendices: App A - Conditions of Approval
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Department of State Development, Infrastructure, Local Government and Planning (SARA) Changed Referral Agency Response
Att 3 - Development 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 8.3 Development Application MCU22/0075 – Tourist Park – 185-205 Diddillibah Road, Woombye.

I, Councillor J Natoli, notify that I have a Declarable Conflict of Interest in Item 8.3 to be considered at the Ordinary Meeting on 25 August 2022 due to being notified one of the submitters is Benny Pike. Benny and I have been on a number of committees together for over 20 years.

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.

Council Resolution (OM22/63)

Moved: Councillor W Johnston

Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled “**Development Application MCU22/0075 - Tourist Park - 185 -205 Diddillibah Road WOOMBYE**”*
- (b) *APPROVE Application No. MCU22/0075, and grant a Development Permit for Material Change of Use of Premises to Establish a Tourist Park subject to imposition of reasonable and relevant conditions in Appendix A as amended namely Amend condition*
 - 25. Site maintenance including the use of any machinery must only be carried out between the hours of 7:00am to 7:00pm daily 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 was absent for the discussion and vote on this motion.

8.4 DISPOSAL (EASEMENT) OF PART OF COUNCIL FREEHOLD LAND AT 34 GREENVIEW TERRACE, PALMVIEW

File No: F2022/14022
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Aerial Map
Att 2 - Locality Plan
Att 3 - Easement Location Plan
Att 4 - Easement EX Survey Plan 330413

Notification of Interest

In accordance with s150EQ(3)(c) of the *Local Government Act 2009* Councillor C Dickson gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.4 Disposal (Easement) of part of Council Freehold Land at 34 Greenview Terrace, Palmview.

I, Councillor Christian Dickson, notify that I have a Declarable Conflict of Interest in Item 8.4 to be considered at the Ordinary Meeting on Thursday 25 August 2022 due to residing nearby to the matter being discussed (disposal of an easement) at 34 Greenview Terrace in Palmview. I don't wish to be part of the discussion or vote due to the proximity to my residence. It may draw questions from the community given I live nearby. Therefore I am removing myself from the discussion.

Councillor C Dickson informed the Meeting that he would voluntarily not participate in the decision and would leave 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 T Landsberg gave notice of a Declarable Conflict of Interest in relation to Agenda Item 8.4 Disposal (Easement) of part of Council Freehold Land at 34 Greenview Terrace, Palmview.

I, Councillor Terry Landsberg, notify that I have a Declarable Conflict of Interest in Item 8.4 - Disposal (Easement) of part of Council Freehold Land at 34 Greenview Terrace, Palmview. To be considered at the Ordinary Meeting on 25 August 2022 due to:

Council's Property Management team has liaised with the RPS consulting Group as the Survey Managers on behalf of the Developer in relation to the approval process and eventual registration of the sewerage easement within Council's land. Mr Brad Williams is the General Manager at RPS 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 the club free of charge on matters that are unrelated to the matter that is being considered by Council.

The declarable conflict of interest may arise because I am a member and also the 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 supporting the work of this 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 a consultant engaged by the developer, I believe I can appropriately manage any perceived conflict - should it exist - and that I can impartially make a decision 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 8.4, including by voting on the matter.

Council Resolution

Moved: Councillor W Johnston

Seconded: Councillor E Hungerford

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 8.4 due to:

- 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 T Landsberg was not eligible to vote, and did not vote on this matter.

Councillor C Dickson was absent for the vote on this motion.

Council Resolution (OM22/64)

Moved: Councillor W Johnston

Seconded: Councillor M Suarez

That Council:

- receive and note the report titled "**Disposal (easement) of Part of Council Freehold Land at 34 Greenview Terrace, Palmview**"
- 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 land under nomination of trust Lot 8001 SP299776, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and
- note that Unitywater is a government agency.

Carried unanimously.

Councillor C Dickson was absent for the discussion and vote on this motion.

8.5 INVASIVE PLANT SURVEILLANCE PROGRAM - BIOSECURITY ACT 2014**File No:** F2018/30481**Author:** Coordinator Healthy Places
Customer & Planning Services Group**Appendices:** App A - 12 September 2022 to 11 September 2025 Surveillance Program for Sunshine Coast Council under the Biosecurity Act 2014**Council Resolution** (OM22/65)**Moved:** Councillor M Suarez**Seconded:** Councillor P Cox*That Council:*

- (a) *receive and note the report titled “**Invasive Plant Surveillance Program - Biosecurity Act 2014**”*
- (b) *adopt the 12 September 2022 to 11 September 2025 Surveillance Program (Appendix A) for Sunshine Coast Council in accordance with section 235 of the Biosecurity Act 2014*
- (c) *authorise the carrying out of the 12 September 2022 to 11 September 2025 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 12 September 2022 to 11 September 2025 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 12 September 2022 to 11 September 2025*
 - (iv) *is for monitoring compliance with the Biosecurity Act 2014 and places that will be entered and inspected are land within the Sunshine Coast Council Local Government Area that are Council assets or properties with land size equal to, or greater than, 4,000m²*
 - (v) *is for determining the presence or extent of the spread of specific invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014 and applies to land within the Sunshine Coast Council Local Government Area that are Council assets or properties with land size equal to, or greater than, 4,000m²*
 - (vi) *surveillance in the localities of Balmoral Ridge, Beerwah, Belli Park, Bells Creek, Crohamhurst, Diamond Valley, Doonan, Dulong, Eerwah Vale, Eumundi, Flaxton, Kureelipa, Maleny, Mapleton, Montville, Mt Mellum, North Maleny, Obi Obi, Peachester, Reesville and Verrierdale and*
 - (vii) *individual properties also previously known to harbour invasive biosecurity matter may be surveyed for ongoing compliance.*

Carried unanimously.

**8.6 FERAL ANIMAL PREVENTION AND CONTROL PROGRAM -
BIOSECURITY ACT 2014**

File No: F2018/30481
Author: Coordinator Healthy Places
Customer & Planning Services Group
Appendices: App A - 12 September 2022 to 11 September 2025 Prevention
and Control Program for feral animals under the Biosecurity Act
2014 for the Sunshine Coast Council area

Council Resolution (OM22/66)

Moved: Councillor P Cox
Seconded: Councillor W Johnston

That Council:

- (a) *receive and note the report titled “Feral Animal Prevention and Control Program - Biosecurity Act 2014”*
- (b) *adopt the 12 September 2022 to 11 September 2025 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Local Government Area (Appendix A) in accordance with section 235 of the Biosecurity Act 2014 and*
- (c) *authorise the carrying out of the 12 September 2022 to 11 September 2025 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.*

Carried unanimously.

**8.7 COMMUNITY PARTNERSHIP FUNDING PROGRAM
RECOMMENDATIONS 2022**

File No: Council Meetings
Author: Community Connections and Partnerships - Lead
Economic & Community Development Group
Appendices: App A - Community Partnership Funding Program
Recommendations 2022

Council Resolution (OM22/67)

Moved: Councillor D Law
Seconded: Councillor M Suarez

That Council:

- (a) *receive and note the report titled “**Community Partnership Funding Program Recommendations 2022**” and*
- (b) *endorse the Community Partnership Funding Program Recommendations 2022 (Appendix A).*

Carried unanimously.

**8.8 MAJOR EVENT SPONSORSHIP - IRONMAN 70.3 SUNSHINE COAST
2023-2025**

File No: Council meeting
Author: Head of Tourism & Major Events
Economic & Community Development Group
Attachments: Att 1 - Major Event Sponsorship Proposal IRONMAN 70.3
Sunshine Coast 2023-2025 - *Confidential*

Council Resolution (OM22/68)

Moved: Councillor J Natoli
Seconded: Councillor T Landsberg

That Council:

- (a) *receive and note the report titled “Major Event Sponsorship - IRONMAN 70.3 Sunshine Coast 2023-2025” and*
- (b) *authorise the Chief Executive Officer to negotiate and execute a contract for the IRONMAN 70.3 Sunshine Coast for 2023-2025.*

Carried unanimously.

8.9 COUNCIL OF MAYORS SOUTH EAST QUEENSLAND – PROPOSED DELEGATION TO NORTH AMERICA

File No: Council Meetings
Author: A/Chief Strategy Officer
Office of the CEO

Council Resolution (OM22/69)

Moved: Councillor T Landsberg
Seconded: Councillor P Cox

That Council:

- (a) *receive and note the report titled "**Council of Mayors South East Queensland – Proposed Delegation to North America**Error! No document variable supplied."*
- (b) *approve for Mayor Mark Jamieson to undertake overseas travel in an official capacity on 2 – 12 February 2023 to participate in the Council of Mayors South East Queensland proposed delegation to North America*
- (c) *authorise the expenditure of up to \$12,000 by Council to cover the balance of air travel and other incidental costs associated with Mayor Jamieson's participation in the Council of Mayors South East Queensland delegation to North America, with this expenditure to be met from the existing budget for the Office of the Mayor and*
- (d) *note that costs associated with Mayor Jamieson's travel to North America – namely accommodation, meals, on-ground transport and a contribution to airfares - will be met by the Council of Mayors South East Queensland.*

AMENDMENT

Moved: Councillor D Law
Seconded: Councillor M Suarez

That Council:

- (a) *receive and note the report titled "**Council of Mayors South East Queensland – Proposed Delegation to North America**"*
- (b) *approve for Mayor Mark Jamieson to undertake overseas travel in an official capacity on 2 – 12 February 2023 to participate in the Council of Mayors South East Queensland proposed delegation to North America*
- (c) *authorise the expenditure of reasonable additional costs by Council to cover other incidental costs associated with Mayor Jamieson's participation in the Council of Mayors South East Queensland delegation to North America, with this expenditure to be met from the existing budget for the Office of the Mayor and*
- (d) *note that costs associated with Mayor Jamieson's travel to North America – namely accommodation, meals, on-ground transport and a contribution to airfares - will be met by the Council of Mayors South East Queensland.*

For: Councillor M Suarez and Councillor D Law.

Against: Councillor R Baberowski, Councillor T Landsberg, Councillor P Cox, Councillor J Natoli, Councillor W Johnston, Councillor C Dickson and Councillor E Hungerford.

Lost.

The motion moved by Councillor T Landsberg and seconded by Councillor P Cox was put to the vote.

For: Councillor R Baberowski, Councillor T Landsberg, Councillor P Cox, Councillor J Natoli, Councillor W Johnston, Councillor C Dickson, Councillor E Hungerford and Councillor M Suarez.

Against: Councillor D Law.

Carried.



9 NOTIFIED MOTIONS

NIL

10 TABLING OF PETITIONS

NIL

11 CONFIDENTIAL SESSION

NIL

12 NEXT MEETING

The next Ordinary Meeting will be held on 22 September 2022 in the Council Chambers, 1 Omrah Avenue, Caloundra

13 MEETING CLOSURE

The meeting closed at 12:50pm.

Confirmed 22 September 2022.

CHAIR
