

Minutes

Ordinary Meeting

Thursday, 21 November 2024

Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore

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1 DECLARATION OF OPENING

The Chair declared the meeting open at 9am.

2 WELCOME AND OPENING

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

Pastor Daniel Harding from Open Road Beach Church read a prayer.

Parks Supervisor Mr Mick Parr, acknowledged the recent passing of Council employee, Campbell Kerr.

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
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor T Bunnag	Division 8
Councillor M Suarez	Division 9 (Deputy Mayor)
Councillor D Law	Division 10

COUNCIL OFFICERS

Acting Chief Executive Officer
Acting Group Executive Built Infrastructure
Acting Group Executive Business Performance
Acting Group Executive Civic Governance
Acting Group Executive Customer and Planning Services
Group Executive Economic and Community Development
Group Executive Liveability and Natural Assets
Coordinator Meeting Management
Manager, Strategy and Policy
Coordinator Cultural Heritage Services
Coordinator Creative Arts and Events
Coordinator Biodiversity & Waterways
Coordinator Transport Strategy & Policy
Program Coordinator Urban Growth
Interim Coordinator Planning Scheme Amendments

Head of Economic Development
Head of Investment, Trade and International
Principal Development Planner
Principal Development Planner
Principal Development Engineer (Hydraulics)
Manager Development Services
Manager Strategic Planning
Team Leader Planning Assessment
Principal Strategic Planner
Chief Financial Officer
Coordinator Financial Accounting
Manager Audit, Assurance and Risk Advisory Services

4 RECEIPT AND CONFIRMATION OF MINUTES

Council Resolution

Moved: Councillor C Dickson
Seconded: Councillor J Natoli

That the Minutes of the Ordinary Meeting held on 24 October 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

Councillor M Suarez notified Council of a Declarable Conflict of Interest in relation to Item 8.8 - Application for Preliminary Approval including a Variation Request for Material Change of Use of Premises to vary the effect of the Sunshine Coast Planning Scheme 2014 for a Master Planned Development (Bli Bli Northern Village - Parklakes 3).

Councillor T Burns notified Council of a Declarable Conflict of Interest in relation to Item 8.8 - Application for Preliminary Approval including a Variation Request for Material Change of Use of Premises to vary the effect of the Sunshine Coast Planning Scheme 2014 for a Master Planned Development (Bli Bli Northern Village - Parklakes 3).

Councillor J Natoli notified Council of a Declarable Conflict of Interest in relation to Item 8.8 - Application for Preliminary Approval including a Variation Request for Material Change of Use of Premises to vary the effect of the Sunshine Coast Planning Scheme 2014 for a Master Planned Development (Bli Bli Northern Village - Parklakes 3).

Councillor R Natoli notified Council of a Declarable Conflict of Interest in relation to Item 8.8 - Application for Preliminary Approval including a Variation Request for Material Change of Use of Premises to vary the effect of the Sunshine Coast Planning Scheme 2014 for a Master Planned Development (Bli Bli Northern Village - Parklakes 3).

Councillor R Natoli notified Council of a Declarable Conflict of Interest in relation to Item 8.9 - Application for minor change to preliminary approval for Material Change of Use of premises, including a variation request, to vary the effect of the Sunshine Coast Planning Scheme 2014 – Twin Waters West Residential Community.

Councillor J Natoli notified Council of a Declarable Conflict of Interest in relation to Item 8.9 - Application for minor change to preliminary approval for Material Change of Use of premises, including a variation request, to vary the effect of the Sunshine Coast Planning Scheme 2014 – Twin Waters West Residential Community.

7 PRESENTATIONS / COUNCILLOR REPORTS

7.1 PRESENTATION - CURATED PLATE, TOURISM AND MAJOR EVENTS TEAM

Council Resolution

Moved: Councillor J Natoli

Seconded: Councillor T Landsberg

That Council recognise the achievement of the Tourism and Major Events team in winning Best Small Regional Event for the Curated Plate at the Australian Event Awards.

Carried unanimously.



7.2 PRESENTATION - QUEENSLAND PLANNING INSTITUTE OF AUSTRALIA AWARDS - DEVELOPMENT CONNECT PROJECT & MAROOCHYDORE CITY CENTRE PROJECT

Council Resolution

Moved: Councillor W Johnston

Seconded: Councillor C Dickson

That Council recognise the achievement of the Development Connect Project in winning the Wendy Chadwick Encouragement Award and the Maroochydore City Centre Project in winning the Strategic Planning Project Award at the Queensland Planning Institute of Australia Awards.

Carried unanimously.

8 REPORTS DIRECT TO COUNCIL

8.1 SUNSHINE COAST COUNCIL ANNUAL REPORT 2023-24

File No: Council Meetings

Author: Manager, Strategy and Policy
Civic Governance

Appendices: App A - Sunshine Coast Council Annual Report 2023-24

Council Resolution (OM24/104)

Moved: Councillor E Hungerford

Seconded: Councillor J Broderick

That Council:

- (a) *receive and note the report titled "Sunshine Coast Council Annual Report 2023-24"*
- (b) *adopt the Sunshine Coast Council Annual Report 2023-24 (Appendix A).*

Carried unanimously.

8.2 QUARTERLY PROGRESS REPORT - QUARTER 1 2024-25

File No: Council Meetings

Author: Manager, Strategy and Policy
Civic Governance

Appendices: App A - Chief Executive Officer's Quarterly Progress Report -
Quarter 1, 2024-25

Council Resolution (OM24/105)

Moved: Councillor J Broderick

Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "Quarterly Progress Report - Quarter 1 2024-25" and*
- (b) *endorse the Chief Executive Officer's Quarterly Progress Report - Quarter 1, 2024-25 (Appendix A).*

Carried unanimously.

8.3 ARTS AND HERITAGE LEVY ANNUAL REPORT 2023-24**File No:** Council Meetings**Authors:** Coordinator Cultural Heritage Services
Economic & Community Development Group
Coordinator Creative Arts and Events
Economic & Community Development Group**Attachments:** Att 1 - Arts and Heritage Levy Annual Report 2023-24

Council Resolution (OM24/106)**Moved:** Councillor D Law**Seconded:** Councillor T Bunnag*That Council:*

- (a) *receive and note the report titled "Arts and Heritage Levy Annual Report 2023-24"*
- (b) *note the Arts and Heritage Levy Annual Report 2023-24 for the purpose of promoting Arts and Heritage Levy outcomes and*
- (c) *acknowledge and thank the volunteers of the region's community museums, heritage associations and groups, and the artists and creative communities, that have contributed to the delivery of the Arts and Heritage Levy program outcomes for 2023-24.*

Carried unanimously.

8.4 ENVIRONMENT LEVY ANNUAL REPORT 2023-24

File No: Council Meetings
Author: Coordinator Biodiversity & Waterways
Liveability & Natural Assets Group
Attachments: Att 1 - Environment Levy Annual Report 2023-24

Council Resolution (OM24/107)

Moved: Councillor T Burns
Seconded: Councillor M Suarez

That Council:

- (a) *receive and note the report titled "Environment Levy Annual Report 2023-24"*
- (b) *note the Environment Levy Annual Report 2023-24 for the purpose of promoting Environment Levy outcomes and*
- (c) *acknowledge and thank the community groups, landholders, students, teachers and volunteers that have contributed to the delivery of the Environment Levy program outcomes over the 2023-24 financial year.*

Carried unanimously.

8.5 TRANSPORT LEVY ANNUAL REPORT 2023-24**File No:** Council Meetings**Author:** Coordinator Transport Strategy & Policy
Customer & Planning Services Group**Attachments:** Att 1 - Transport Levy Annual Report 2023-24

Council Resolution (OM24/108)**Moved:** Councillor T Bunnag**Seconded:** Councillor D Law*That Council:*

- (a) *receive and note the report titled "Transport Levy Annual Report 2023-24"*
- (b) *note the Transport Levy Annual Report 2023-24 for the purpose of promoting Transport Levy outcomes and*
- (c) *acknowledge and thank the community groups and volunteers that have contributed to the delivery of the Transport Levy program outcomes over the 2023-24 financial year.*

Carried unanimously.

**8.6 PROPOSED TEMPORARY LOCAL PLANNING INSTRUMENT
(ACCOMMODATION HOTEL INCENTIVE MEASURES)**

File No:	Council Meetings
Authors:	Interim Coordinator Planning Scheme Amendments Customer & Planning Services Group Tourism Lead Economic & Community Development Group Head of Investment, Trade and International Economic & Community Development Group
Appendices:	App A - Proposed Temporary Local Planning Instrument (Accommodation Hotel Incentive Measures)
Attachments:	Att 1 - Tracked Changes - Proposed Temporary Local Planning Instrument (Accommodation Hotel Incentive Measures) Att 2 - Consultation Report Att 3 - Human Rights Act 2019 Compatibility Assessment

Council Resolution (OM24/109)

Moved: Councillor R Natoli
Seconded: Councillor T Landsberg

That Council:

- (a) *receive and note the report titled "Proposed Temporary Local Planning Instrument (Accommodation Hotel Incentive Measures)" and*
- (b) *having considered the feedback received during the informal community consultation process about the proposed Temporary Local Planning Instrument (Accommodation Hotel Incentive Measures)*
 - (i) *decide to make a proposed Temporary Local Planning Instrument (Accommodation Hotel Incentive Measures), with changes (Appendix A), subject to the removal of the site located at 8 Mari Street, Alexandra Headland (Lot 1 SP119725), included in the High density residential zone, from Schedule 1 of the proposed Temporary Local Planning Instrument*
 - (ii) *delegate authority to the Chief Executive Officer to prepare and progress the statutory process required under the Planning Act 2016 and the Minister's Guidelines and Rules for the making of a Temporary Local Planning Instrument and*
 - (iii) *adopt the proposed Temporary Local Planning Instrument (Accommodation Hotel Incentive Measures), subject to receiving approval from the Planning Minister.*

For: Councillor R Natoli, Councillor J Broderick, Councillor T Landsberg, Councillor T Burns, Councillor J Natoli, Councillor W Johnston and Councillor M Suarez.

Against: Councillor C Dickson, Councillor E Hungerford, Councillor T Bunnag and Councillor D Law.

Carried.

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.

8.7 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE TO ESTABLISH SHORT-TERM ACCOMMODATION - 862 & 894 LANDBOROUGH-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

Council Resolution (OM24/110)

Moved: Councillor W Johnston
Seconded: Councillor T Landsberg

That Council:

- (a) *defer Item 8.7 Development Application – Material Change of Use to a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Rd, Bald Knob*
- (b) *request the Chief Executive Officer to prepare reasonable and relevant conditions to enable Council to consider approval of Application MCU23/0125 for a Material Change of Use to a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Rd, Bald Knob, including but not limited to consideration of possible requirements including the conditions of the Department of Transport and Main Roads to ensure ongoing traffic safety, that the restaurant only to be used by occupants of the short-term accommodation use and Maleny Manor guests, that the development works to commence within 2 years and a sunset clause requiring the development use to commence no later than 31 December 2028 to address the urgent short-term accommodation need, that materials used must ensure the buildings blend into the environment and be reflective of the Blackall Range palette, and all other reasonable and relevant conditions and*
- (c) *request the Chief Executive Officer to provide a further report to Council on Development Application – Material Change of Use to a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Rd, Bald Knob for Council’s consideration at the January 2025 Ordinary Meeting.*

For: Councillor R Natoli, Councillor J Broderick, Councillor T Landsberg, Councillor T Burns, Councillor J Natoli, Councillor W Johnston, Councillor C Dickson, Councillor T Bunnag and Councillor M Suarez.

Against: Councillor E Hungerford and Councillor D Law.

Carried.

8.8 APPLICATION FOR PRELIMINARY APPROVAL INCLUDING A VARIATION REQUEST FOR MATERIAL CHANGE OF USE OF PREMISES TO VARY THE EFFECT OF THE SUNSHINE COAST PLANNING SCHEME 2014 FOR A MASTER PLANNED DEVELOPMENT (BLI BLI NORTHERN VILLAGE - PARKLAKES 3)

File No: MCU22/0033

Author: Principal Development Planner
Customer & Planning Services Group

Attachments: Att 1 - Detailed Assessment Report
Att 2 - Variation Approval Documents and Proposal Plans
Att 3 - Concurrence Agency Response

Councillors, in accordance with section 258(1) of the Local Government Act 2009, I wish to delegate to Councillor Hungerford to chair the meeting for the consideration of conflicts of interest as they relate to agenda item 8.8; and if required, agenda item 8.8.

The Mayor vacated the Chair at this time.

Councillor E Hungerford took the Chair at this time.

NOTIFICATION OF INTEREST

In accordance with s150EQ(3)(b) of the *Local Government Act 2009* Councillor M Suarez gave notice of a Declarable Conflict of Interest.

I, Councillor M Suarez, notify that I have a Declarable Conflict of Interest in Item 8.8 Application for preliminary approval including a variation request for material change of use of premises to vary the effect of the Sunshine Coast Planning Scheme 2014 for a master planned development (Bli Bli Northern Village – Parklakes 3) to be considered at the Ordinary Meeting on 21 November 2024.

My Declarable Conflict of Interest arises due to the identification of Peppi Bueti and Baydn Dodds on the submitters list for this application. Whilst I was employed by Lensworth, Kawana Waters from 2000 to 2004, I worked with Peppi Bueti and Baydn Dodds who were also employed by Lensworth Kawana Waters and I have stayed in contact sporadically with them.

Due to the passage of time and casual contact over the years, I am of the opinion that I can participate in the discussion and vote on the matter and in doing so my participation will not lead to a decision that is contrary to the public interest. Further I acknowledge the eligible Councillors must by resolution, decide my participation or otherwise in making a decision on the matter.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor M Suarez may participate in a decision in relation to agenda item 8.8.

Council Resolution

Moved: Councillor C Dickson

Seconded: Councillor W Johnston

*In accordance with s150ES(3)(b)(i) of the *Local Government Act 2009*, that despite Councillor M Suarez's conflict of interest, Councillor M Suarez may participate in the discussions and decision relating to Agenda Item 8.8 due to the extensive local knowledge held as the Divisional Councillor.*

Carried unanimously.

In accordance with s150ET(2) of the *Local Government Act 2009*, Councillor M Suarez, Councillor T Burns, Councillor J Natoli and Councillor R Natoli were not eligible to vote, and did not vote on this matter.

NOTIFICATION OF INTEREST

In accordance with s150EQ(3)(b) of the *Local Government Act 2009* Councillor T Burns gave notice of a Declarable Conflict of Interest.

I, Councillor Tim Burns, notify that I have a Declarable Conflict of Interest in Item 8.8 to be considered at the Ordinary Meeting on: 21 November, 2024 due to:

Having a friendship with a submitter to the item being discussed. The name of the submitter is Mr Peppi Bueti. The friendship arose from my previous work as a council officer through the Multi-Cultural Advisory Group (MAG) and the Shine a Light on Racism (SALOR) campaign. Subsequent to that, I paid for a 2 hour social media coaching session from the submitter's communications business during my election campaign. The paid training is listed in my Electoral Commission of Queensland (ECQ) summary. I have not personally seen or spoken with Mr Bueti for a number of months and while our friendship is warm it is not social in regard to meeting for personal social gatherings.

In consideration of my Declarable Conflict of Interest, I am of the opinion that I can participate in the discussion and vote on the matter and in doing so my participation will not lead to a decision that is contrary to the public interest. Further I acknowledge the eligible Councillors must by resolution, decide my participation or otherwise in making a decision on the matter.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor T Burns may participate in a decision in relation to agenda item 8.8, including by voting on the matter.

Council Resolution

Moved: Councillor T Bunnag

Seconded: Councillor T Landsberg

*In accordance with s150ES(3)(b)(i) of the *Local Government Act 2009*, that despite Councillor T Burns conflict of interest, Councillor T Burns may participate in the discussions and decision relating to Agenda Item 8.8 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 Suarez, Councillor T Burns, Councillor J Natoli and Councillor R Natoli were not eligible to vote, and did not vote on this matter.

NOTIFICATION OF INTEREST

In accordance with s150EQ(3)(b) of the Local Government Act 2009 Councillor J Natoli gave notice of a Declarable Conflict of Interest.

I, Councillor Giuseppe (Joe) Antonio Natoli, notify that I have a Declarable Conflict of Interest in Item 8.8 to be considered at the Ordinary Meeting on 21 November 2024 due to:

- I. having a friendship with one submitter to the item being discussed. The submitter is Mr Peppi Bueti. My friendship with Mr Bueti arises through our connections to the multicultural community on the Sunshine Coast and we see each other socially at a number of events each year.*
- II. At a recent event I attended, Mr Kevin Covey, a submitter on this matter, mentioned Council processes and delays in approvals to me, but did not lobby me on this item.*

In consideration of my Declarable Conflict of Interest, I am of the opinion that I can participate in the discussion and vote on the matter and in doing so my participation will not lead to a decision that is contrary to the public interest. Further I acknowledge the eligible Councillors must by resolution, decide my participation or otherwise in making a decision on the matter.

In accordance with s150ES(3)(b) of the Local Government Act 2009 the eligible Councillors were required to decide whether Councillor J Natoli may participate in a decision in relation to agenda item 8.8, including by voting on the matter.

Council Resolution

Moved: Councillor W Johnston

Seconded: Councillor T Bunnag

In accordance with s150ES(3)(b)(i) of the Local Government Act 2009, that despite Councillor J Natoli's conflict of interest, Councillor J Natoli may participate in the discussions and decision relating to Agenda Item 8.8 due to the interest not being considered to be sufficient enough to undermine the ability of the Councillor to form an impartial view and exercise their vote in the public interest; and further, the interest is 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 Suarez, Councillor T Burns, Councillor J Natoli and Councillor R Natoli were not eligible to vote, and did not vote on this matter.

NOTIFICATION OF INTEREST

In accordance with s150EQ(3)(b) of the *Local Government Act 2009* Councillor R Natoli gave notice of a Declarable Conflict of Interest.

I, Councillor Rosanna Natoli, notify that I have a Declarable Conflict of Interest in Item 8.8 to be considered at the Ordinary Meeting on: 21 November 2024 due to:

- (i) Having a friendship with one submitter to the item being discussed. The submitter is Mr Peppi Bueti. My friendship with Mr Bueti arises through our connections to the multicultural community on the Sunshine Coast and we see each other socially at a number of events each year. We have been friends for about 20 years.*
- (ii) A general conversation at a social event with Kevin Covey of Covey Associates, who submitted the development application. Mr Covey is also a submitter to the item being discussed. In the conversation Mr Covey expressed concerns about the length of time taken for Council processes. I expressed no opinion and offered no advice. I advised the Acting Chief Executive Officer the next working day in writing about this interaction and received written confirmation that my actions were appropriate in these circumstances.*

In consideration of my Declarable Conflict of Interest, I am of the opinion that I can participate in the discussion and vote on the matter and in doing so my participation will not lead to a decision that is contrary to the public interest. Further I acknowledge the eligible Councillors must by resolution, decide my participation or otherwise in making a decision on the matter.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor R Natoli may participate in a decision in relation to agenda item 8.8, including by voting on the matter.

Council Resolution

Moved: Councillor T Bunnag
Seconded: Councillor J Broderick

*In accordance with s150ES(3)(b)(i) of the *Local Government Act 2009*, that despite Councillor R Natoli's conflict of interest, Councillor R Natoli may participate in the discussions and decision relating to Agenda Item 8.8 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 Suarez, Councillor T Burns, Councillor J Natoli and Councillor R Natoli were not eligible to vote, and did not vote on this matter.

The Mayor returned to the Chair at this time.

Council Resolution (OM24/111)**Moved: Councillor M Suarez****Seconded: Councillor T Bunnag***That Council:*

- (a) *receive and note the report titled "Application for Preliminary Approval including a Variation Request for Material Change of Use of Premises to vary the effect of the Sunshine Coast Planning Scheme 2014 for a Master Planned Development (Bli Bli Northern Village - Parklakes 3)" and*
- (b) *REFUSE application no. MCU22/0033 for a Preliminary Approval for Material Change of Use of Premises to vary the effect of the Sunshine Coast Planning Scheme 2014 for a Master Planned Development (including Residential, Shopping Centre & Retirement Facility uses), and to vary the Height of Buildings and Structures Overlay (from 8.5m to 12m) situated at 59, 61-65, 67-89 & 91 Thomas Rd, 45 & 117 Lefoes Rd, and Lot 3 Lefoes Rd BLI BLI QLD 4560 for the following reasons*
 - (i) *the development is proposed in a flood and inundation area and the development does not satisfy the criteria to allow urban development to occur in the flood and inundation area*
 - (ii) *the development is in flood hazard area and does not avoid the natural hazard area*
 - (iii) *there is significant modification of the floodplain proposed resulting in a loss of floodplain storage capacity, which would cause cumulative offsite flood impacts should an equivalent loss of floodplain storage occur on other rural zoned properties within the floodplain*
 - (iv) *the local flooding solution is reliant on offsite channel improvement works on private properties, which do not form part of the application and would result in offsite impacts*
 - (v) *the development does not have formal stormwater discharge rights through to the Maroochy River because the drains are located on land not included in the development application, it relies on undertaking channel improvement works to drains and it is unclear whether any external entity has lawful rights to access the land to undertake such works.*
 - (vi) *the constructed waterbody does not meet the desired standards of the Environment and Liveability Strategy and Sunshine Coast Planning Scheme 2014*
 - (vii) *the Coastal Hazard Adaption Strategy identifies that erosion prone rural land (the northern portion of the proposed development) is intended to transition to wetland ecosystem services, which this development would prevent from occurring*
 - (viii) *Taking into consideration (i) to (vii) above, the proposed development would result in unacceptable hydrological impacts as indicated by the Environment and Liveability Strategy and Coastal Hazard Adaptation Strategy and the following assessment benchmarks of Sunshine Coast Planning Scheme 2014 as follows*

-
- a) *Strategic Framework, Theme 1: Settlement pattern, Element 1 – Character, lifestyle, and environment attributes (Specific outcomes) 3.3.2.1*
 - b) *Strategic Framework, Theme 1: Settlement pattern, Element 2 – Growth management boundaries and land use categories (Specific outcomes) 3.3.3.1*
 - c) *Strategic Framework, Theme 1 – Settlement pattern, Element 3 - Efficient and functional urban form (Specific outcomes) 3.3.4.1*
 - d) *Strategic Framework, Theme 4 – Infrastructure and services, 3.6.1 (Strategic outcomes)*
 - e) *Strategic Framework, Theme 10 – Natural hazards, Element 4 – Flooding (Specific outcomes) 3.10.5.1*
 - f) *Flood hazard overlay code, Overall Outcomes 2(a), 2(b), 2(c) and 2(e) and Table 8.2.7.3.2 Performance Outcomes PO1, PO2, PO9 and*
 - g) *Stormwater management code, Overall Outcomes 2(a), 2(b) and 2(c), and Table 9.4.6.3.1 Performance Outcomes PO2, PO3, PO18, PO19, PO20, PO21 and PO22.*
- (ix) *the development proposes building heights on the subject land which exceed those identified as code assessable development on the site and there is no certainty about the resultant development outcome for the site*
 - (x) *the development does not include appropriate open space areas as the preliminary approval is devoid of detail*
 - (xi) *the proposed development does not provide suitable agricultural buffers to Important agriculture areas and Class A and B good quality agricultural land*
 - (xii) *the size of the Local Centre precinct is oversized for the proposed scale and gross leasable floor area identified for the Local Centre*
 - (xiii) *Taking into consideration (ix) to (xii) above, the proposed development would result in unacceptable built form outcomes as it facilitates various forms of development of a height, scale, and form, which is inconsistent with the planned amenity and character for the subject land and the locality as indicated by the following assessment benchmarks of Sunshine Coast Planning Scheme 2014:*
 - a) *Strategic Framework, Theme 1 – Settlement pattern, Element 1 – Character, lifestyle, and environment attributes (Specific outcomes) 3.3.2.1*
 - b) *Strategic Framework, Theme 1 – Settlement pattern, Element 3 - Efficient and functional urban form (Specific outcomes) 3.3.4.1*
 - c) *Strategic Framework, Theme 2 – Economic Development, Element 2 – Sunshine Coast activity centre network (Specific outcomes) 3.4.3.1*
 - d) *Strategic Framework, Theme 4 – Infrastructure and services, 3.6.1 (Strategic outcomes)*
 - e) *Strategic Framework, Theme 6 – Community identity, character and social inclusion, Element 1 – Landscape elements and features (Specific outcomes)*

3.8.2.1

- f) *Strategic Framework, Theme 6 – Community identity, character and social inclusion, Element 2 – Sub-tropical character and locally responsive design (Specific outcomes) 3.8.3.1*
 - g) *Height of buildings and structures overlay code, Overall Outcomes 2(a), 2(b), 2(c) and 2(e) and Table 8.2.8.3.1 Performance Outcomes PO1*
 - h) *Scenic amenity overlay code, Overall Outcomes 2(a)(i) and 2(a)(iv), and Table 8.2.12.3.1 Performance Outcomes PO1 and PO6*
 - i) *Low density residential zone code, Overall Outcomes 2(f), 2(g), 2(h), 2(i) 2(k), 2(l) and 2(m)*
 - j) *Medium density residential zone code, Overall Outcomes 2(d), 2(e), 2(g), 2(h), 2(i), 2(j), 2(k), 2(m), 2(o) and 2(q)*
 - k) *Local centre zone code, Overall Outcomes 2(a), 2(b), 2(d), 2(e), 2(f), 2(h), 2(i), 2(m), 2(o) and 2(t)*
 - l) *Reconfiguring a lot code, Overall Outcomes 2(c) (iii), (iv), (vi), and Table 9.4.4.3.1 Performance Outcomes PO1, PO2, PO3, PO11, PO18, PO19 and PO20*
 - m) *Nuisance code, Overall Outcomes 2(a)(ii) and 2(c), and Table 9.4.3.3.1 Performance Outcomes PO9 and PO10 and*
 - n) *Works, services and infrastructure code, Overall Outcomes 2(b) and 2(h), and Table 9.4.11.3.1 Performance Outcomes PO11, PO13, PO14.*
- (xiv) *The development application:*
- a) *seeks only a Preliminary Approval under s.61 of the Planning Act 2016 to vary the effect of the Sunshine Coast Planning Scheme 2014 by way of a level of assessment table which identifies a broad range of uses including by reference to height and the "assessment criteria" for such uses*
 - b) *includes plans which are indicative only and*
 - c) *does not properly identify a part of the development application that is a material change of use.*
- (xv) *The development application proposes variations to Sunshine Coast Planning Scheme 2014 which would unacceptably affect rights of submitters for subsequent development applications, in circumstances where:*
- a) *there is insufficient detail associated with future development of the subject land, including in relation to:*
 - (1) *the nature and extent of uses which would be facilitated on the subject land*
 - (2) *the impacts of uses which would be facilitated on the subject land*
 - (3) *the need for the range of uses which would be facilitated on the subject land and*

- (4) *assessment benchmarks for the range of uses to be facilitated by the development application and*
- (xvi) *the development application's identification of various forms of commercial development as accepted (with requirements) and code assessable development would alter the development assessment and decision-making criteria applicable for such development under the Planning Act 2016 and would exclude proper assessment of future development applications against the Strategic Framework.*
- (xvii) *The development application seeks to vary the effect of Sunshine Coast Planning Scheme 2014 in circumstances where it has not been demonstrated that the variations sought are in the public interest. In particular:*
- a) *it has not been demonstrated that the size and location of the precincts and zones are appropriate for the development identified in the development application*
- b) *it has not been demonstrated that there is a need for development of the subject land for the Childcare centre identified in the development application and*
- c) *approval of the development application would unacceptably affect rights of submitters for subsequent development applications in the manner identified herein.*
- (xviii) *There are no relevant matters which would support an approval of the development application.*
- (xix) *An approval of the development application would be contrary to, and not advance, the purpose of the Planning Act 2016.*

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

Against: **Councillor T Landsberg.**

Carried.

8.9 APPLICATION FOR MINOR CHANGE TO PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE OF PREMISES, INCLUDING A VARIATION REQUEST, TO VARY THE EFFECT OF THE SUNSHINE COAST PLANNING SCHEME 2014 – TWIN WATERS WEST RESIDENTIAL COMMUNITY

File No: MCU23/0113.01
Author: Development Planner
Customer & Planning Services Group
Appendices: App A - Changes to Conditions of Approval
Attachments: Att 1 - Detailed Assessment Report
Att 2 - Energex Affected Entity Response
Att 3 - Approved Plans Package (MCU23/0113)

NOTIFICATION OF INTEREST

In accordance with s150EQ(3)(b) of the *Local Government Act 2009* Councillor R Natoli gave notice of a Declarable Conflict of Interest.

I, Councillor Rosanna Natoli, notify that I have a Declarable Conflict of Interest in Item 8.9 Application for minor change to preliminary approval for Material Change of Use of premises, including a variation request, to vary the effect of the Sunshine Coast Planning Scheme 2014 – Twin Waters West Residential Community to be considered at the Ordinary Meeting on 21 November 2024 due to:

Having a close personal friendship with two submitters to the item being discussed. The two submitters are Ms Helen Truscott and Mr Peter Shane Truscott. My relationship with Mr and Ms Truscott extends beyond a purely social friendship, they supported me as volunteers during my election campaign. In addition, I have a social friendship with the following submitters: Mr John McNamara, Ms Amber James and Mrs Marjolein Gurry, whom I have known for more than a decade. I also have a professional acquaintance with Ms Wendy Roe through her organisation of the Wearable Art Festival which I have MCed in the past.

Councillor R Natoli informed the Meeting that she 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.

The Mayor vacated the Chair at this time.

The Deputy Mayor took the Chair at this time.

NOTIFICATION OF INTEREST

In accordance with s150EQ(3)(b) of the *Local Government Act 2009* Councillor J Natoli gave notice of a Declarable Conflict of Interest.

I, Councillor Giuseppe (Joe) Antonio Natoli, notify that I have a Declarable Conflict of Interest in Item 8.9 Application for minor change to preliminary approval for Material Change of Use of premises, including a variation request, to vary the effect of the Sunshine Coast Planning Scheme 2014 – Twin Waters West Residential Community to be considered at the Ordinary Meeting on 21 November 2024.

My Declarable Conflict Of Interest arises because Mayor Rosanna Natoli – who is a related party of mine, due to her being my spouse – has notified a Declarable Conflict of Interest in the matter due to having a close personal friendship with two submitters to the item being discussed. The two submitters are Ms Helen Truscott and Mr Peter Shane Truscott who supported Mayor Natoli as volunteers during her election campaign. I know them but they did not provide assistance with my election campaign.

In addition, I know the following submitters: Mr John McNamara, Ms Amber James, Mrs Marjolein Gurry and Ms Wendy Roe, but none have contacted me to discuss this item.

In consideration of my Declarable Conflict of Interest, I am of the opinion that I can participate in the discussion and vote on the matter and in doing so my participation will not lead to a decision that is contrary to the public interest. Further I acknowledge the eligible Councillors must by resolution, decide my participation or otherwise in making a decision on the matter.

In accordance with s150ES(3)(b) of the *Local Government Act 2009* the eligible Councillors were required to decide whether Councillor J Natoli may participate in a decision in relation to agenda item 8.9, including by voting on the matter.

Council Resolution

Moved: Councillor W Johnston

Seconded: Councillor C Dickson

In accordance with s150ES(3)(b)(ii) of the Local Government Act 2009 Councillor J Natoli must not participate the discussions, or decisions relating to Agenda Item 8.9 and must leave the place at which the meeting is being held, including any area set aside for the public and stay away from the place while the eligible councillors discuss and vote on the matter.

Carried unanimously.

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

Councillor R Natoli was absent for the vote on this matter.

Council Resolution (OM24/112)**Moved: Councillor T Bunnag****Seconded: Councillor C Dickson***That Council:*

- (a) *receive and note the report titled "Application for minor change to preliminary approval for Material Change of Use of premises, including a variation request, to vary the effect of the Sunshine Coast Planning Scheme 2014 – Twin Waters West Residential Community" and*
- (b) *approve Application No. MCU23/0113.01, situated at De Vere Road, 230 Godfreys Road, 232 - 284 Godfreys Road, Settlers Park Ocean Drive and 581-593 David Low Way, Pacific Paradise and 23 Stillwater Drive, Twin Waters and grant a Changed Preliminary Approval for Material Change of Use of Premises (including a Variation Request to vary the effect of the Sunshine Coast Planning Scheme 2014) for Residential, Business, Community, and Sport & Recreation uses subject to the amendments made to conditions of approval identified in Appendix A.*

**For: Councillor J Broderick, Councillor T Landsberg, Councillor T Burns,
Councillor C Dickson, Councillor E Hungerford, Councillor T Bunnag,
Councillor M Suarez and Councillor D Law.****Against: Councillor W Johnston.****Carried.****Councillor R Natoli and Councillor J Natoli were absent for the discussion and vote on this item.**

8.10 PROPOSED PLANNING SCHEME POLICIES**File No:** F2020/82841**Author:** Principal Strategic Planner
Customer & Planning Services Group**Attachments:** Att 1 - List of Proposed Planning Scheme Policies

Council Resolution (OM24/113)**Moved:** Councillor W Johnston**Seconded:** Councillor C Dickson*That Council:*

- (a) *receive and note the report titled "Proposed Planning Scheme Policies"*
- (b) *decide to make planning scheme policies under the Planning Act 2016 and Minister's Guidelines and Rules to support the proposed planning scheme and*
- (c) *delegate authority to the Chief Executive Officer to prepare and progress the proposed planning scheme policies under the Planning Act 2016 and Minister's Guidelines and Rules.*

Carried unanimously.

8.11 OCTOBER 2024 FINANCIAL PERFORMANCE REPORT

File No: Council Meetings
Author: Coordinator Financial Services
Business Performance Group
Attachments: Att 1 - October 2024 Financial Performance Report
Att 2 - October 2024 Capital Grant Funded Project Report

Council Resolution (OM24/114)

Moved: Councillor E Hungerford
Seconded: Councillor W Johnston

That Council receive and note the report titled "October 2024 Financial Performance Report"

Carried unanimously.



8.12 2023-24 FINANCIAL STATEMENTS AND COMMUNITY FINANCIAL REPORT

File No:	Council Meetings
Author:	Coordinator Financial Accounting Business Performance Group
Attachments:	Att 1 - Independent Auditors Report and Certified General Purpose Financial Statements 2023-24 Att 2 - Queensland Audit Office Final Management Letter 2023- 24 Att 3 - Community Financial Report 2023-24 Att 4 - SunCentral Maroochydore Pty Ltd 2023-24 Annual Report Att 5 - Sunshine Coast Events Centre Pty Ltd Audited Financial Statements 2023-24 Att 6 - Sunshine Coast Arts Foundation Ltd Annual Report 2023- 24

Council Resolution (OM24/115)**Moved: Councillor E Hungerford****Seconded: Councillor J Broderick***That Council:*

- (a) *receive and note the report titled "2023-24 Financial Statements and Community Financial Report" and*
- (b) *note that the 2023-24 Community Financial Report, 2023-24 Financial Statements and associated financial information will be included as Section 4 of Council's 2023-24 Annual Report.*

Carried unanimously.

8.13 AUDIT COMMITTEE MEETING 29 OCTOBER 2024

File No: Council Meetings
Author: Manager Audit, Assurance and Risk Advisory Services
Civic Governance
Appendices: App A - Minutes of the Audit Committee meeting of 29 October
2024

Council Resolution (OM24/116)

Moved: Councillor J Broderick
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "Audit Committee Meeting 29 October 2024" and*
- (b) *endorse the Minutes of the Audit Committee meeting of 29 October 2024 at Appendix A to this report.*

Carried unanimously.

9 NOTIFIED MOTIONSNIL

10 TABLING OF PETITIONS**10.1 PETITION - DULONG & IMAGE FLAT QUARRIES****Council Resolution** (OM24/117)**Moved: Councillor D Law****Seconded: Councillor C Dickson**

That the petition tabled by Councillor D Law relating to Dulong and Image Flat Quarries requesting to cease Expression of Interest process be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

10.2 PETITION - SUPPORT FOR DEVELOPMENT APPLICATION MCU24/0113**Council Resolution** (OM24/118)**Moved: Councillor M Suarez****Seconded: Councillor T Bunnag**

That the petition tabled by Councillor M Suarez relating to support by Sunshine Coast Model Flyers Club for Development Application MCU24/0113 be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

11 CONFIDENTIAL SESSION

CLOSURE OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Councillor C Dickson

Seconded: Councillor W Johnston

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 - Strategic Land Acquisition – Wootha.*

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Councillor C Dickson

Seconded: Councillor E Hungerford

That the meeting be re-opened to the public.

Carried unanimously.

11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - STRATEGIC LAND ACQUISITION - WOOTHA

File No: Council Meetings
Authors: Coordinator Biodiversity & Waterways
Liveability & Natural Assets Group
Head of Property Management
Business Performance Group

The Chief Executive Officer recommended this report 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.

The report is confidential in respect to the content and timeframes of negotiations with the landowners and recognising that, until Council makes a decision and the sale contracts are executed, the acquisition has no certainty.

Public disclosure at this time would potentially impact adversely on the finalisation of a current negotiation process and Council's ability to secure the land parcels at a price that represents the best value for the ratepayers of the region.

The report contains a recommendation to release details relating to the site location and price of the acquisitions once negotiations have been finalised and the transfer of the property title has been registered with the Titles Registry.

Council Resolution (OM24/119)

Moved: Councillor T Burns
Seconded: Councillor W Johnston

That Council:

- (a) *delegate authority to the Chief Executive Officer to enter into negotiations, execute all documentation and finalise the acquisition of the identified properties in Woottha, and*
- (b) *authorise the Chief Executive Officer to publicly release details relating to the site location and contract price for the identified strategic properties once the negotiations have been finalised and the transfer of ownership of land has been registered with the Titles Registry.*

Carried unanimously.

12 NEXT MEETING

The next Ordinary Meeting will be held on 12 December 2024 in the Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore

13 MEETING CLOSURE

The meeting closed at 5:28pm.

Confirmed 12 December 2024.

CHAIR

