

Minutes

Ordinary Meeting

Thursday, 23 March 2023

Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore

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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 P Cox acknowledged the Traditional Custodians of the land on which the meeting took place.

Venerable Lhagsam from the Chenrezig Institute read a prayer.

The Chief Executive Officer acknowledged the recent passing of former long serving Council employee, Kevin Crump, and expressed Council's deepest condolences to Kevin's family and friends.

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

Councillor M Jamieson	Mayor (Chair) (Absent items 11-13)
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 M Suarez	Division 9
Councillor D Law	Division 10

COUNCIL OFFICERS

Chief Executive Officer
Group Executive Built Infrastructure
Group Executive Customer and Planning Services
Group Executive Economic and Community Development
Group Executive Business Performance
Group Executive Civic Governance
A/Group Executive Liveability and Natural Assets
Chief Strategy Officer
Manager Executive Management and Support Services
Manager Business and Innovation
Senior Property Officer
Coordinator Financial Services
Coordinator Councillor Governance
Acting Manager Strategic Infrastructure Planning and Policy
Principal Property Officer
Head of Strategic Property
Project Manager

APOLOGIES

Councillor J O'Pray Division 8

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

Moved: Councillor C Dickson
Seconded: Councillor R Baberowski

That the Minutes of the Ordinary Meeting held on 23 February 2023 be received and confirmed.

Carried unanimously.

5 MAYORAL MINUTE

NIL

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

Councillor M Jamieson notified Council of a Prescribed Conflict of Interest in relation to Item 11.1 - Confidential - Not for Public Release - Land Acquisitions and Disposal (Lease) of Land - Marcoola.

6.2 DECLARABLE CONFLICTS OF INTEREST

NIL

7 PRESENTATIONS / COUNCILLOR REPORTS

NIL

8 REPORTS DIRECT TO COUNCIL**8.1 SIGNIFICANT CONTRACTING PLAN****File No:** SCP 2223**Author:** Manager Business and Innovation
Business Performance Group**Appendices:** App A - Significant Contracting Plan - QRA Full Service
Landslide Remediation Works
App B - Significant Contracting Plan - Cotton Tree Holiday Park
Management Agreement
App C - Significant Contracting Plan - Honey Farm Sports and
Recreation Complex

Council Resolution (OM23/22)**Moved:** Councillor E Hungerford**Seconded:** Councillor J Natoli*That Council:*

- (a) receive and note the report titled "**Significant Contracting Plan**" and
- (b) adopt the Significant Contracting Plans for:
 - (i) Landslide Remediation Works (Appendix A)
 - (ii) Cotton Tree Holiday Park Management Agreement (Appendix B) and
 - (iii) Honey Farm Sports and Recreation Complex – Bulk Earthworks and Underground Services (Appendix C).

Carried unanimously.

8.2 DISPOSAL (EASEMENT) OF PART OF COUNCIL FREEHOLD LAND AT 9 LANCELIN PLACE, MAROOCHYDORE

File No: F2023/10262
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Aerial Map
Att 2 - Locality Plan
Att 3 - Easement Location Plan
Att 4 - Easement UV Survey Plan 330437

Council Resolution (OM23/23)

Moved: Councillor C Dickson
Seconded: Councillor W Johnston

That Council:

- (a) *receive and note the report titled “**Disposal (Easement) of Part of Council Freehold Land at 9 Lancelin Place, Maroochydore**”*
- (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 land being Lot 745 SP318129, 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.

8.3 FEBRUARY 2023 FINANCIAL PERFORMANCE REPORT

File No: Council Meetings
Author: Coordinator Financial Services
Business Performance Group
Attachments: Att 1 - February 2023 Financial Performance Report
Att 2 - Capital Grant Funded Project Report February 2023

Council Resolution (OM23/24)

Moved: Councillor E Hungerford
Seconded: Councillor J Natoli

That Council receive and note the report titled “February 2023 Financial Performance Report”.

Carried unanimously.

8.4 SPONSORSHIP (GOVERNANCE FRAMEWORK) STRATEGIC POLICY

File No: Council Meetings
Author: Head of Tourism & Major Events
Economic & Community Development Group
Appendices: App A - Sponsorship (Governance Framework) Strategic Policy
Attachments: Att 1 - Sponsorship (Governance Framework) Strategic Policy -
tracked changes

Council Resolution (OM23/25)

Moved: Councillor T Landsberg
Seconded: Councillor P Cox

That Council:

- (a) *receive and note the report titled “**Sponsorship (Governance Framework) Strategic Policy**”, and*
- (b) *adopt the Sunshine Coast Council Sponsorship (Governance Framework) Strategic Policy (Appendix A).*

Carried unanimously.

8.5 APPOINTMENT OF DIRECTORS OF SUNCENTRAL MAROOCHYDORE PTY LTD

File No: Council Meetings
Author: Group Executive Civic Governance
Civic Governance
Attachments: Att 1 - Appointment of Chairperson and Directors of the Board
Of SunCentral Maroochydore Pty Ltd - *Confidential*

Council Resolution (OM23/26)

Moved: Councillor J Natoli
Seconded: Councillor R Baberowski

That Council:

- (a) *receive and note the report titled "**Appointment of Directors of SunCentral Maroochydore Pty Ltd**"*
- (b) *endorse the nominations for appointment as Directors of the Board of SunCentral Maroochydore Pty Ltd for a term of two years on and from 1 May 2023 to 30 April 2025 inclusive, as discussed in confidential session*
- (c) *authorise the Chief Executive Officer to advise the Board of Directors that under clause 68.1 of the Constitution of SunCentral Maroochydore Pty Ltd, Council will support the election of a new Chairperson of SunCentral Maroochydore Pty Ltd for a term to and including 30 April 2025, as discussed in confidential session and*
- (d) *authorise the Chief Executive Officer to publicly release the names of the persons nominated as the Directors of the Board of SunCentral Maroochydore Pty Ltd and the name of the proposed Chairperson, should Council endorse the recommendations in this report.*

Carried unanimously.

8.6 MOTION FOR THE 2023 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY

File No: Council meetings
Author: Coordinator Councillor Governance
Civic Governance
Attachments: Att 1 - Motion seeking mechanisms to meet 2025 National Packaging Targets

Council Resolution (OM23/27)

Moved: Councillor J Natoli
Seconded: Councillor M Suarez

That Council:

- (a) *receive and note the report titled “**Motion for the 2023 Australian Local Government Association General Assembly**”*
- (b) *endorse the motion that the National General Assembly calls on the Australian Government to introduce new, more aggressive regulations that set a minimum standard for sustainable packaging and waste responsibilities for all manufacturers, supported by appropriate market incentives to motivate compliance with these standards, and*
- (c) *forward the motion to the Australian Local Government Association for inclusion in the 2023 National General Assembly Business Papers.*

Carried unanimously.

8.7 PUBLIC TRANSPORT STUDY TOUR TO THE NETHERLANDS

File No: Council Meetings
Author: Acting Manager Strategic Infrastructure Planning and Policy
Customer & Planning Services Group
Attachments: Att 1 - Provisional Study Tour Program

MOTION

Moved: Councillor T Landsberg
Seconded: Councillor P Cox

That Council:

- (a) receive and note the report titled "Public Transport Study Tour to the Netherlands"
- (b) approve for Deputy Mayor, Councillor Rick Baberowski to undertake overseas travel in an official capacity to participate in the Mobility and City Planning Study Tour to the Netherlands from 25 – 30 June 2023
- (c) authorise the expenditure of up to \$21,000 by Council to cover the air travel, study tour cost, travel insurance and other incidental costs associated with the Deputy Mayor's participation in the Study Tour to the Netherlands
- (d) note that the Deputy Mayor will provide a full briefing to Councillors, the Executive Leadership Team and relevant Council staff on the learnings and outcomes from the Study Tour, as inputs to the advancement of existing and future transport planning and design projects and the current development of the new Sunshine Coast Planning Scheme and
- (e) note that costs incurred in association with participation in the Mobility and City Planning Study Tour will be reported in Council's 2022-2023 Annual Report (given the Study Tour will take place in the current financial year).

AMENDMENT

Moved: Councillor E Hungerford

That Council:

- (a) receive and note the report titled "Public Transport Study Tour to the Netherlands"
- (b) approve for Deputy Mayor, Councillor Rick Baberowski to undertake overseas travel in an official capacity to participate in the Mobility and City Planning Study Tour to the Netherlands from 25 – 30 June 2023
- (c) authorise the expenditure of up to \$21,000 by Council to cover premium economy air travel, study tour cost, travel insurance and other incidental costs associated with the Deputy Mayor's participation in the Study Tour to the Netherlands
- (d) note that the Deputy Mayor will provide a full briefing to Councillors, the Executive Leadership Team and relevant Council staff on the learnings and outcomes from the Study Tour, as inputs to the advancement of existing and future transport planning and design projects and the current development of the new Sunshine Coast Planning Scheme and
- (e) note that costs incurred in association with participation in the Mobility and City

Planning Study Tour will be reported in Council's 2022-2023 Annual Report (given the Study Tour will take place in the current financial year).

The amendment lapsed for a want of a seconder.

Councillor T Landsberg raised a point of order in regards to Councillor J Natoli speaking off topic. The Mayor upheld the point of order.

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

For: Councillor R Baberowski and Councillor T Landsberg.

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

Lost.

Council Resolution

Moved: Councillor T Landsberg

Seconded: Councillor E Hungerford

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

Carried unanimously.



9 NOTIFIED MOTIONS

NIL

10 TABLING OF PETITIONS**10.1 PETITION - INSTALLATION OF A PEDESTRIAN CROSSING ON LANDSBOROUGH PARADE, GOLDEN BEACH****Council Resolution** (OM23/28)**Moved: Councillor T Landsberg****Seconded: Councillor P Cox**

That the petition tabled by Councillor T Landsberg relating to the request to install a pedestrian crossing on Landsborough Parade, Golden Beach be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

10.2 PETITION - WILDLIFE WARNING SIGNS, BUDERIM**Council Resolution** (OM23/29)**Moved: Councillor C Dickson****Seconded: Councillor W Johnston**

That the petition tabled by Councillor C Dickson relating to the request to erect kangaroo wildlife warning signs at the corner of Mooloolaba Road and Buderim Pines Drive be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

11 CONFIDENTIAL SESSION**Notification of Interest**

In accordance with s150EL(3)(b) of the Local Government Act 2009 Councillor M Jamieson gave notice of a Prescribed Conflict of Interest in relation to Agenda Item 11.1 Confidential – Not for Public Release – Land Acquisitions and Disposal (Lease) of Land – Marcoola.

I, Mayor Mark Jamieson, notify that I have a Prescribed Conflict of Interest in Agenda Item 11.1 to be considered at the Ordinary Meeting on 23 March 2023.

As I notified Council at the Special Meeting of 9 November 2020 and as you are aware, as President of the Local Government Association of Queensland, I am an Employer representative Director of LGIASuper which is the trustee which manages Brighter Super. Brighter Super holds a 50% interest in the Sunshine Coast Airport through its asset manager, Palisade Investment Partners.

The President of the LGAQ has historically been nominated as a Trustee Director of LGIASuper. I have held that position since 1 July 2018. I receive remuneration from this role and this is noted in my Register of Interests.

Other entities with an interest in the Sunshine Coast Airport are:

- *Pinnacle Funds Services Limited as responsible entity for Palisade Investment Partner's Diversified Infrastructure Fund No. 1 and*
- *Perpetual Trust Services Limited as responsible entity for Palisade Investment Partner's Diversified Infrastructure Fund No. 2.*

Any decision-making by Council or Council officers on matters which may impact the Sunshine Coast Airport may be either beneficial or detrimental to the interests of Palisade Investment Partners, LGIASuper, Brighter Super and other entities with a shareholding in the Sunshine Coast Airport.

Accordingly, as the matters which are the subject of Agenda Item 11.1 may potentially impact on the Sunshine Coast Airport and its investors (depending on the decision made by Council), under section 150EK of the Local Government Act 2009, I will exclude myself from the meeting while this matter is being discussed and the vote is taken.

Councillor M Jamieson 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.

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

CLOSURE OF THE MEETING TO THE PUBLIC**Council Resolution****Moved: Councillor E Hungerford****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 - Land Acquisitions and Disposal (Lease) of Land – Marcoola.*

Carried unanimously.**Councillor M Jamieson was absent for the vote on this motion.**

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

That the meeting be re-opened to the public.

Carried unanimously.**Councillor M Jamieson was absent for the vote on this motion.**

11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - LAND ACQUISITIONS AND DISPOSAL (LEASE) OF LAND - MARCOOLA

File No: F23/00061
Author: Principal Property Officer
Business Performance Group

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 relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Notwithstanding the Chief Executive Officer's recommendation that the information in this report be considered confidential, the report contains a recommendation that specific information be publicly released once the proposed transaction is successfully completed and recorded on the Certificates of Title by Titles Queensland.

Council Resolution (OM23/30)

Moved: Councillor E Hungerford
Seconded: Councillor C Dickson

That Council:

- (a) *delegate authority to the Chief Executive Officer to finalise the acquisition of the land parcels in Marcoola identified in this report*
- (b) *authorise the Chief Executive Officer to publicly release details in relation to the site location and price for the acquisition of the land parcels identified in this report, once the transfer of ownership of land to Sunshine Coast Regional Council has been registered with Titles Queensland*
- (c) *resolve, pursuant to section 236 (2) of the Local Government Regulation 2012, that should the transaction contemplated in recommendation (a) above be satisfactorily concluded, an exception to dispose of an interest in land (Lease) over land owned by Council in Marcoola, legally described as Lot 844 on SP214352, Lot 99 on SP176239 and road currently gazetted as Avro Court, other than by tender or auction, applies as the disposal is pursuant to section 236 (1)(c)(vii) of the regulation in that*
 - (i) *the disposal is of land that is to be used as an airport or for related purposes; and*
 - (ii) *it is in the public interest to dispose of the interest in land without a tender or auction; and*
 - (iii) *the disposal is otherwise in accordance with sound contracting principles.*

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

Against: Councillor M Suarez.

Carried.

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

12 NEXT MEETING

The next Ordinary Meeting will be held on 27 April 2023 in the Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore.

13 MEETING CLOSURE

The meeting closed at 11:48am.

Confirmed 27 April 2023.

CHAIR

14 APPENDICES