

Minutes

Ordinary Meeting

Thursday, 30 January 2025

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 9:02am.

2 WELCOME AND OPENING

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

Chirag Soni and Vipul Gothi from BAPS Hindu Faith provided a blessing.

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

Councillor R Natoli	Mayor (Chair)
Councillor J Broderick	Division 1
Councillor T Landsberg	Division 2
Councillor T Burns	Division 3
Councillor J Natoli	Division 4
Councillor W Johnston OAM	Division 5 (Absent 8.2 -13)
Councillor C Dickson	Division 6 (via Teams) (Absent 8.3-13)
Councillor E Hungerford	Division 7
Councillor T Bunnag	Division 8
Councillor M Suarez	Division 9 (Deputy Mayor)
Councillor D Law	Division 10

COUNCIL OFFICERS

Chief Executive Officer
Acting Group Executive Built Infrastructure
Acting Group Executive Business Performance
Acting Group Executive Civic Governance
Group Executive Customer and Planning Services
Group Executive Economic and Community Development
Group Executive Liveability and Natural Assets
Coordinator Meeting Management
Lead Senior Development Planner
Team Leader Planning Assessment
Manager Strategic Planning
Chief Economic Development Officer
Team Leader Planning Assessment
Major Project Lead
Program Director Urban Growth
Coordinator Transport Network
Manager Finance

4 RECEIPT AND CONFIRMATION OF MINUTES

Council Resolution

Moved: Councillor W Johnston

Seconded: Councillor J Natoli

That the Minutes of the Ordinary Meeting held on 12 December 2024 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 - ROAD SAFETY INFRASTRUCTURE EXCELLENCE AWARD
- TALARA RIDE AND SHINE PROJECT****Council Resolution****Moved: Councillor T Bunnag****Seconded: Councillor M Suarez**

That Council recognise the achievement of the Talara Ride and Shine Project team winning the Road Safety Infrastructure Excellence Award at the Institute of Public Works Engineering Australasia State conference.

Carried unanimously.

**7.2 PRESENTATION - GREEN FLAG AWARD RECOGNITION - BUDERIM
VILLAGE PARK AND KINGS BEACH PARK**

Council Resolution

Moved: Councillor T Landsberg

Seconded: Councillor E Hungerford

That Council recognise the achievement of the Parks and Gardens team being awarded the Green Flag Award for Buderim Village Park and Kings Beach Park.

Carried unanimously.



8 REPORTS DIRECT TO COUNCIL**8.1 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE TO ESTABLISH SHORT-TERM ACCOMMODATION - 862 & 894 LANDSBOROUGH-MALENY ROAD, BALD KNOB**

File No: MCU23/0125
Author: Senior Development Planner
Customer & Planning Services Group
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Proposal Plans
Att 3 - Concurrence Agency Response
Att 4 - Submissions Map
Att 5 - Council 3D Model Images

MOTION

Moved: Councillor W Johnston
Seconded: Councillor J Natoli

That Council:

- (a) receive and note the report titled "Development Application - Material Change of use to Establish Short-Term Accommodation - 862 & 894 Landsborough-Maleny Road, Bald Knob" and
- (b) APPROVE Application MCU23/0125 for a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Road, Bald Knob subject to the imposition of reasonable and relevant conditions identified in Appendix A.

For: Councillor J Broderick, Councillor T Landsberg, Councillor J Natoli, Councillor W Johnston and Councillor C Dickson.

Against: Councillor R Natoli, Councillor T Burns, Councillor E Hungerford, Councillor T Bunnag, Councillor M Suarez and Councillor D Law.

Lost.

Council Resolution

Moved: Councillor T Bunnag
Seconded: Councillor J Natoli

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

Carried unanimously.

Council Resolution**Moved: Councillor T Landsberg****Seconded: Councillor W Johnston**

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

For: Councillor R Natoli, Councillor J Broderick, Councillor T Landsberg, Councillor J Natoli, Councillor W Johnston, Councillor C Dickson, Councillor E Hungerford, Councillor M Suarez and Councillor D Law.

Against: Councillor T Burns and Councillor T Bunnag.

Carried.**Council Resolution** (OM25/1)**Moved: Councillor E Hungerford****Seconded: Councillor D Law**

That Council:

- (a) *receive and note the report titled "Development Application - Material Change of use to Establish Short-Term Accommodation - 862 & 894 Landsborough-Maleny Road, Bald Knob" and*
- (b) *REFUSE Application MCU23/0125 for a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Road, Bald Knob for the following reasons.*
 - i. *The proposal has not demonstrated achievement of strategic outcome 3.3.1 (d) of the Strategic Framework of the Sunshine Coast Planning Scheme 2014, because:*
 - a) *The subject site is located outside of the local growth management boundary and the proposed scale and intensity of the short-term accommodation use conflicts with the strategic outcomes relating to settlement patterns, as it does not contribute to a compact, efficient and functional urban form.*
 - ii. *The proposal has not demonstrated achievement of Strategic Outcomes 3.8.1 (c), 3.8.1 (d), 3.8.1 (f) of the Strategic Framework and the Specific Outcomes 3.3.1 (d), 3.4.6.1 (a), 3.8.2.1(a), 3.8.2.1(d) and 3.8.2.1(g) of the Strategic Framework of the Sunshine Coast Planning Scheme 2014, because:*
 - a) *The proposal will detract from the visual amenity of the Landsborough-Maleny Road scenic route and will be visually obtrusive relative to its non-urban setting and surroundings when viewed from the scenic route.*
 - b) *The proposal does not protect and enhance the Landsborough-Maleny Road scenic route as a major transport route providing a high level of scenic and visual amenity to travellers.*
 - c) *The development it is not limited in scale or intensity, nor has it been*

sensitively located to minimise adverse impacts on the steep slopes or scenic amenity.

- iii. *The proposal departs from the Purpose and Overall Outcome (a) and Performance Outcome PO1 of the Scenic amenity overlay code, the Purpose and Overall Outcomes (l) and (n) of the Rural zone code and Purpose and Performance Outcomes PO5 and PO7 of the Nature and rural based tourism code of the Sunshine Coast Planning Scheme 2014, because:*
- a) *The proposal does not protect views from the Landsborough-Maleny Road scenic route to numerous significant landscape features such as Mt Coolum, Mt Ninderry, Mt Cooroy (among others) and the broader coastline which are important in a local context.*
 - b) *The proposal has not been designed to minimise community impacts.*
 - c) *The proposal has not been integrated in a sustainable and attractive manner and therefore would unduly impact upon the amenity and landscape values of the area.*
 - d) *The built form of the proposal does not integrate with or complement the predominant rural character intended for the zone.*
 - e) *The bulk and scale of the built form and associated car parking area is urban in nature and is of an intensity and scale that is not expected in a rural precinct.*
 - f) *The proposed development does not contribute to the retention of the preferred built form character for the Sunshine Coast, which at this location, is for low scale, low-rise and small scale-built form in a rural area.*
 - g) *The proposal is not integrated with its natural and rural setting.*
 - h) *The short-term accommodation is of a scale and intensity which is urban in form and nature and has not demonstrated any emphasis on nature or hinterland/rural based tourism experience.*
- iv. *The proposal has not demonstrated achievement of the purpose and Performance Outcome PO4 of the Landslide hazard and steep land overlay code, because:*
- a) *The proposal requires extensive earthworks (cut and fill) and retaining walls which will have significant impacts on the natural landform to the detriment of the landscape character of the site and surrounding area.*
- v. *The proposal departs from the Purpose and Overall Outcome (s) of the Rural zone code and the Purpose and Performance Outcome PO8 of the Works, services and infrastructure code, because:*
- a) *It has not been demonstrated that the site can accommodate the necessary large scale on-site effluent treatment areas needed for such an intense urban use.*
- vi. *The proposed development cannot be conditioned to comply with the assessment benchmarks.*

- vii. *The application has not demonstrated that there is an overriding need in the community interest sufficient to justify approval of the proposal despite the conflicts with planning scheme.*
- viii. *There are no discretionary matters which warrant approval of the proposed development.*

For: Councillor R Natoli, Councillor T Burns, Councillor C Dickson, Councillor E Hungerford, Councillor T Bunnag, Councillor M Suarez and Councillor D Law.

Against: Councillor J Broderick, Councillor T Landsberg, Councillor J Natoli and Councillor W Johnston.

Carried.



**8.2 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE FOR
OUTDOOR SPORT AND RECREATION (AEROMODELLING CLUB) - 76-88
DYNES ROAD AND 801-845 YANDINA COOLUM ROAD, VALDORA**

File No: MCU24/0113
Author: Principal Development Planner
Customer & Planning Services Group
Appendices: App A - Conditions for Approval
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Proposal Plans
Att 3 - Referral Agency Response

Council Resolution (OM25/2)

Moved: Councillor M Suarez
Seconded: Councillor T Bunnag

That Council:

- (a) *receive and note the report titled "Material Change of Use of Premises to Establish Outdoor Sport & Recreation (Aeromodelling Club); and*
- (b) *Refuse Application No. MCU24/0113, situated at 76-88 Dynes Rd & 801-845 Yandina Coolum Rd, Valdora for a Material Change of Use to Establish Outdoor Sport & Recreation (Aeromodelling Club); for the following reasons:*

Traffic

1. *The site is serviced by a gravel road, which does not achieve the minimum standard required for an Outdoor Sport and Recreation use;*
2. *The provision of car parking spaces is insufficient for the proposed intensity of the use.*
3. *Accordingly, the proposed development demonstrates non-compliance with the following assessment benchmarks of the Planning Scheme:*
 - (i) *Transport and parking code - Overall outcome (c) and (d), Performance outcomes PO3 of Table 9.4.8.3.1, PO17 and PO22 of Table 9.4.8.3.2; and*
 - (ii) *Rural zone code - Overall outcome (2)(s).*

Visual amenity

4. *Yandina-Coolum Road is identified as a scenic route and the site is located in a High Value Scenic Area that is characterised by open rural land;*
5. *The proposed buildings would be visible from surrounding elevated areas, including the ranges and lookout from Mt Ninderry;*
6. *The proposed development:*
 - *would impede views to the significant landscape features in the distance; and*
 - *would not protect the significant landscape elements that contribute to the unique*

character and identity of the Sunshine Coast.

7. *Accordingly, the proposed development demonstrates non-compliance with the following assessment benchmarks of the Planning Scheme:*
 - (i) *Rural zone code - Overall outcome (l) and (n); and*
 - (ii) *Scenic amenity overlay code - Overall outcome (2)(a)(i) and (iv) and Performance outcomes PO1, PO6 of Table 8.2.12.3.1*

Flooding

8. *The site is impacted by regional flooding and would be entirely inundated in a major flood event. The site is also subject to relatively regular low level flood events that would affect safe access to the airfield and would inundate the airfield, making it unsuitable for flying model aircraft;*
9. *Any buildings to be located on the site are not proposed to be located above the flood level;*
10. *The site may be subject to tidal inundation due to climate change in the medium term and it is considered inappropriate to allow development to occur on the site that would compromise natural tidal progression.*
11. *Accordingly, the proposed development demonstrates non-compliance with the following assessment benchmarks of the Planning Scheme:*
 - (i) *Rural zone code - Overall outcome (r); and*
 - (ii) *Flood hazard overlay code - Overall outcomes (2)(a), (c) and (d) and Performance outcomes PO3 and PO9 of Table 8.2.7.3.2.*

Noise / Dust

12. *The development proposes inadequate separation from sensitive uses in the surrounding area and would result in a substantial impact on the amenity and character of Valdora Valley;*
13. *The use of Dynes Road (an unsealed gravel road) to access the site will contribute to amenity impacts for residential properties from noise and dust;*
14. *It has not been sufficiently demonstrated that the development site is located to ensure that noise emissions do not unreasonably impact on the surrounding sensitive receivers and residential premises.*
15. *Accordingly, the proposed development demonstrates non-compliance with the following assessment benchmarks of the Planning Scheme:*
 - i. *Nuisance code - Purpose and Overall Outcomes (1)(a), (2)(a)(i), and Performance outcome PO1, PO9, of Table 9.4.3.3.1; and*
 - ii. *Rural zone code - Overall Outcome (f).*

Acid Sulfate Soils

16. *The development application has not provided sufficient information in relation to acid sulfate soils investigation or management plan.*
17. *Accordingly, the proposed development demonstrates non-compliance with the following assessment benchmarks of the Planning Scheme:*
 - i. *Acid Sulfate Soils Overlay Code - Overall Outcomes (2)(a) and the Performance outcomes PO1(a) and (b) of Table 8.2.1.3.1.*

Airports and aviation facilities

18. *The development application has not provided sufficient information in relation to whether the activity would result in any intrusion into the operational airspace of the Sunshine Coast Airport.*
19. *Accordingly, the proposed development demonstrates non-compliance with the following assessment benchmarks of the Planning Scheme:*
 - (i) *Airport Environs Overlay Code - Overall outcome (2)(a) and Performance Outcome PO1 of Table 8.2.2.3.2.*
 - (ii) *State Planning Policy (SPP), Part E - Infrastructure - Strategic airports and aviation facilities (Assessment benchmarks – strategic airports and aviation facilities).*

Relevant Matters

20. *There is no economic, planning or community need for the proposed development.*
 21. *On the material currently before Council, compliance with the assessment benchmarks cannot be achieved by the imposition of conditions.*
 22. *There are no discretionary matters which warrant approval of the Proposed Development.*
- (c) *Request the Chief Executive Officer to review the 'Regional Facilities Plan for Difficult to Locate Sports' as endorsed by Council on 28 March 2019 and provide Council with an update on activities undertaken to progress a regional aeromodelling facility and*
- (i) *advocate to the Queensland Government for assistance to facilitate the establishment of a regional aeromodelling facility, and*
 - (ii) *undertake a review of Council owned land that may be suitable for relocation of the Suncoast Model Flyers Incorporated Club as a local club by May 2025, and make the findings of the review available to all stakeholders.*

For: **Councillor R Natoli, Councillor J Broderick, Councillor T Burns, Councillor J Natoli, Councillor C Dickson, Councillor T Bunnag, Councillor M Suarez and Councillor D Law.**

Against: **Councillor T Landsberg and Councillor E Hungerford.**

Carried.

Council Resolution

Moved: **Councillor W Johnston**
Seconded: **Councillor E Hungerford**

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

Carried unanimously.

Council Resolution

Moved: Councillor T Bunnag
Seconded: Councillor T Burns

That Council grant Councillor M Suarez an extension of time for an additional five minutes to speak further to the motion.

Carried unanimously.

The meeting adjourned at 11:41am due to technical issues.

The meeting resumed at 12:03pm.

Councillor W Johnston left the meeting during the debate, but before the vote for this item.

Council Resolution

Moved: Councillor T Burns
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 W Johnston was absent for this motion.

Council Resolution

Moved: Councillor T Landsberg
Seconded: Councillor T Bunnag

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

**For: Councillor R Natoli, Councillor J Broderick, Councillor T Landsberg,
Councillor T Burns, Councillor C Dickson, Councillor E Hungerford,
Councillor T Bunnag and Councillor D Law.**

Against: Councillor J Natoli and Councillor M Suarez.

Carried.

Councillor W Johnston was absent for this motion.

Council Resolution

Moved: Councillor T Burns
Seconded: Councillor M Suarez

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

Carried unanimously.

Councillor W Johnston was absent for this motion.

Councillor W Johnston was absent for part of the discussion and the vote on this item.

8.3 BIRTINYA TOWN CENTRE

File No:	Council Meetings
Author:	Major Project Lead Customer & Planning Services Group
Appendices:	App A - Proposed Temporary Local Planning Instrument App B - Proposed changes to Kawana Waters Development Agreement- <i>Confidential</i> App C - Draft proposed amendments to Kawana Waters Structure Plan - <i>Confidential</i>
Attachments:	Att 1 - Submission maps Att 2 - Consultation report Att 3 - Map of area covered by Development Control Plan No. 1 - Kawana Waters Att 4 - Renders of cable stay pedestrian and cycle bridge Att 5 - Location of Eastbank Hotel map Att 6 - Draft Proposed Town Centre Detailed Planning Area Plan Amendments (maps and tables of development) - <i>Confidential</i> Att 7 - Conceptual renders of proposed town centre Att 8 - Initial transport modelling report Att 9 - Human Rights Act 2019 Compatibility Assessment

Council Resolution (OM25/3)

Moved: Councillor T Burns
Seconded: Councillor T Landsberg

That Council:

- (a) *receive and note the report titled "Birtinya Town Centre" and*
 - (b) *decide to make a proposed Temporary Local Planning Instrument (Birtinya Town Centre) No. 4 of 2025 (Appendix A)*
 - (c) *delegate authority to the Chief Executive Officer to undertake the statutory process under the Planning Act 2016 and the Minister's Guidelines and Rules for the making of a Temporary Local Planning Instrument*
 - (d) *delegate authority to the Chief Executive Officer to adopt the proposed Temporary Local Planning Instrument (Birtinya Town Centre) No. 4 of 2025, subject to receiving approval from the Minister for State Development, Infrastructure and Planning and complying with any conditions stated to apply by the Minister for State Development, Infrastructure and Planning*
 - (e) *delegate authority to the Chief Executive Officer to take action to undertake the statutory*
-

process under the Planning Act 2016 for amending a planning scheme to reflect the provisions of the Temporary Local Planning Instrument (Birtinya Town Centre) No. 4 of 2025 in the planning scheme

- (f) delegate authority to the Chief Executive Officer to take action to draft, negotiate, finalise, execute, and implement a 12th Deed of Variation to the Kawana Waters Development Agreement, generally reflecting the changes to the Kawana Waters Development Agreement illustrated in Appendix B*
- (g) delegate authority to the Chief Executive Officer to take action to endorse as approved a revised traffic modelling report for the Kawana Town Centre, following the receipt of a written acceptance of the report by the Department of Transport and Main Roads*
- (h) delegate authority to the Chief Executive Officer to take action to determine an application to amend the Kawana Waters Structure Plan following the endorsed approval of a revised traffic modelling report for the Kawana Town Centre, generally reflecting the changes illustrated in Appendix C*
- (i) delegate authority to the Chief Executive Officer to take action to determine an application to amend a master plan to generally reflect the changes outlined in this report in relation to the Detailed Planning Area Plans for the following:*
 - (i) DPA 1 – Eastbank / Regatta*
 - (ii) DPA 11 – Birtinya Island*
 - (iii) DPA 13 – Town Centre and*
- (j) authorise the Chief Executive Officer to make publicly available the updated Consolidated Kawana Waters Development Agreement following the finalisation and execution by all parties of the 12th Deed of Variation to the Kawana Waters Development Agreement.*

For: Councillor R Natoli, Councillor J Broderick, Councillor T Landsberg, Councillor T Burns, Councillor T Bunnag, Councillor M Suarez and Councillor D Law.

Against: Councillor J Natoli and Councillor E Hungerford.

Carried.

Council Resolution

Moved: Councillor T Bunnag

Seconded: Councillor M Suarez

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

Carried unanimously.

Council Resolution

Moved: Councillor T Bunnag

Seconded: Councillor T Burns

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

Carried unanimously.

Council Resolution

Moved: Councillor T Burns

Seconded: Councillor J Broderick

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

Carried unanimously.

Councillor W Johnston and Councillor C Dickson were absent for the discussion and vote on this item.



8.4 DECEMBER 2024 FINANCIAL PERFORMANCE REPORT**File No:** Council Meetings**Author:** Coordinator Financial Services
Business Performance Group**Attachments:** Att 1 - December 2024 Financial Performance Report
Att 2 - December 2024 Capital Grant Funded Project Report

Council Resolution (OM25/4)**Moved:** Councillor E Hungerford**Seconded:** Councillor J Broderick*That Council receive and note the report titled "December 2024 Financial Performance Report".***Carried unanimously.****Councillor W Johnston and Councillor C Dickson were absent for the discussion and vote on this item.**

8.5 ORGANISATIONAL STRUCTURE - PHASE ONE AMENDMENT

File No: Council Meetings
Author: Chief Executive Officer
Office of the Chief Executive Officer

Council Resolution (OM25/5)

Moved: Councillor J Broderick
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "Organisational Structure - Phase One Amendment "*
- (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 that includes the position of Chief Financial Officer within Council's Executive Leadership Team and*
- (c) *authorise the Chief Executive officer to proceed with the implementation of the amendment as outlined in (b) above.*

Carried unanimously.

Councillor W Johnston and Councillor C Dickson were absent for the discussion and vote on this item.

9 NOTIFIED MOTIONS

NIL

10 TABLING OF PETITIONS**10.1 PETITION - OPPOSITION OF THE PROPOSED DEVELOPMENT APPLICATION MCU24/0158 - HOTEL AT 51-55 BULCOCK STREET, CALOUNDRA****Council Resolution** (OM25/6)**Moved: Councillor T Landsberg****Seconded: Councillor E Hungerford**

That the petition tabled by Councillor T Landsberg relating to the request to oppose the proposed Development Application MCU24/0158 - Hotel at 51-55 Bulcock Street, Caloundra, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor W Johnston and Councillor C Dickson were absent for the vote on this item.

10.2 PETITION - MAINTENANCE REQUEST FOR RATCLIFFE ROAD, HUNCHY**Council Resolution** (OM25/7)**Moved: Councillor J Broderick****Seconded: Councillor J Natoli**

That the petition tabled by Councillor J Broderick relating to the maintenance request for Ratcliffe Road, Hunchy be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor W Johnston and Councillor C Dickson were absent for the vote on this item.

10.3 PETITION - OPERATIONAL WORKS PLAN FOR 9 PALM STREET, MALENY

Council Resolution (OM25/8)

Moved: Councillor J Broderick

Seconded: Councillor M Suarez

That the petition tabled by Councillor J Broderick relating to information request on Operational Works Plan for 9 Palm Street, Maleny, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

Councillor W Johnston and Councillor C Dickson were absent for the vote on this item.

11 CONFIDENTIAL SESSION

NIL

12 NEXT MEETING

The next Ordinary Meeting will be held on 27 February 2025 in the Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore.

13 MEETING CLOSURE

The meeting closed at 3:52pm.

Confirmed 27 February 2025.

CHAIR
