



MINUTES

General Meeting

Wednesday 7 November 2018
commencing at 10.37am

Strathpine Chambers
220 Gympie Road, Strathpine

ENDORSED GM20181113

Adoption Extract from General Meeting – 13 November 2018 (Page 18/2259)

**4.1 General Meeting - 7 November 2018
(Pages 18/2218 to 18/2224)**

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Koliana Winchester

CARRIED 11/0

That the minutes of the General Meeting held 7 November 2018 be confirmed.

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Cr Allan Sutherland (Mayor) was not present at the commencement of the General Meeting. The Deputy Mayor (Cr Mike Charlton) opened the meeting and assumed the Chair.

1. OPENING PRAYER

The Deputy Mayor recited the Opening Prayer and invited Councillors to join him in the recitation of the Lord's Prayer.

2. ATTENDANCE & APOLOGIES

Cr Allan Sutherland (Mayor & Chairperson) - attended when the meeting reconvened
Cr Brooke Savige
Cr Peter Flannery
Cr Adam Hain
Cr Julie Greer
Cr James Houghton
Cr Koliana Winchester
Cr Denise Sims
Cr Mick Gillam
Cr Mike Charlton (Deputy Mayor) (Acting Chairperson until the meeting reconvened)
Cr Matthew Constance
Cr Adrian Raedel

Apologies

Cr Darren Grimwade

Officers:

Chief Executive Officer	(Mr Daryl Hitzman)
Director Community & Environmental Services	(Mr Bill Halpin)
Director Engineering, Construction & Maintenance	(Mr Tony Martini)
Meeting Support	(Hayley Kenzler)

3. MEMORIALS OR CONDOLENCES

Councillors observed a moment's silence in memory of residents who had passed away, noting Council's sympathy.

4. CONFIRMATION OF MINUTES

4.1. General Meeting - 23 October 2018
(Pages 18/2161 - 18/2162)

RESOLUTION

Moved by Cr Julie Greer

Seconded by Cr Koliana Winchester

CARRIED 11/0

That the minutes of the General Meeting held 23 October 2018 be confirmed.

5. PRESENTATION OF PETITIONS

(Addressed to the Council and tabled by Councillors)

5.1. Petition - Greg Rollason - Request for Pet Memorial Park at Bestmann Road East, Sandstone Point (A17810846)

Cr Brooke Savige tabled a petition containing 121 signatures, received from Greg Rollason, reading as follows:

"We, the undersigned residents of Moreton Bay Regional Council, request that Council:

To approve a dedicated "PET MEMORIAL PARK" at the current off-leash enclosed park on Bestmann Road east-Sandstone Point fo [sic] the purpose of allowing residents to memorialise the loss of a loved pet.

There would be NO burials in the park, however sandstone blocks (similar to those in the park opposite Pebble Beach Village Bestmann Road) could be installed as seats with sides of the sandstone blocks available for plaques to be mounted with an inscription for the "departed" pet.

Sandstone Point Lions Club Inc. is prepared to enter into a Memorandum of Understanding with MBRC to upgrade this area, provide sandstone blocks, monitor park and control the installation of the name plates (similar in size and design in use at the Memorial Gardens Bribie Island) at a small fee to the client, as well as maintain and manage the facility.

Currently there is no facility of this type between Bribie Island and Kippa-Ring and the signatures below reflect the probable demand. We respectfully ask Council to consider this request."

It was resolved:

- 1. That the petition regarding a request for a Pet Memorial Park at Bestmann Road East, Sandstone Point, be received.**
- 2. That the matters raised be referred to Director Engineering Construction & Maintenance for investigation and report to Council, if required.**
- 3. That the Principal Petitioner be advised accordingly and forwarded a copy of the petition.**
- 4. That the Principal Petitioner and Divisional Councillor be kept informed of any action taken in relation to this petition.**

5.2. Petition - Hannah Long - Request for a Park at Old Bay Estate, Burpengary East (A17788312)

Cr Peter Flannery tabled a petition containing 88 signatures, received from Hannah Long, reading as follows:

"We the undersigned residents of Moreton Bay Regional Council, request that Council:

Create a park in the area of the Old Bay Estate for children to be able to play safely.

Currently there are no parks and the footpaths within the area are limited, which leads to children playing on the road. We believe that it will only be a matter of time before a child is hit by a car.

We therefore call on the Moreton Bay Regional Council to create a safe area for children in the estate to play."

It was resolved:

1. That the petition regarding a request for a park at Old Bay Estate, Burpengary East, be received.
2. That the matters raised be referred to Director Engineering Construction & Maintenance for investigation and report to Council, if required.
3. That the Principal Petitioner be advised accordingly and forwarded a copy of the petition.
4. That the Principal Petitioner and Divisional Councillor be kept informed of any action taken in relation to this petition.

5.3. E-Petition - Kenlie Willams - Development Application DA/36656/2018/V2L (A17805970)

Cr James Houghton tabled an e-petition containing approximately 494 supporters, received from Kenlie Williams of the Newport Action Group, reading as follows:

"We the undersigned oppose the above development and request Council Officers and Councillors to reject it on the following grounds:

1. *The Application is in conflict with Moreton Bay Regional Council's (MBRC) overall outcomes of the Industry Zone Code, Marine Industry Precinct and the strategic outcomes of the Strategic Framework. The application does not give sufficient grounds to alter the carefully considered and developed Code, Precinct and Strategic Framework. This sites Marine Industry Precinct zoning is important to the community and should not be changed.*
2. *We support the Submissions lodged with MBRC during the Statutory Notification period that Objected to the Application, and we agree that all of the negative impacts highlighted in these submissions are significant enough to give reason to reject the Application."*

It was resolved:

1. That the e-petition regarding DA/36656/2018/V2L, be received.
2. That the matters raised be referred to Director Planning & Economic Development for investigation and report to Council, if required.
3. That the Principal Petitioner be advised accordingly and forwarded a copy of the e-petition.
4. That the Principal Petitioner and Divisional Councillor be kept informed of any action taken in relation to this e-petition.

6. CORRESPONDENCE

There was no correspondence.

7. COMMUNITY COMMENT

ITEM 7.1 - DECLARATION OF INTEREST

Perceived Conflict of Interest - Declaration - Cr Julie Greer

Pursuant to s175E of the *Local Government Act 2009*, Cr Julie Greer declared a perceived conflict of interest in the subject of the Community Comment session (North Lakes Golf Club), as she had received an electoral campaign contribution of \$2488.35 on 19 March 2016, from Moreton Futures Trust. Village Retirement Group, a contributor to Moreton Futures Trust, is a potential applicant for a development proposal that may be lodged over the North Lakes Golf site.

Material Personal Interest - Declaration - Cr Julie Greer

Pursuant to s175C of the *Local Government Act 2009*, Cr Julie Greer declared a material personal interest in the subject of the Community Comment session, as she stands to gain a benefit or suffer a loss as her home is five doors from the North Lakes Golf Club.

Cr Julie Greer retired from the meeting at 10.44am taking no part in the Community Comment session.

Cr Mike Charlton (Deputy Mayor) opened the Community Comment session, making the required statement regarding the conduct of the Session, and invited the following participant to address Council.

7.1. Community Comment - Mr Philip Carlson (A17812154)

As part of the Community Comment session, Mr Philip Carlson addressed the Council in respect of Mango Hill Infrastructure Development Control Plan (MHIDCP), making the following points:

- Queensland Court of Appeal decision 12 October 2018 - *Springfield Lakes Land Corporation Pty Limited v Cherish Enterprises Pty Ltd and Ipswich City Council* [2018] QCA 266 (the decision) - noted that Save the North Lakes Golf Course (SNLGC) reached the same conclusion
- Current and past planning legislation - how only three Development Control Plans (DCP) retained by the *Planning Act 2016* are to be interpreted. That the decision confirms that if there any inconsistencies between a DCP and Planning Scheme, DCP takes precedence
- Noted that the decision confirmed Ipswich City Council was correct in refusing the Development Application
- SNLGC's opinion on the two options available to Council:
 1. Received, assess and reject the DA; or
 2. Refuse to receive and DA that is a prohibited development in accordance with the MHIDCP
- Cost to ratepayers should the Village Retirement Group appeal a decision rejecting the development application
- Proposal for Council to advise developers that wish to develop in the Open Space Precinct of the North Lakes that it will not accept any application that is for prohibited development.
- Request for further meeting with Council in relation to the Queensland Court of Appeal decision regarding the MHIDCP
- SNLGC request for Council to issue a public statement to developers to provide planning certainty in the matter

ATTENDANCE

Cr Julie Greer returned to the meeting at 10.50am after the conclusion of the Community Comment Session.

8. NOTIFIED MOTIONS

There were no Notified Motions.

9. NOTICES OF MOTION (Repeal or amendment of resolutions)
(s262 of the Local Government Regulation 2012)

There were no Notices of Motions.

10. ADJOURN MEETING TO ENABLE CONDUCT OF COORDINATION
COMMITTEE MEETING

RESOLUTION

Moved by Cr Denise Sims

Seconded by Cr James Houghton

CARRIED 11/0

That the General Meeting be adjourned to enable the conduct of the Coordination Committee meeting.

The General Meeting adjourned at 10.50am.

11. RECONVENE GENERAL MEETING

RESOLUTION

Moved by Cr Koliana Winchester

Seconded by Cr Julie Greer

CARRIED 12/0

That the General Meeting be reconvened.

The General Meeting reconvened at 3.31pm.

ATTENDANCE

Cr Allan Sutherland (Mayor) was in attendance when the meeting reconvened and assumed the chair at that time.

12. ADOPTION OF COMMITTEE MEETING REPORTS & RECOMMENDATIONS

12.1. Coordination Committee Meeting - 7 November 2018
(Pages 18/2225 - 18/2258)

Item 5.2 - New Lease - Lions Club of Sandstone Point Inc - Division 1

Conflict of Interest - Declaration - Cr Brooke Savige

Pursuant to s175E of the *Local Government Act 2009*, Cr Brooke Savige declared a perceived conflict of interest in Item 5.2 as Cr Brooke Savige is a member of the Lions Club of Sandstone Point Inc that will receive the benefit of an awarded lease, the subject of this item.

However, Cr Brooke Savige has considered her position and is firmly of the opinion that she could participate in the debate and recommendation on the matter in the public interest.

Pursuant to s175E(3) of the Local Government Act 2009, the other Councillors who are entitled to vote at the meeting have been informed about Cr Brooke Savige personal interests in the matter and the Councillor has not voluntarily left the meeting and in accordance with s175E(4) the other Councillors must decide if the Councillor has a perceived conflict of interest in the matter and what action the Councillor must take.

Moved by Cr Mick Gillam

Seconded by Cr Denise Sims

CARRIED 11/0

That in accordance with s175E(4) of the *Local Government Act 2009*, Cr Brooke Savige has a perceived conflict of interest in the matter however, may participate in the meeting including voting on the matter as it is considered that this is in the public interest.

Cr Brooke Savige remained in the meeting.

RESOLUTION

Moved by Cr Adrian Raedel

Seconded by Cr Peter Flannery

CARRIED 12/0

That the report and recommendations of the Coordination Committee meeting held 7 November 2018, be adopted.

13. GENERAL BUSINESS OR RESPONSE TO QUESTIONS TAKEN ON NOTICE

There was no General Business or response to questions taken on notice.

14. SPECIAL GENERAL BUSINESS (Closed Session)

(s275 of the Local Government Regulation 2012)

There was no Special General Business.

15. CLOSURE

There being no further business the meeting closed at 3.32pm.

CHIEF EXECUTIVE OFFICER'S CERTIFICATE

I certify that minute pages numbered 18/2218 to 18/2258 constitute the minutes of the General Meeting of the Moreton Bay Regional Council held 7 November 2018.

Daryl Hitzman
Chief Executive Officer

CONFIRMATION CERTIFICATE

The foregoing minutes were confirmed by resolution of Council at its meeting held Tuesday 13 November 2018.

Daryl Hitzman
Chief Executive Officer

Councillor Allan Sutherland
Mayor