

Agenda

Ordinary Meeting

Thursday, 9 December 2021

commencing at 9:00am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

On establishing there is a quorum, the Chair will declare the meeting open.

2 WELCOME AND OPENING**3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE****4 RECEIPT AND CONFIRMATION OF MINUTES**

That the Minutes of the Special Meeting (Major Projects) held on 8 November 2021 and the Ordinary Meeting held on 10 November 2021 be received and confirmed.

5 MAYORAL MINUTE**6 INFORMING OF CONFLICTS OF INTEREST****6.1 PRESCRIBED CONFLICTS OF INTEREST**

Pursuant to section 150EL of the *Local Government Act 2009* (the Act), a Councillor who has a prescribed conflict of interest in an issue to be considered at a meeting of the local government must –

- (a) immediately inform the meeting of the prescribed conflict of interest including the particulars stated in section 150EL(4) of the Act and
- (b) pursuant to section 150EM(2) of the Act 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 matter is being discussed and voted on.

6.2 DECLARABLE CONFLICTS OF INTEREST

Pursuant to section 150EQ of the *Local Government Act 2009*, a Councillor who has a declarable conflict of interest in a matter to be considered at a meeting of the local government, must stop participating in the meeting and immediately inform the meeting of the declarable conflict of interest including the particulars stated in section 150EQ(4) of the Act.





If the Councillor with a declarable conflict of interest does not voluntarily decide not to participate in the decision, pursuant to section 150ES(3)(a) of the Act the eligible Councillors must, by resolution, decide

- (a) whether the Councillor may participate in the decision despite the Councillors conflict of interest or
- (b) that the Councillor must not participate in the decision and must leave the place at which the meeting is being held, including any area set aside for the public and stay away while the eligible Councillors discuss and vote on the matter.

The Councillor with the declarable conflict of interest must comply with any conditions the eligible Councillors impose per section 150ES(4) and (5) of the Act.

7 PRESENTATIONS / COUNCILLOR REPORTS

8 REPORTS DIRECT TO COUNCIL**8.1 RECREATION PARKS PLAN**

File No:	D2021/1007225
Author:	Open Space & Recreation Policy/ Project Planning Officer Built Infrastructure Group
Appendices:	App A - Sunshine Coast Recreation Parks Plan 2021 - 2031 5/578 
Attachments:	Att 1 - Consultation Activities Report 103/578  Att 2 - Technical Guidelines 139/578  Att 3 - Localities of Interest 301/578 

PURPOSE

The purpose of this report is to seek Council endorsement for the Sunshine Coast Recreation Parks Plan 2021-2031 (Appendix A).

EXECUTIVE SUMMARY

The Sunshine Coast Recreation Parks Plan 2021-2031 (RPP) has been developed to complement and carry out the strategic directions expressed in Council's Environment and Liveability Strategy (ELS). This plan, which was identified as Transformational Action 17.4 of the Environment and Liveability Strategy, will inform planning and operational activities, guide decision making and initiate actions to ensure that strategic policy positions are reflected in the design, delivery and management of our region's recreation parks.

The Recreation Parks Plan will provide guidance on park activity and function provision across Council's recreation parks network, which is comprised of 1200+ recreation parks, gardens and landscapes in road reserves (~1,200 hectares in total). The plan describes why park activities are important, who we provide the activity spaces for, and how we plan for the fair and equitable distribution of these activities across the recreation parks network. The activity plans contained in the Recreation Parks Plan document incorporate key planning principles to assist in the attainment of network goals and ensure financially sustainable provision of park activities for current and future development growth.

The plan also describes park embellishments (both constructed and living infrastructure) and how this infrastructure supports park activities and functions. Park embellishment standards outlined in the Recreation Parks Plan describe the fundamental requirements for the provision of landscape elements and facilities in parks. These guidelines are applied in planning of parks and are intended to deliver well designed parks that are accessible, safe, well-used, and enjoyed by the whole community.

The Recreation Parks Plan is supported by two technical documents that provide additional planning tools to ensure consistent and sustainable development of these public spaces. The first supporting document contains technical guidelines (Attachment 2) and additional locational criteria for park infrastructure. A second technical document provides geographic and demographic information on each of the 31 localities of interest (Attachment 3) in the Sunshine Coast Council region as well as mapping that identifies the current provision of key park infrastructure.

Development of the Recreation Parks Plan was informed by an extensive review of Council's existing strategies and plans, and multiple consultation exercises that included internal Council staff, the Executive Leadership team, and a Councillor workshop.

The public consultation phase for the Recreation Parks Plan concluded in May 2021 and the data collected during consultation exercises has been collated and summarised in the Consultation Activities Report - Draft Sunshine Coast Recreation Parks Plan 2021-2031 (Attachment 1). Feedback resulting from the community consultation is detailed in the community engagement section of this report.

It is recommended that Council review the Sunshine Coast Recreation Parks Plan 2021-2031 (Appendix A) and Consultation Activities Report (Attachment 1) and if satisfied, provide their endorsement for the Sunshine Coast Recreation Parks Plan 2021-2031.

OFFICER RECOMMENDATION

That Council:

- (a) note the report titled “Recreation Parks Plan” and**
- (b) endorse the document titled “Sunshine Coast Recreation Parks Plan 2021-2031” (Appendix A).**

FINANCE AND RESOURCING

A budget of \$106,243 is allocated to the Open Space and Recreation Policy / Planning project. There are no further budget impacts associated with finalisation of the plan as the project has been delivered within the existing budget.

The 12 strategic actions have been designed to be absorbed into the current branch operations and budget. Any additional funding requests will be made in compliance with budget processes.

CORPORATE PLAN

Corporate Plan Goal: *Our environment and liveability*
Outcome: Transitioning to a sustainable and affordable way of living
Operational Activity: 2.1.1 - Progress priority activities from the Environment and Liveability Strategy 2017 five-year implementation plan including: developing a climate risk mitigation framework, building community capacity to positively respond to climate change.

CONSULTATION

Councillor Consultation

Consultation with the following Councillors occurred during a workshop in September 2020:

- Deputy Mayor R Baberowski
- Councillor T Landsberg
- Councillor J Natoli
- Councillor W Johnston
- Councillor E Hungerford
- Councillor M Suarez (Environment and Liveability portfolio)
- Councillor D Law.

Councillor recommendations from consultation included:

- Amend public art activity plan to allow for public art within linear parks where art is integrated into landscape furniture and where it contributes to educational and cultural network initiatives.

- Recreation Park Plan to include community consultation with all age groups, including persons under 15 years of age.

The public art portion of the plan has been amended as requested and the community consultation plan includes targeted engagement with youth groups.

One on one briefings with each divisional Councillor occurred to update them on the progress and intended use of the Recreation Parks Plan.

In addition, both Environment and Liveability portfolio Councillors have been briefed (Councillor M Suarez and Councillor P Cox).

Internal Consultation

The following internal engagement activities were conducted between August and October 2018:

- 4 workshops – total of 71 participants
 - Open Space and Social Policy
 - Arts, Heritage and Libraries
 - Environmental Ops
 - Development Services
 - Parks and Gardens Ops
 - Design and Placemaking Services
 - Customer Response
 - Broad organisational group - SCC Managers and Coordinators
- 17 additional interviews/meetings with key internal stakeholders conducted:
 - Parks and Gardens Ops – Infrastructure
 - Parks and Gardens Ops – Arboriculture
 - Parks and Gardens – Contracts
 - Design and Placemaking Services
 - Project Delivery
 - Stormwater
 - Environmental Ops – Recreational trails
 - Sports venues and development
 - Cultural Heritage – RAP

Data collected during these internal engagement activities was used throughout the development of the plan.

The draft Recreation Parks Plan was also presented during an information session held with the Executive Leadership Team to inform group members on the plan and receive feedback for consideration.

The executive leadership team recommended that the following issues/opportunities be addressed:

- Condense draft document, re-organise into clear policy document and separate technical guidelines

- Strengthen key messaging, document purpose/need, intended audience and current challenges across parks network
- Address document relationship to 5 implementation tools (planning scheme, local laws, capital works, operational budget, advocacy/partnerships)
- Clarify flexibility of desired park standards to fit local context and setting
- Provide additional guidance on:
 - Hinterland vs coastal network
 - Commercial activity in parks
 - Utilisation of existing assets in surrounding community
 - Identification of emerging trends

All the above items have been considered and incorporated into the finalised plan.

External Consultation

Development industry, government and business groups that participated in consultation exercises for the Environment and Liveability Strategy were invited to make comment on the draft Recreation Parks Plan. Targeted emails were also sent to all community groups listed on Council's community groups directory.

No individual submissions were made by any of these groups. Several of these groups indicated that they had circulated the invitation for comment to their members who had filled out the survey and made comment in that manner. These responses were combined with the broader community engagement results detailed in the Community Engagement section of this report.

Community Engagement

A six week public consultation period was undertaken (March until mid-April (2021)). During this time the following engagement exercises were undertaken by Council:

- Have Your Say website launched with links to review draft plan and complete community survey on current and future park activities
- Media release – (TV, radio, website etc.)
- Advertising campaign
- Social media
- My Weekly Preview
- Website spotlight
- Radio spotlight
- Unstaffed displays at libraries and community centres
- Pop-up consultation stalls for face-to-face engagement at the following locations:
 - Beerwah Library
 - Caloundra Library
 - Coolum Library
 - Maroochydore Library
 - Nambour – Quota Park
 - Witta Markets

- Targeted emails inviting the following groups to review and comment on the draft plan:
 - Development industry groups
 - Government and business groups
 - Recreation/environment/community groups (including youth groups)

These activities obtained broad community support for the vision, goals, and principles in the draft plan. The consultation activities also identified several key matters that were repeatedly raised by the community (Table 1). Consultation results can be found in the “Consultation Activities Report - Draft Sunshine Coast Recreation Parks Plan 2021-2031” (Attachment 1).

Key Issues Raised During Community Consultation	
Protecting our natural assets	Protecting the character of the Sunshine Coast against potential impacts of future development and growth, loss of trees a concern
Dogs in parks	Responses were evenly split between a desire for additional dog exercise areas and a desire to ban dogs from parks altogether
Shade in parks	The provision of shade, both natural and artificial, was mentioned by a large number of respondents
Requests for additional parkland and infrastructure	Respondents expressed the desire for more green spaces and additional supporting infrastructure in their communities
Equitable distribution of park activities and infrastructure	The need and desire for more recreational activities in hinterland and smaller Sunshine Coast communities
Community desires for the future Sunshine Coast recreation parks network	<ul style="list-style-type: none"> • Expanded play offerings (water play the most requested play type) • Free events (particularly free concerts and outdoor movies) • Increased passive recreation opportunities (more shade provision and pathways) • Emerging activities (disc golf, pump tracks, bouldering/climbing, parkour/ninja warrior)

Table 1: Key Consultation Issues

As part of the consultation process, Council created an online survey to determine community support for the vision and goals found in the draft Recreation Parks Plan and to allow for general comments. The survey also included several questions that were used to determine the reasons the community currently visits parks, which activities they value, and which activities they would like to see across the Sunshine Coast recreation parks network into the future.

Council received 951 completed surveys from residents (95% of total respondents) and visitors to the Sunshine Coast Council local government area.

Over 75% of survey respondents felt that Council’s vision for the recreation parks network accurately reflects the values of the Sunshine Coast. 73% of respondents were supportive of the six network goals that form the basis of the draft plan. Of the six network goals, the

Scenic Amenity, Ecological, Social and Active Recreation goals received greater than 76% support, while the Education and Economic goals were 68% and 60% (respectively). This highlighting that the community values a connection to the natural amenity of the Sunshine Coast and enjoyment of surrounding setting and views (the top-rated goals) above all else when it comes to the function and layout of recreation parks. These values are consistent with the data collected throughout the survey. The goal with the lowest support (Economic) still received 60% support, meaning that most respondents also support the attainment of this goal as described in the draft plan.

Data was also collected from survey respondents and the broader community regarding current and future recreation park activities. This information is consistent with the consultation activities utilised in developing the draft plan, with the community identifying “connection to nature”, “fair and equitable distribution of park activities”, “shade in parks”, and “accessibility/connectivity” as community priorities.

Specific future activity requests from the community included the following

Play

The most common requests for new activities were related to playground and play infrastructure, with 20% of all respondents seeking additional facilities of varying types. The play types requested were:

- Water play (most common response for this question)
- Requests for specific embellishments (toddler swings, seating for carers etc)
- Nature play
- Adult play/exercise (bouldering, parkour, ninja warrior etc).

Free events

The second most common group of requests related to free events in parks (11% of respondents). Numerous requests were made for the following:

- Community events such as free concerts and outdoor movies
- Educational events to learn about local culture, flora and fauna
- Group activities (yoga, tai chi, gardening/tree planting).

Passive recreation

Additional passive recreation opportunities were also identified by the community (10% of respondents) for future consideration. The most common requests of this nature included:

- More shade provisions
- Open spaces free from infrastructure
- More trails and pathways for walking and enjoying nature.

Emerging activities

Several emerging trends in park activities were supported by community requests. A significant number of requests were made for the following activities:

- Disc golf
- Pump tracks (skate/scooter and bike)
- Bouldering/climbing
- Parkour/ninja warrior.

The community was also asked several questions about their current or previous recreation park usage. This information will assist Council in understanding which park activities and infrastructure are most important to the community, allowing to prioritise incorporation of these elements into the design and layout of existing and future recreation parks where appropriate.

The following responses give Council useful insight into current park usage:

Why do you enjoy visiting parks?

The top three reasons respondents gave for visiting our parks were:

- Parks are a place to enjoy nature
- Parks are a place that I feel safe
- Parks are a place to spend time with my family

What do you like to do at the park?

The top three reasons respondents gave for visiting our parks were:

- Go for a walk along paths or trails
- Somewhere for children to explore
- Picnicking and BBQ

How do you currently access parks?

Members of the community were also asked how they typically access recreation parks. While most respondents (55%) still utilise a private vehicle to access parks, the number of park users utilising alternative transport modes is encouraging. 45% of respondents are currently walking, biking, or using other modes such as skateboards, scooters, or public transport.

The full consultation results can be found in the “Consultation Activities Report - Draft Sunshine Coast Recreation Parks Plan 2021-2031” (Attachment 1).

Community Satisfaction Survey 2020

A community survey involving phone and online surveys was undertaken by IRIS Research, running from 7 November until 4 December 2020. The Survey provides Council with an important insight into the current community satisfaction with service delivery and their liveability priorities over the next five years. This information is used alongside other information (including the Recreation Parks Plan and other park-related plans and consultation results) to plan for the future and shape our Sunshine Coast.

IRIS Research completed phone interviews and independently analysed the findings to provide:

- satisfaction ratings for Council services
- benchmarking to Sunshine Coast Council's 2015 survey and other local governments
- assessment of the strengths to maintain and priority areas to improve overall satisfaction, and
- liveability priorities over the next five years

Community respondents (1850 individual responses) indicated that they were highly satisfied with service provisions of recreation parks and facilities, including playgrounds and skate parks. These services rated the 4th highest scoring services provided by Council, trailing only lifeguards, libraries and sporting facilities in terms of community satisfaction.

Given this high satisfaction rating, recreation parks and facilities are identified as a “strength to maintain – an above-average performing services that provide a strong impact on creating overall satisfaction with Council”. This designation highlights the importance of recreation parks to the broader community and the contributions these services and facilities deliver to the overall liveability of the Sunshine Coast region.

Respondents were asked to rate their agreement with 10 statements related to Council’s Regional Outlook Strategy for the future. There was strong agreement across all statements, maintaining our beaches, rivers and bushlands, providing easy access to well-maintained parks, playgrounds and skate parks and ensuring services and facilities are accessible and affordable for everyone, generated the highest levels of agreement.

In terms of current usage of existing Council facilities, outdoor facilities, such as nature-based recreation, beaches and parks, playgrounds and gardens, recalled a high level of usage. Parks, playgrounds and gardens were the 4th most utilised Council facilities (94% of respondents utilised these facilities in 2020), trailing only local sealed roads (99% usage), footpaths (97%) and beaches (94%). The average number of park visits per year to our recreation parks was 73 visits, which means on average, residents were visiting a recreation park at least once a week.

Changes to Plan Following Consultation

While most of the feedback received from the public can be addressed through the planning principles, design guidelines and activity plans found in the draft Recreation Parks Plan, opportunities were identified to improve the usability of the plan. Based on community feedback, the embellishment tables for each park type were modified to identify essential and optional infrastructure based on setting and site suitability. This clarification will assist both internal officers and external consultants in understanding the standards for park embellishment. This provides consistency with the format used in the latest Planning Scheme amendment for Local parks and should the finalised plan be endorsed by Council, will allow for consistent incorporation into the new Planning Scheme.

PROPOSAL

Over the next 25 years, the Sunshine Coast Council region is predicted to experience a number of significant changes related to an increasing population, shifting climate patterns, an evolving economy, and advancements in technology. These changes will impact all the services that Council provides, including the provision, management and maintenance of our region’s recreation parks.

Through the utilisation of clever planning and good design, Council intends to address the impacts of change, maintain, and enhance the region’s liveability and provide a functional and affordable recreation park network that reflects the character and demands of Sunshine Coast communities. The key planning principles, appropriate types and levels of infrastructure, and information on park activities described in the Recreation Parks Plan will assist policymakers and park planners/designers (both internal and from the development industry) to design and deliver open space that achieves our strategic goals. The information contained in the plan will also assist the local community in understanding how and why we plan for functional recreation parks to meet community needs.

To achieve the outcomes articulated in the vision and goals of the Recreation Parks Plan, a list of 12 strategic actions has been included in the plan (Appendix A pgs 84-85). These strategic actions link strategic policy direction and the physical planning of Council’s recreation parks. The actions incorporate and build on current Council projects and programs and will direct future priorities in recreation park planning and management.

Recreation Park Goals

Through the implementation of the values and evidence-based planning principles described in the Recreation Parks Plan, Sunshine Coast Council aims to provide a recreation parks network that:

- Delivers equitable access to healthy recreation opportunities in a functional and affordable manner;
- Promotes the attractiveness of our region by preserving social and culturally significant spaces and by providing parks that bring people, place, and nature together;
- Provides safe community gathering places that connect people and place and encourage community cohesiveness, creative lifestyles and improved mental health benefits;
- Contributes to the economic development of the region by supporting tourism, providing functional settings for users, events and programs, and by attracting workers looking for active and healthy lifestyles;
- Encourages opportunities for educational programs that contribute to cultural heritage, the arts, and living ecosystem knowledge in our recreation parks;
- Increases opportunities for residents and visitors to connect with nature in cooler, vegetated recreation parks.

Plan Scope – Recreation Park Network

Council uses the hierarchy of recreation park categories established in Council's Environment and Liveability Strategy to identify the function and role of each parcel of designated parkland. This drives decision-making regarding the types of activities and associated infrastructure provided, ensuring an equitable distribution of recreational opportunities are delivered across the region. The types of parks and green spaces that fall within the scope of this plan are those spaces identified as "recreational open space" in the Environment and Liveability Strategy and are included in the table below:

Recreational Open Space Type		Description
Recreation Parks	#	
<i>Council-wide</i>	15	Council-wide recreation parks are large parks that provide spaces, settings, and facilities to cater for large numbers of people from across the region and beyond.
<i>District</i>	88	Larger parks which attract residents and visitors from the local community and surrounding suburbs and provide a variety of spaces, settings, and facilities.
<i>Local</i>	398	Smaller parks that cater to basic recreation needs of the surrounding local community.
<i>Civic</i>	5	Vibrant urban parks such as plazas or town squares in the heart of an activity centre. These parks are designed for frequent and high-level use by residents, visitors and workers who use the space to socialise and engage in civic activities and community events.
<i>Linear</i>	126	Long and narrow green corridors that provide recreational opportunities suitable for their linear nature, often connecting other open space functions and key features and facilities.
<i>Amenity Reserves</i>	489	Small land parcels, gardens and streetscapes that provide physical and visual relief from the built form of the surrounding area
<i>Landscape Corridors</i>	83	Typically long and narrow strips of land that provide a vegetated buffer between differing land uses

It should be noted that other types of Council-controlled open space, such as environment reserves and sports fields are governed by their own network plans. These plans have also been considered in the development of this plan.

Recreation Park Planning Principles

The planning principles outlined in this plan have been developed to guide fair and equitable provision of recreation park activities and infrastructure across the Sunshine Coast region. They will be utilised to achieve design outcomes that result in safe, responsive and sustainable recreation parks that will enhance park user experience for residents and visitors to our region.

These principles have been developed to deliver the strategic outcomes related to parks found in Council’s regional strategies, the Environment Liveability Strategy, Community Strategy, and the Regional Economic Development Strategy, and respond directly to the feedback we have received from internal stakeholder engagement and from the community via CRMs and prior external engagement activities.

Recreation Park Activities

The Recreation Parks Plan will provide guidance park activity and function provision. The plan describes why park activities are important, who we provide the activity spaces for, and how we plan for the fair and equitable distribution of these activities across the recreation parks network.

The activity plans contained in the Recreation Parks Plan document incorporate key planning principles to assist in the attainment of network goals and ensure financially sustainable provision of park activities for current and future development growth.

Recreation Park Infrastructure

This plan describes park embellishments (both constructed and living infrastructure) and how this infrastructure supports park activities and functions. The Environment and Liveability Strategy sets the desired standards of service for provision of park embellishments by guiding whether a specific type of infrastructure is appropriate for a particular park type. The Recreation Parks Plan guides the next level of planning by describing how the infrastructure contributes to park function, the amount of infrastructure needed to achieve this function and where this infrastructure is to be located in a park. The desired infrastructure standards (i.e. how the particular embellishment is to be constructed) are described in the SC Open Space Landscape Infrastructure Manual (LIM).



Desired Standards of Service



Function and Location Guidance



Desired Infrastructure Construction Standards

Legal

There are no legal implications relevant to this report.

Policy

The Recreation Parks Plan is linked to the 'Strategic pathways' of the Corporate Plan and expands on the 'Desired Standards of Service' found in the Environment and Liveability Strategy. Should Council choose to endorse the finalised Recreation Parks Plan, the 'Desired Standards of Service' for recreation parks will need to be updated in the Environment and Liveability Strategy and in the Planning Scheme. Parks and gardens will be responsible for ensuring these documents are updated.

Completion of the 12 strategic actions listed in the plan is one of several implementation pathways to achieve the goals of the Recreation Parks Plan. Other key tools will include:

- Corporate Plan
- Planning Scheme
- Local Laws
- Capital Works
- Operational Budget
- Advocacy/Partnerships

Incorporation of Recreation Parks Plan elements into the tools above will require additional consultation with relevant internal and external stakeholder groups, and in some cases, additional consultation with the broader community (incorporation into new Planning Scheme and Local Laws changes require community consultation).

The Recreation Parks Plan is a policy document that requires Council's endorsement. The Recreation Parks Plan 2031 is supported by two technical documents (Attachments 2 and 3) that provide additional planning tools to ensure consistent and sustainable development of these public spaces. These technical guidelines will be updated continually and do not require Council endorsement, only Chief Executive Officer-level approval. The Recreation Parks Plan aligns with the key elements of the endorsed Sunshine Coast Council Governance Framework.

Risk

Identified risk	Strategy to manage risk
Not meeting corporate goals and strategy outcomes in recreation parks	Ensure corporate goals and strategy outcomes are embedded in Council's process for planning and designing recreation parks by utilising the principles described in the RPP
Open space, park assets and road reserves not achieving whole-of-life asset outcomes and community expectations	The plan provides strategic guidance to ensure that Council assets located in recreation parks and road reserves are fit-for-purpose, appropriate for park hierarchy type and respond to identified community needs. The LIM provides provision to support whole-of-life asset outcomes
Lack of transparency and inequitable distribution of park activities and infrastructure across the region	The plan provides user catchments and provision rates for recreation park activities, as well as a consistent methodology to assess the appropriateness of an activity in a given area.

Desired Standards for Service for recreation parks not met	The plan provides guidance to ensure appropriate functions of each level in parks hierarchy (as described in ELS) are maintained through the provision of appropriate levels of built and natural infrastructure (as described in RPP)
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Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

The Sunshine Coast Environment and Liveability Strategy 2017

Sunshine Coast Council Corporate Plan 2021-2025

Sunshine Coast Regional Economic Development Strategy 2013-2033

Sunshine Coast Community Strategy

Critical Dates

There are no critical dates relevant to this report.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will implement the Sunshine Coast Recreation Parks Plan 2021-2031 (Appendix A). This includes Chief Executive Officer-level sign-off on the two supporting internal documents, the Technical Guidelines (Attachment 2) and the Localities of Interest (Attachment 3). Implementation will also commence through the initiation of the strategic actions listed in the plan and will also involve implementation work sessions with relevant Council teams.

8.2 SUNSHINE COAST CITY HALL - LEVELS 8 AND 9

File No: D2021/1466955
Author: Executive Manager
Office of the CEO

PURPOSE

This report seeks Council's direction in relation to the preferred use of levels 8 & 9 within Sunshine Coast City Hall.

EXECUTIVE SUMMARY

The construction of the Sunshine Coast City Hall (SCCH) within the Maroochydore City Centre is currently the most significant project in the Sunshine Coast Council's Workplaces Program. That program is a wholistic approach to planning for and managing Council's 37 workplace locations across the region.

At the commencement of the SCCH project, it was determined that Council would make a subsequent determination of the preferred uses of Levels 8 & 9. Options for consideration included commercial, organisation and/or community use. Consequently, Council has undertaken a comparative assessment of the risks, benefits, costs and timings associated with each of these options in order to determine preferred usage of the two floors.

This report recommends that Council determine to retain Level 8 for operational purposes and Level 9 for civic and community purposes.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sunshine Coast City Hall - Levels 8 and 9"**
- (b) determine that Level 8 of Sunshine Coast City Hall be retained for operational purposes of Sunshine Coast Council**
- (c) determine that Level 9 of Sunshine Coast City Hall be retained for civic and community purposes by Sunshine Coast Council and**
- (d) authorise the Chief Executive Officer to progress fitout planning, design and delivery consistent with Council's confirmed uses of Levels 8 and 9 at Sunshine Coast City Hall.**

FINANCE AND RESOURCING

At its Special Meeting on 8 November 2021 Council resolved to provide budget availability of \$4.7M for fitout of Levels 8 and 9 of SCCH.

Upon formal resolution of Council's preferred uses of Level 8 & 9, detailed design will be progressed and specific costs confirmed accordingly, having regard to the previously approved budget.

CORPORATE PLAN

- Corporate Plan Goal:** *Our outstanding organisation*
- Outcome:** 5.3 - Embrace a safe and collaborative workplace culture that attracts and retains high performing and engaged people.
- Operational Activity:** 5.3.1 - Progress people and culture strategic initiatives including workforce planning, leadership development, performance management and capability development programs that support the delivery of the Council's vision.

CONSULTATION

Councillor Consultation

Councillor Workshops relevant to this report were held on 16 September 2021, 21 October 2021 and 22 November 2021.

Internal Consultation

This report has been written in conjunction with advice from:

- Group Executive Business Performance
- Executive Leadership Team Members
- Chief Financial Officer
- Project Director – Sunshine Coast Council Workplaces and Sunshine Coast City Hall
- Project Manager - SCCH

External Consultation

Advice has been provided by McLeanYeoh Consultancy

PROPOSAL

Background

The construction of the Sunshine Coast City Hall within the Maroochydore City Centre is currently the most significant project in the Sunshine Coast Council's Workplaces Program. The Workplaces Program is a wholistic approach to planning for and managing Council's 37 workplace locations across the region. These cover the three core administration centres of Caloundra, Maroochydore and Nambour, along with Council depots and satellite service locations such as libraries, showgrounds and venues. The work being done is of particular importance in the context of Council serving a rapidly growing region, necessitating investment in these assets to support the community and workforce expectations for decades to come.

The priority for commencement of the City Hall project in 2019 was to provide a major economic and employment stimulus in the early stages of the COVID-19 pandemic and to play an important role in the early activation of the Maroochydore City Centre. At that time, it was accepted that decisions on the uses of Levels 8 and 9 of the building were to be deferred to a later point. With the base construction completed and a fitout contract awarded, a council decision on the preferred used of Levels 8 and 9 is now required.

A determination of preferred use for Levels 8 & 9 at this time provides the best opportunity for council to have fitout design, procurement and delivery incorporated within the current overall building schedule and occupancy program. Deferral or delay of a Council decision on

Levels 8 & 9 into 2022, or beyond, will significantly compromise that opportunity and is anticipated would generate additional costs, operational impacts and potential delays for the program.

Proposed Uses

The options considered in respect of the preferred uses of Levels 8 & 9 are characterised as civic and community purposes, council operations and/or commercial leasing opportunity. A comparative assessment of the benefits, risks, costs and timings associated with each of these options has been undertaken to inform decision-making on council's preferred usage of the two floors. Recommended uses resulting from that assessment follow.

Level 9 is proposed for civic and community purposes. Council has iterated the importance of community access to, engagement in and connection with its City Hall - the position and nature of this level of the building sees it well-placed to afford that opportunity. Such connection is also proposed to facilitate additional community activation within the broader Maroochydore City Centre.

Specific uses will include but not be limited to Community attendance at Council-hosted/sponsored events, citizenship ceremonies, community engagement workshops, and hire out for specified community events. With regard to the latter of these uses, there is a current shortfall in availability for a range of community spaces. Level 9 presents a positive opportunity to respond to that need.

It is also envisaged that Level 9 will be an important asset for the significant range of delegations, workshops and service provision activities associated with the preparation for and delivery of the Brisbane 2032 Summer Olympics. Similarly, it is also suggested that Level 9 provide for regional showcase opportunities by way of display and presentation with themes including Natural History, Social History, Environment, Sustainability, Heritage, Arts and Culture.

Given the purposes proposed, fitout design and delivery for Level 9 would need to be commensurate with multi-use intentions for the space. This may include but not be limited to provision of catering bump-in facilities, appropriate audio visual and information technology and a dividing wall system that allows for scaling of available space and multiple uses.

Level 8 is proposed for SCC operations, with the space retained primarily for three purposes. The first is to provide capacity for workforce growth within SCCH over time, which typically is reflective of the strong and continuing growth of the region and associated service demand. On the basis of the organisation's current and projected staff and work team requirements, including workspace availability in the event of peak utilisation, it is considered that designation of Level 8 for SCC purposes would be most advantageous to the organisation and would be an important mitigation for potential accommodation risks for council's primary administrative centre in Maroochydore.

The second aspect is that working space for cross-group teams will be required for key projects such as the Regional Planning Scheme. Creating and utilising space within the SCCH reduces reliance on and cost of establishing project spaces in commercial locations, which has been required for significant corporate initiatives in the past.

The third component is to create short-term (1-3 years) collaboration, start-up, innovation and/or project space in support of – and potentially in cooperation with – community and business partners. This is a growing area of interest and opportunity, consistent with SCC's key community, economic and environment and liveability strategies and with the healthy, smart and creative ambitions as stated with Council's vision of being Australia's most sustainable region.

Design and costings specific to Level 8 will be prepared based on the proposed purposes as described, with floor plan options including:

- Full floor ie equivalent to Levels 5-7; or
- Combination of standard office accommodation and shared project/innovation space with business and/or community partners

Legal

External specialist legal services have advised on fitout scope transfer and major contract/s, primarily consisting of all Consultancy Deeds and Design and Construction Contracts for base building and fitout.

All procurement for the project is led by an appointed Procurement Specialist from within Council, with the support of appropriate legal advice.

Policy

The Sunshine Coast City Hall project complies with Council's Procurement Policy and arrangements for capital projects of this nature.

Risk

A Risk Assessment and Management Plan forms part of the SCCH Project Plan and is continually reviewed.

Risks specific to the recommended use options are:

1. Financial
 - Level 9 Civic and Community Use - Forgone potential revenue via commercial leasing of Level 9, estimated at \$170,000 – \$250,000 per annum, dependent on the ability to identify a compatible commercial tenant for this space in the short term; potential for cost escalations within volatile market in the event of long term deferral of fitout design and delivery;
 - Level 8 SCC Operations - Forgone potential revenue via commercial leasing of Level 8, estimated at \$340,000 – \$500,000 per annum, dependent on the ability to identify a compatible commercial tenant for this space in the short term; potential for cost escalations within volatile market in the event of long-term deferral fitout design and delivery;
 - Fitout design and delivery across Levels 8 & 9 needs to be undertaken having regard to the Council-approved SCCH budget.
2. Operational
 - Commercial leasing options were assessed for Levels 8 and 9, however were considered as presenting significant risks to SCC's forecast service, accommodation and operational demands. Also considered potential perception of SCC competing for tenants with commercial investors in the Maroochydore City Centre precinct, at odds with the catalytic intent of the SCCH project. It is noted, however, that ground floor commercial tenancy opportunities are being developed by SCC and synergies that may present with regard to civic and community activities on Level 9 will be considered.
 - There is potential for underutilisation of Levels 8 & 9 in the initial 12 months post practical completion of the SCCH build.

3. Reputational

- Deferral of decision making regarding uses of Levels 8 & 9 is likely to be seen as SCC being indecisive with regard to a key project investment and would expose council to costs incurred/opportunity costs associated with delayed fitout design and delivery.

Council Resolution**Special Meeting 8 November 2021 (SM21/6)**

That Council:

- receive and note the report titled "**Sunshine Coast Council Workplaces Program**"*
- endorse a maximum \$20 million capital budget adjustment for the Sunshine Coast City Hall project, inclusion in the 2022/23 Capital Works Program and*
- request the Chief Executive Officer to progress an assessment of the preferred uses of Levels 8 and 9 at Sunshine Coast City Hall and provide recommendations to Council at the December 2021 Ordinary Meeting.*

Ordinary Meeting 12 December 2019 (OM19/195)

That Council:

- receive and note the report titled "**Sunshine Coast City Hall - Project Update**"*
- endorse Respondent C as identified in Confidential Appendix A (Tender Evaluation and Governance Report) as the preferred supplier for the Design and Construction Contract for the Sunshine Coast City Hall*
- authorise the Chief Executive Officer to finalise the terms and conditions of the contract with Respondent C, and once finalised award the contract to the preferred respondent under delegation and*
- authorise the Mayor and/or the Chief Executive Officer to make public the name of Respondent C and the contract value at the conclusion of the Ordinary Meeting of 12 December 2019.*

Ordinary Meeting 14 November 2019 (OM19/178)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 17 October 2019 (OM19/163)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 19 September 2019 (OM19/149)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 22 August 2019 (OM19/128)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 25 July 2019 (OM19/114)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 20 June 2019 (OM19/97)

That Council

- (a) receive and note the report titled "Sunshine Coast City Hall Building - Project Update"*
- (b) endorse the design variations as contained in this report for incorporation in the Development Application for submission to Economic Development Queensland and*
- (c) delegate authority to the Chief Executive Officer to make changes to the design variations as required for the Development Application.*

Ordinary Meeting 23 May 2019 (OM19/85)

That Council note the discussions held in confidential session in relation to Sunshine Coast City Hall Project Update.

Ordinary Meeting 30 April 2019 (OM19/56)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 28 March 2019 (OM19/41)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 28 February 2019 (OM19/25)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 31 January 2019 (OM19/13)

That Council receive and note the report titled "Sunshine Coast City Hall Building - Project Update".

Ordinary Meeting 6 December 2018 (OM18/199)

That Council:

- (a) receive and note the report titled "Sunshine Coast City Hall Building - High Level Project Plan" and*
- (b) endorse the proposed arrangements for the engagement of the Principal Architect, the project high level milestones, the development of the Base Building Brief and the project governance structure to facilitate progression of the Sunshine Coast City Hall project.*

Ordinary Meeting 11 October 2018 (OM18/173)

That Council:

- (a) receive and note the report titled "Sunshine Coast City Hall Building - High Level Project Plan" and*
- (b) endorse the Sunshine Coast City Hall Building - High-Level Project Plan (Appendix A).*

Special Meeting 10 September 2018 (SM18/14)

That Council:

- (a) note the discussions held in confidential session in relation to City Hall*
- (b) authorise the Chief Executive Officer to make public Attachment 1 to a report considered by Council on 14 September 2017, namely the Staff Relocation Impact Assessment prepared for Sunshine Coast Council by Lucid Economics dated August 2017, excluding appendices B and C on the basis that these appendices may disclose matters that relate to the commercial proprietary interests of Lucid Economics and*

- (c) *request for the Chief Executive Officer to offer for Lucid Economics to present to the Nambour and Caloundra Chambers.*

Ordinary Meeting 12 October 2017 (OM17/202)

That Council note the discussions held in confidential session in relation to The Smart Move project update.

Ordinary Meeting 14 September 2017 (OM17/181)

That Council resolves because of the specialised nature of the services that are sought from Woods Bagot it would be impractical or disadvantageous to invite quotes or tenders in relation to The Smart Move Project.

Special Meeting 17 August 2017 (SM17/42)

That Council note the discussions held in confidential session in relation to the Smart Move project update.

Special Meeting 23 February 2017 (SM17/4)

That Council receive and note the report titled "New Council Chambers/Budget Monitoring and Financial Risk status report".

Ordinary Meeting, 15 September 2016 (OM16/176)

That Council note the discussions held in confidential session in relation to the Sunshine Coast Council Presence in Maroochydore Central Business District.







Related Documentation

There are no related documents.

Critical Dates

At its November 2021 Ordinary Meeting, Council requested the Chief Executive Officer to progress with an assessment of preferred uses of Level 8 and 9 for Sunshine Coast City Hall with recommendations to be provided to Council at the December Ordinary Meeting. A decision is now required to allow for integration within the program schedule and to assist with mitigating delay risks.

8.3 KAWANA WATERS STRUCTURE PLAN AND DETAILED PLANNING AREA PLAN AMENDMENTS - BIRTINYA ISLAND

File No:	D2021/1438050
Author:	Development Planner Customer Engagement & Planning Services Group
Appendices:	App A - Details for Notice of Determination for Amended Kawana Waters Structure Plan..... 35 ↓  App B - Details for Notice of Determination for Amended Master Plan No. 91 37 ↓ 
Attachments:	Att 1 - Amended Kawana Waters Structure Plan Development Criteria 39 ↓  Att 2 - Amended Master Plan No. 91 (Detailed Planning Area Plan - Detailed Planning Area 11 - Birtinya Island) 2015..... 79 ↓  Att 3 - Map of DCP-1 area 207 ↓  Att 4 - Map of Detailed Planning Area 11 - Birtinya Island 209 ↓ 

PURPOSE

The purpose of this report is to seek:

- Council's recommendation to the Minister responsible for State owned land that the proposed amendments to the Kawana Waters Structure Plan be approved and
- Council's recommendation to the Minister responsible for State owned land that the proposed amendments to Master Plan No. 91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015 be approved.

The State Government (Department of Resources) is the approving authority for amendments to the Kawana Waters Structure Plan and Detailed Planning Area Plans.

This report is before Council as there is no delegation in place for the Chief Executive Officer to determine amendments to the Kawana Waters Structure Plan and Detailed Planning Area Plans that are not minor.

EXECUTIVE SUMMARY

An application has been received from Stockland Kawana Waters Pty Ltd (Stockland) for amendments to the Kawana Waters Structure Plan and Master Plan No. 91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015.

The proposed amendments relate to the northern end of Birtinya Island (“North Birtinya”) and are intended to facilitate the following development options:

- Allow for residential rather than commercial land uses on Precinct 17
- Allow for a slightly higher residential yield on Precincts 16 and 19
- Allow for a standalone child-care centre on Precinct 18 (up to 128 places), rather than it being part of a mixed-use commercial development
- Increase the allowable community use gross floor area (GFA) from 3,500m² to 6,000m² on Precinct 20.

To facilitate the above development options, the application proposes to introduce a yield conversion table into the Structure Plan to enable equivalent exchange of commercial, residential and community use yield, with regard to comparative traffic generation rates. The

proposal also includes amendments to the Detailed Planning Area Plan to reflect the revised land use and yield proposed for Precincts 16-20 and to update the relevant Urban Design Performance Criteria to facilitate the revised development outcomes.

The key assessment considerations for this report are traffic generation, land use composition and built form outcomes. Council officers have considered these aspects of the proposed amendments and determined they will result in an acceptable development outcome.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Kawana Waters Structure Plan and Detailed Planning Area Plan Amendments - Birtinya Island”
- (b) recommend to the Minister responsible for State owned land that the amended Kawana Waters Structure Plan be approved, subject to the conditions contained within Appendix A (application no. MPC17/0008.03) and
- (c) recommend to the Minister responsible for State owned land that the amended Master Plan No. 91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015 be approved, subject to the conditions contained within Appendix B (application no. MPC14/0027.07).

FINANCE AND RESOURCING

There are no Council related Financial Contributions triggered with this application to amend the Structure Plan.

CORPORATE PLAN

Corporate Plan Goal:	<i>Our service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S19 - Development services – planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals.

Councillor Consultation

The Divisional Councillor P Cox has been consulted on this report.

Internal Consultation

The application was referred to the following internal specialists:

- Principal Traffic Engineer, Development Services Branch
- Coordinator, Open Space and Social Policy, Environment & Sustainability Policy Branch
- Head of Productivity and Industry, Economic Development Branch

Their assessment formed part of Council’s assessment of the proposed amendments.

External Consultation

The proposed Structure Plan and Detailed Planning Area Plan amendments are sought by Stockland following engagement with the State Government (Department of Resources). The

State Government are also the final decision-making authority for the proposed amendments.

The application did not require a statutory referral to any referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*.

Community Engagement

As the land is subject to the Kawana Waters Development Agreement and the Master Planned Community Development Process, public notification was not required for this application.

All master plan applications are publicly available via Council's Development.i system.

PROPOSAL

This application is for amendments to the Kawana Waters Structure Plan and Master Plan No. 91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015.

A copy of the proposed amended Kawana Waters Structure Plan is provided as **Attachment 1** of this report and a copy of the proposed amended Master Plan No. 91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015 is provided as **Attachment 2** of this report.

Background

Kawana Waters is the major master planned development area broadly located between Currimundi Creek and the Mooloolah River (incorporating 1,613 hectares). The area is being progressively developed out of a Crown Land Development lease by the master developer Stockland. The development lease is administered by the Department of Resources and is due to expire in 2030.

The *Sunshine Coast Planning Scheme 2014* identifies an area of land within Kawana as located within Development Control Plan 1 – Kawana Waters (DCP-1). The extent of the DCP-1 area is illustrated on the map in **Attachment 3**. Under the provisions of DCP-1, development of land within this area must follow the Master Planned Community Development process. Council must approve a series of master plans as part of the development of individual sites or precincts. Development in this area is not subject to the provisions of the *Sunshine Coast Planning Scheme 2014*.

The Kawana Waters project has a long history, secured by detailed multi-party infrastructure agreements, community funding arrangements and significant infrastructure obligations. The development of the Kawana Waters community has been progressing since the late 1960's.

The current master planning arrangements were introduced in 1996 with a key element being the Kawana Waters Development Agreement.

Over 90% of the Kawana Waters development area has now been developed and sold to third parties, although not all the related obligations have been completed. The development of Kawana Waters is expected to be completed within the next 10 years.

Council continues to work closely with the Department of Resources and Stockland to ensure the planning and development of Kawana Waters is completed in an integrated and sustainable manner.

The Kawana Waters Structure Plan is the highest level of master plan for Kawana Waters. It sets out the broad land use and yield expectations for each part of the master planned area. The Structure Plan was originally approved in September 1999 and has since been amended several times, most recently in 2020 to include additional permitted land uses principally within the Town Centre Precincts.

The Detailed Planning Area Plan for North Birtinya Island, Master Plan No. 91 was originally approved by the State Government on 27 August 2015. There have since been several

amendments with the latest being recommended for approval to the department on 20 January 2021. The master plan specifies the permitted land uses, yield and urban design performance criteria for each land use area and precinct within the Detailed Planning Area 11 (Birtinya Island). The extent of Detailed Planning Area 11 is illustrated on the map in **Attachment 4**.

Proposed Structure Plan Amendments

The Structure Plan specifies maximum yields for the North Birtinya precincts for residential, commercial and community uses. It anticipates a significant presence of commercial premises (office) with a GFA of up to 13,800m². The proposed amendments seek to provide greater flexibility for the delivery of higher residential and community use yields, whilst still retaining the ability for delivery of the commercial yield.

To retain this flexibility whilst remaining consistent with the development assumptions and traffic generation thresholds embedded in existing approved traffic model, the applicant proposes to include a 'conversion table' in the Structure Plan to allow land use interchangeability based on equivalent traffic generation. The following conversion rates are proposed:

- From commercial premises to residential use – 100m² GFA to 1.2 dwelling units
- From commercial premises to public purpose – 100m² GFA to 52.5m² GFA.

A copy of the amended Structure Plan containing the proposed 'conversion table' is contained within **Attachment 1**.

Proposed Detailed Planning Area Plan Amendments

The applicant seeks to apply the abovementioned yield conversion rates within the amended Detailed Planning Area Plan through the conversion of 6,833m² of Commercial Premises to 82 dwelling units and 4,761m² of Commercial Premises to 2,500m² of Public Purpose.

Specifically, '*Table 1 – Table of Development*' is proposed to be amended to facilitate the following:

- Precinct 16 and 19 – An additional 7 dwelling units of residential uses for each precinct, taking the total maximum residential yield for each Precinct to 77 dwelling units
- Precinct 17 – Up to 66 dwelling units of residential uses
- Precinct 18 – Amend the preferred location for the child-care centre from Precinct 17 to Precinct 18 and include a maximum yield of 128 spaces for the child-care centre (this is consistent with the approved traffic model but was not previously specified in the master plan)
- Precinct 20 – Increase maximum yield for 'Public Purpose' from 3,500m² to 6,000m² GFA. This is the future Council Library / Cultural Centre site and will provide Council the flexibility to develop a larger facility than is currently permitted, if it wishes.

The proposed conversion of commercial GFA to other uses will reduce the commercial premises (office) yield on Precincts 16-19 from 13,800m² to 2,206m² GFA and retain the 600m² GFA for shop/local store and 200m² GFA for health care premises. This remaining non-residential yield will be required to activate the frontages of Precincts 16 and 19 in accordance with the Urban Design Performance Criteria contained within Master Plan No. 91.

To reflect the proposed change to land uses and yields across these precincts, the following amendments to the Urban Design Performance Criteria contained within Master Plan No. 91 are also proposed:

- Amend the car parking rate for 'Child Care Centre' from 1 space per 30m² total use area to 1 space per 2 employees plus 1 space per 5 children (Section 5.1, Probable Solution S8.1).

- Nominating increased setback requirements for Precincts 17 and 18 where they are developed for residential purposes. The existing setbacks will still apply to commercial uses on these precincts to retain the opportunity for activation of the street.
- Inclusion of additional built form design requirements which would apply if Precinct 18 is developed as a stand-alone child-care centre rather than as part of a mixed-use development as was previously anticipated. This will ensure that a high-quality built form outcome is still achieved which activates the Secondary Active Frontage along the western side of this Precinct.
- Inclusion of legacy/feature trees on the corners of Precincts 17, 18 and 20 to provide a tree-lined boulevard outcome for Lake Kawana Boulevard, consistent with other prominent development sites in the surrounding area.
- Reduce the extent of the 'Secondary Active Frontage' so that it is limited to the western side of Precinct 18. This involves removing the requirement for a Secondary Active Frontage to the southern frontages of Precincts 17 and 18 and eastern frontages of Precinct 16 and 17. There is no change to the nominated Primary Active Frontages for Precincts 16 and 19 or the requirement for cantilevered awnings along both the Primary and Secondary Frontages.
- Remove the requirement for Precincts 17 and 18 to have a 3.5 metre ground storey height such that built form outcome is only required for the Primary Active Frontage of Precincts 16 and 19.
- Administrative amendment to the Requirements for preparation of Site Development Plans (Section 6.1.2) to enable a 'generic' Site Development Plan to be submitted for Precinct 20 to enable the master developer (Stockland) to extract the lot and transfer to Council for the future Library/Cultural Centre, prior to the detailed design being undertaken.

Assessment of proposed amendments

Built form

Currently, due to Precincts 17 and 18 being designated for commercial uses, Master Plan No 91 requires Secondary Active Frontages to all boundaries, meaning:

- Ground/podium level built to boundary with street awnings
- Pedestrian entries into tenancies required directly from the street
- Minimum 65% clear glazing required at ground level allowing views into/out of tenancies.

It is proposed to retain this requirement for the western boundary of Precinct 18. This is supported as it will provide activation of the street directly opposite the future library site.

However, for the southern (Lake Kawana Blvd) and eastern (Central Blvd) frontages it is proposed to change the prescribed built form outcome to a 3 metre building setback with the following requirements:

- Minimum 2 metre densely planted landscaping strip to full length of these frontages. No services permitted in landscaping strip. Any fencing to be behind the landscaping.
- Maintain overlooking of the street from buildings for at least 65% of the length of the street frontage.

This change is supported and is a more appropriate urban design response for residential development and a stand-alone child-care centre to these frontages than the current secondary active frontage requirements.

In compensating for the loss of the active frontages, some additional urban design measures were discussed with the applicant prior to lodgment but have not been included in the

proposed amended master plan. In this regard, a condition is recommended requiring that the following additional measures be included:

- Direct pedestrian access required into the sites/buildings from these frontages.
- Additional street tree planting within the road verge with species that provide a shade canopy over the footpath in lieu of current awning requirement.
- Through site public pedestrian/cycle link between Lake Kawana Boulevard and the cul-de-sac.
- Bike parking to be directly accessible from the primary street frontage (not cul-de-sac).

Traffic generation

The introduction of a conversion table into the Structure Plan ensures that the additional residential yields comes from the same traffic modeling pool as the currently permitted commercial yields allocated to each precinct. This would ensure there is no change to the anticipated traffic generation rates and demand on the surrounding road network once the precincts are developed.

An existing Council condition applying to the Structure Plan governs the use of the existing conversion tables for the Town Centre and the Health Hub. It is recommended that this condition be amended to refer to the new conversion table for North Birtinya as well. The condition stipulates that conversion of yield can only be applied as part of the relevant Detailed Planning Area Plan. Such conversion shall not be applied retrospectively once a site has been developed in accordance with an approved Site Development Plan.

Employment generating uses

The DCP-1 intent is for commercial uses in North Birtinya to generate employment opportunities. This intent will still be achieved, despite the reduction in commercial premises (office) yield. The stand-alone child-care centre (up to 128 places) envisaged for Precinct 18 will provide significant employment opportunities. A 90-bed aged care facility has been approved and is under construction on Precinct 12 providing further local employment opportunities. The active frontages along the northern and western boundaries of Precincts 16 and 19 are required to provide commercial uses at ground level, which will have the dual purpose of activating the streetscape and providing employment. Additionally, 'SOHO' residential product (option for commercial at ground level) will be encouraged on Precinct 17 to provide further employment opportunities.

Development of a large commercial premises (office) building, up to 13,800m² GFA, as envisaged under the current master plan provisions, would be out of context with the emerging residential character of the area. It is considered that larger scale office projects are more appropriately located in the Town Centre, which is located in close proximity to North Birtinya.

Economic implications

Council's Economic Development branch has considered the proposed amendments and is generally supportive, concurring with the rationale put forward:

- The changes are reflective of the changing residential focus of the precinct which would impact upon the desirability and viability of previously envisaged commercial uses and outcomes.
- The amendments will still allow for significant employment outcomes in a variety of uses including health and community services in addition to identified active frontages aligned with the diversity and scale of other uses in the precinct.
- Larger scale office forms of development are considered to be more appropriate in the nearby town centre where there is a significant quantum permitted and indeed other precincts in the region identified for such higher order office uses such as the Maroochydore CBD.

- It is not considered that these changes will have any significant impact upon regional employment outcomes or indeed more localised economic development outcomes for the precinct and its environs.
- The availability of additional residential building stock is also considered desirable to meet workforce accommodation needs in proximity to employment generating uses and again in the broader regional context given market dynamics.

Child Care Centre – Car Parking rates

The applicant proposes to amend the parking rate nominated for child-care centre in Section 5.1 Probable Solution S8.1. The current master plan provision specifies a rate of 1 space per 30m² total use area. As 'total use area' would include any outdoor play areas, the parking requirement for a standalone centre would be excessive. Typically, car parking for child-care centres have been calculated based on either GFA or per employee/child numbers.

The existing child-care centres elsewhere within the Kawana Waters area, specifically in the Business Village and Eastbank, have provided parking at a rate of 1 space per 2 employees and 1 space per 5 children. This parking rate has been determined to be sufficient to accommodate the actual demands of a standalone child-care centre. It is considered appropriate to adopt the same rate for the future child-care centre in North Birtinya.

Approval Conditions

No changes are sought to Council's conditions currently applying to the Structure Plan or Detailed Planning Area Plan. However, as discussed in this report, some amendment to the conditions applying to both master plans are recommended, as detailed in Appendices A and B.

Legal

There are no legal implications with respect to this report. Council does however have a legal obligation pursuant to the Development Agreement to make a determination with respect to the Master Plan applications within the specified timeframes.

Policy

There are no policy implications arising from this report.

Risk

Council is required to assess and make a decision in regard to the Structure Plan and Detailed Planning Area Plan amendment applications in accordance with the contractual requirements of the Kawana Waters Development Agreement.

Previous Council Resolution

There are no previous Council resolutions relevant to this report.

Related Documentation

A copy of the proposed amended Kawana Waters Structure Plan is provided as **Attachment 1** of this report.

A copy of the proposed amended Master Plan No. 91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015 is provided as **Attachment 2** of this report.

A copy of the extent of the Development Control Plan 1 – Kawana Waters (DCP-1) area is illustrated on the map in **Attachment 3** of this report.

A copy of the extent of Detailed Planning Area 11 (Birtinya Island) is illustrated on the map in **Attachment 4** of this report.

Amendments summary – use/yield changes







Critical Dates

Council is required to make a determination within 90 days after the application is taken to be duly made pursuant to Section 7.6.3 of DCP-1.

Implementation

Should the recommendation be accepted by Council, the Chief Executive Officer will issue a Notice of Determination for both the amended Structure Plan and amended Master Plan to the Stockland and the Department of Resources within ten (10) working days of Council making its determination.

8.4 COMPLIANCE AND ENFORCEMENT POLICY

File No:	D2021/829156
Author:	Manager Customer Response Customer Engagement & Planning Services Group
Appendices:	App A - Compliance and Enforcement Policy 2021 219 ↓ 
Attachments:	Att 1 - Compliance and Enforcement Policy 2018..... 225 ↓ 
	Att 2 - Draft Compliance and Enforcement Decision Making Framework..... 235 ↓ 
	Att 3 - Draft Group Operating Procedure - Reactive education and compliance 237 ↓ 

PURPOSE

The purpose of this report is to seek Council's adoption of the Compliance and Enforcement Policy 2021 following a review of the current policy.

EXECUTIVE SUMMARY

Compliance and enforcement action is one of the tools Council employs to meet its responsibilities in governing community life and help Council ensure the safety and wellbeing of the community and that harm, including environmental harm, is prevented. The Compliance and Enforcement Policy 2021 (Appendix A) outlines how Council applies and manages these activities in a way that is transparent, consistent, and proportionate to the issue being addressed.

The purpose of the Policy, and the supporting materials, is to provide a consistent Framework for the responsible officers to respond to a variety of issues which fall under more than 65 pieces of legislation. Council originally adopted a Compliance and Enforcement Policy in 2009 and has since only conducted administrative reviews of the Policy (Attachment 1). The central themes of the Policy remain largely consistent, however the Policy required review to:

- make it more accessible by using plain language and focussing on the strategic view Council has for compliance and enforcement activities
- bring the Policy into line with Council's current standards and
- to incorporate Council's risk-based approach to education, compliance, and enforcement activities which ensures an effective and efficient use of resources and allows Council to be responsive to the community's expectations.

To support the implementation of the Policy, at an operational level, regulatory and subject matters experts within the Customer Engagement and Planning Services Group have also developed a Draft Compliance and Decision Making Framework (Attachment 2) and a Draft Group Operating Procedure (Attachment 3) to guide officers in their roles and decision making.

As with the previous versions of this Policy, Council assumes that there are high levels of voluntary self-compliance across our community and commits to addressing regulatory issues by encouraging voluntary self-compliance and discouraging non-compliance where appropriate. In cases where an issue cannot be resolved Council has a suite of regulatory tools available which range from education, through to informal action or enforcement.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Compliance and Enforcement Policy” and
- (b) adopt the amended Compliance and Enforcement Policy 2021 (Appendix A)

FINANCE AND RESOURCING

The review has been completed within existing operational budgets and resourcing for the Customer Engagement and Planning Services Group.

The implementation of the revised Policy is not expected to affect the current operational budget. The Customer Engagement and Planning Services Group operating expenses are dependent upon the complexity of the relevant compliance matters and ensuring that the Group meet Council’s legislative obligations, uphold Council’s policy position, and respond to community expectations.

CORPORATE PLAN

Corporate Plan Goal: *Our service excellence*

Outcome: We serve our community by providing this great service

Operational Activity: S19 - Development services – planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals.
S20 - Local amenity and local laws – maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles.

CONSULTATION

Councillor Consultation

A Councillor Workshop was held on the 18th of March 2021. Since the workshop further updates have been provided to Councillors in one-on-one discussions.

Internal Consultation

The Policy has been reviewed and developed in consultation with:

- Corporate Governance, Office of the CEO
- Legal Services, Office of the CEO
- Customer Response, Customer Engagement and Planning Services
- Development Services, Customer Engagement and Planning Services
- Coastal and Constructed Water Bodies Planning, Liveability & Natural Assets
- Parks and Gardens, Built Infrastructure
- Asset Strategy, Built Infrastructure
- Storm Water Services, Built Infrastructure
- Natural Areas, Liveability & Natural Assets

- Property Management, Business Performance
- Waste Services, Customer Engagement and Planning Services

The review and development of the revised Policy (Appendix 1), Draft Compliance and Decision Making Framework (Attachment 2) and Draft Group Operating Procedure (Attachment 3) was undertaken with advice and input from internal subject matter experts from the Customer Response Branch, Development Services Branch and Corporate Governance Branch within Council.

The internal consultation included a review by the Council Officers responsible for applying the Policy within their roles. From the officers who provided feedback 82% felt the Policy was easy to apply to their roles and responsibilities. Through this process officers requested support and familiarisation with the Policy through internal training, coaching, process, and document review. These requests have been included in the implementation plan for the Policy.

External Consultation

There has been no external consultation undertaken in relation to this report.

Community Engagement

There has been no community engagement on the review of the Policy.

Council will make the Policy available via the external website and promote the Policy position through all relevant education and regulatory materials.

PROPOSAL

The purpose of this report is to seek Council's adoption of the Compliance and Enforcement Policy 2021 (the Policy) following a review of the current policy.

Compliance and enforcement activities form part of Council's core responsibilities in protecting community safety, local amenity, and the environment. Working with over 65 pieces of legislation Council's compliance teams manage a diverse range of compliance activities including, but not limited to:

- building and plumbing
- development activity
- environmental matters
- animal management
- health licencing
- parking and
- local laws.

The existing Compliance and Enforcement Policy was developed and adopted in 2009 with the purpose of aligning the strategic direction of all the compliance areas within Council. Since its adoption the Policy has remained constant with the exception of one administrative review in 2018 which resulted in minor amendments to update references to the organisational structure, other policies, documents, and legislative references.

Over the last 12 months regulatory experts within the Customer Engagement and Planning Group have been working together to draft a Compliance and Enforcement Decision Making Framework (the Framework) and Group Operating Procedure (the Procedure) to guide the implementation of the Policy. The purpose of the framework and procedure is to support officers from the Customer Response and Development Services Branches in responding to over 21,000 service requests a year using a consistent approach to compliance. In

developing these operational tools, the Customer Engagement and Planning Services Group both considered the content of the existing Policy and noted opportunities to:

- improve the content in the Policy to be more community focussed
- align the Policy with Council's current standards and
- better reflect Council's risk-based approach to education, compliance, and enforcement activities.

Council's Corporate Governance Team, who are responsible for reviewing decisions made by the regulatory branches of Council, developing Local Laws and Council policies, provided guidance during the review process and recommended that the Policy be separated into an external facing document (Appendix A) supported by internal facing operational tools (Attachment 2 and Attachment 3). Corporate Governance subsequently rewrote the Policy to create a document which is designed for the community, aligns with Council's current policy standards, encompasses Council's approach to managing compliance-based issues and gives strong consideration to the guidance and direction provided by the Queensland Ombudsman's office in regards to developing good regulatory practice.

A version of the current Compliance and Enforcement Policy has been attached for reference (Attachment 1). The new Policy articulates Council's continued preference for voluntary self-compliance (Figure 1) wherever possible and retains Council's commitment to utilising education, information, and consultation as tools to support our community. The Policy commits Council to:

- providing a clear understanding of their rights and responsibilities under relevant legislation
- supporting the community to accomplish these responsibilities where appropriate
- helping the community understand how Council will approach administration of the relevant legislation
- providing access to information on how Council will approach compliance and enforcement and
- being transparent about the consequences of non-compliance.

The renewed Policy continues to encompass the range of compliance activity managed by Council and is underpinned by principles to ensure Council meets its statutory obligations, values, and the expectations of the community.

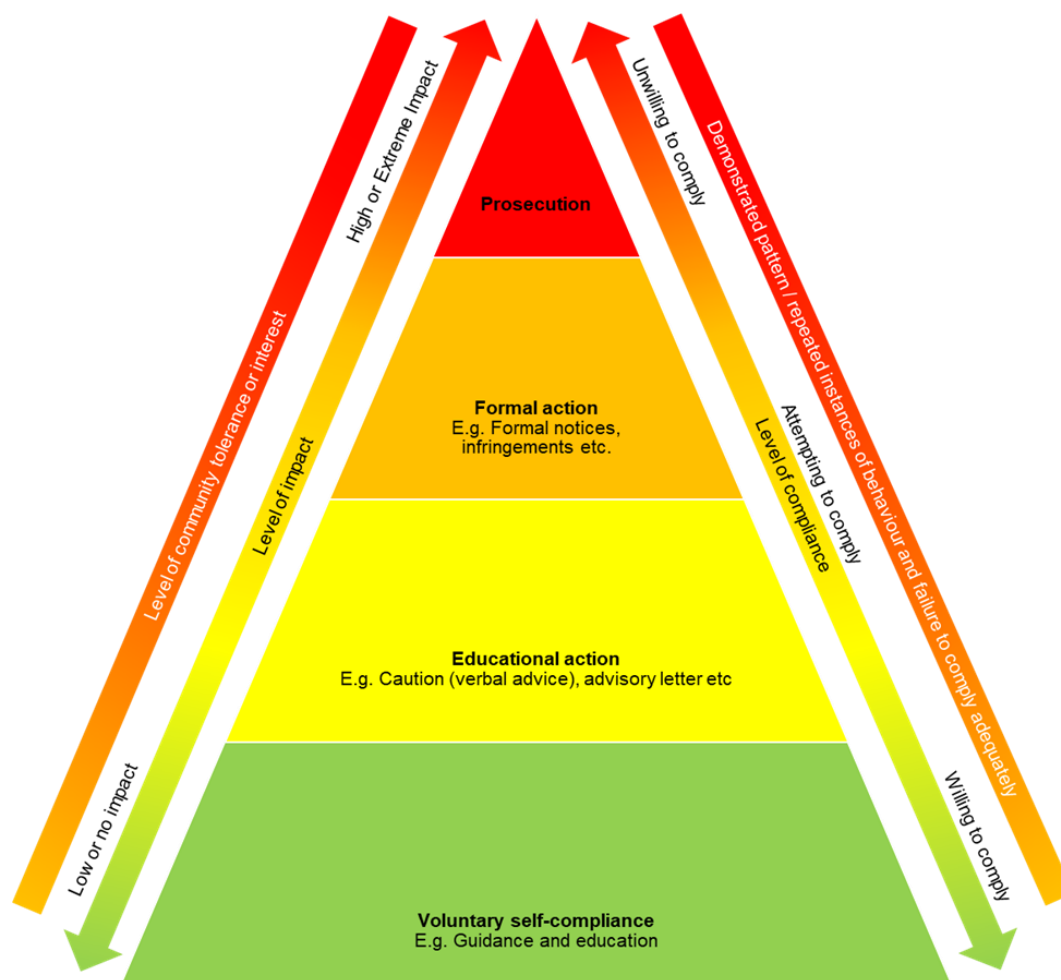


Figure 1 – Compliance model

Compliance and enforcement at Council is underpinned by the following principles:

Targeted	Council will target our compliance and enforcement activities to prevent the most serious risk or harm and where there is evidence that adequate education mechanisms are in place to advise of compliance requirements i.e. parking signage, animal management in public spaces.
Proportionate	Compliance and enforcement measures and responses will be proportional to the problem they seek to address and how responsible for the problem, the offender is.
Consistent	Outcomes from our compliance and enforcement activities should be consistent and predictable. Council aims to ensure that similar circumstances, non-compliances, and incidents lead to similar enforcement outcomes.
Transparent	Procedures and standards will be enforced transparently. Information and any lessons learned will be shared and promoted.
Inclusive	Council will engage with the community to educate and build awareness to promote voluntary compliance with the law

Should Council support the adoption of the Policy Council officers will:

- update the Compliance and Enforcement Policy published to Council’s website
- update the relevant educational information to align with the Policy
- communicate the update of the Compliance and Enforcement Policy to Council officers
- undertake an internal training and familiarisation program for the Policy and

- commence the operational review of all relevant standard operating procedures and internal documents to ensure alignment with the Compliance and Enforcement Policy.

Legal

The following legislation has been considered in the review of the Compliance and Enforcement Policy:

- [Anti-Discrimination Act 1991](#)
- [Human Rights Act 2019](#)
- [Information Privacy Act 2009](#)
- [Judicial Review Act 1991](#)
- [Local Government Act 2009](#)
- [Public Records Act 2002](#)
- [Public Sector Ethics Act 1994](#)

Policy

The following policies have been considered in the review of the Compliance and Enforcement Policy:

- [Administrative Action Compliance Management Process Policy](#)
- [Councillors Code of Conduct](#)
- [Employee Code of Conduct](#)
- [Environment and Liveability Strategy](#)

Risk

The Policy has been developed in consultation with the Queensland Ombudsman Tips and Traps for Regulators (Second Edition) 2009 which provides recommendations in relation to good regulatory practice for the public sector. In particular Council has reflected the recommendations in applying a risk-based approach to compliance activities and allowing officers to apply informed discretion in their decision making by providing both a regulatory strategy with supporting frameworks (Attachment 2) and procedures (Attachment 3).

Risk management forms a core part of the policy by ensuring the compliance and enforcement action is proportionate and these actions are underpinned by robust and documented processes which meet the expectations of our community, review bodies and the relevant Court.

Previous Council Resolution

Ordinary Meeting 13 September 2018 (OM18/148)

That Council:

- receive and note the report titled "Compliance and Enforcement Policy – Review"*
- adopt the amended Compliance and Enforcement Policy (Appendix A) as a guide to its approach to proactive education, awareness, and implementation of enforcement responsibilities.*

Ordinary Meeting 12 March 2009 (OM09/071)

That Council:

- (a) adopt the Compliance and Enforcement Policy (Appendix A) as a guide to its approach to proactive education, awareness, and implementation of enforcement responsibilities; and*
- (b) request the Chief Executive Officer to design and implement an appropriate communication and training regime for key personnel in the organisation.*

Related Documentation

The following documents have been considered in the review of the Compliance and Enforcement Policy:

- [Crime and Corruption Commission \(CCC\) – Corruption in focus](#)
- [Queensland Ombudsman Tips and Traps for Regulators \(Second Edition\) 2009](#)

Critical Dates

Customer Engagement and Planning Services is aiming to have the reviewed Policy adopted before 30 June 2022.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will:







- update the Compliance and Enforcement Policy published to Council's website
- update the relevant educational information to align with the Policy
- communicate the update of the Compliance and Enforcement Policy to Council officers
- undertake an internal training and familiarisation program for the Policy and
- commence the operational review of all relevant standard operating procedures and internal documents to ensure alignment with the Compliance and Enforcement Policy.

8.5 DISPOSAL (EASEMENT) OF PART OF COUNCIL OWNED KAWANA FOREST BUSHLAND RESERVE AND MERIDAN FIELDS SPORTING COMPLEX

File No: D2021/1450621

Author: Senior Property Officer
Business Performance Group

Attachments:

Att 1 - Kawana Forest Bushland Reserve Locality Map	253	↓	
Att 2 - Meridan Fields Sporting Complex Locality Map	255	↓	
Att 3 - Easement A on Survey Plan 331069	257	↓	
Att 4 - Easement D on Survey Plan 331072	259	↓	
Att 5 - Easement C on Survey Plan 331073	261	↓	
Att 6 - Proposed Aura Sewer Rising Main (SRM) Sewerage Easements Alignment	263	↓	

PURPOSE

In accordance with Section 236 of the *Local Government Regulation 2012*, this report seeks an exception from Council from undertaking a tender or auction process to facilitate the registration of sewerage easements in favour of Unitywater. The easements are for sewerage purposes over Council owned land located at Kawana Forest Bushland Reserve and Meridan Fields Sporting Complex.

EXECUTIVE SUMMARY

This report seeks an exception from Council to facilitate the registration of sewerage easements over Council owned land located at Kawana Forest Bushland Reserve and Meridan Fields Sporting Complex as shown on **Attachment 1 – Kawana Forest Bushland Reserve Locality Map** and **Attachment 2 – Meridan Fields Sporting Complex Locality Map**. The sewerage easements are proposed to be granted in favour of Unitywater for the purpose of accommodating a sewer rising main as part of Unitywater’s Aura Sewer Rising Main (SRM) project. The locations of the proposed sewerage easements are shown on **Attachment 3 – Easement A on Survey Plan 331069**, **Attachment 4 – Easement D on Survey Plan 331072** and **Attachment 5 – Easement C on Survey Plan 331073**.

Local Government Regulation 2012 stipulates that Council may, by resolution, dispose of an interest in land (easement), other than by tender or auction, if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency and in this instance, Unitywater is considered a government agency. Section 236(2) provides that a local government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting sewerage easements in favour of Unitywater over Council owned land.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Disposal (Easement) of part of Council owned Kawana Forest Bushland Reserve and Meridan Fields Sporting Complex”;
- (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 owned Lot 800 SP243716, Lot 9 SP248469 and Lot 606 SP231205, 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.

FINANCE AND RESOURCING

Section 236(3) of the *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land if the consideration for the disposal is equal to, or more than, the market value of the interest in land, including the market value of any improvements on the land.

Section 236(5) provides that a valuer (who is not an employee of the local government) registered under the *Valuers Registration Act 1992* is to provide a written report indicating the market value of the interest in land. In the event that an exemption to the disposal is granted, the Property Management Branch will commission an independent compensation assessment for the diminished value of the encumbered land.

Unitywater will be responsible for all costs in relation to the proposed sewerage easements which are expected to include compensation, the preparation of easement documentation and survey plans, the preparation of compensation assessments, and Titles Queensland registration fees to register the dealings.

CORPORATE PLAN

Corporate Plan Goal: *Our service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S21 - Property management – comprehensive management of Council’s land and building assets to ensure that Council’s property dealings are optimised, centrally managed, and support Councils objectives.

CONSULTATION

Councillor Consultation

- Councillor P Cox – Division 3 Divisional Councillor
- Councillor W Johnston – Service Excellence Portfolio Councillor
- Councillor C Dickson – Service Excellence Portfolio Councillor

Internal Consultation

- Environment Project Officer, Environment and Sustainability Policy
- Manager, Transport and Infrastructure Planning
- Manager, Stormwater Services
- Parks Technical Officer, Parks & Gardens

- Project Officer, Environmental Operations
- Coordinator, Strategic Property
- Acting Manager, Community Planning & Development
- Coordinator, Sports Venues & Development
- Team Leader, Sports Planning & Development
- Manager, Business & Innovation

External Consultation

Council's Property Management Branch has liaised with Unitywater's Project Manager and Property Officer in relation to the requirement for sewerage easements as part of the Aura Sewer Rising Main (SRM) project.

Community Engagement

Due to the administrative nature of this report, no community engagement has been undertaken or is required.

PROPOSAL

This report seeks an exception from Council to facilitate the registration of sewerage easements over Council owned land located at Kawana Forest Bushland Reserve and Meridan Fields Sporting Complex as shown below on **Figure 1 – Kawana Forest Bushland Reserve Locality Map** and **Figure 2 – Meridan Fields Sporting Complex Locality Map**.



Figure 1. Kawana Forest Bushland Reserve Locality Map



Figure 2 – Meridan Fields Sporting Complex Locality Map

On 16 November 2020, Council granted Unitywater preliminary consent to the concept design for the Aura Sewer Rising Main (SRM) project that traverses Kawana Way to Meridan Way, then north along the Meridan Way road reserve and through the Kawana Forest Bushland Reserve that abuts the southern boundary of the Kawana Sewerage Treatment Plant (STP) site.

On 8 July 2021, Council granted Unitywater consent to the works shown on Unitywater’s detailed design plans dated 17 May 2021 for the Aura Sewerage Rising Main (SRM) project subject to the registration of sewerage easements in Unitywater’s favour over the Council owned land parcels listed in the table below.

Real Property Description	Easement	Area
Lot 800 SP243716	Easement ‘D’ SP331072	1,580m ²
Lot 9 SP248469	Easement ‘C’ SP331073	12,610m ²
Lot 606 SP231205	Easement ‘A’ SP331069	10,800m ²

The sewerage easements are proposed to be granted in favour of Unitywater for the purpose of accommodating a Sewer Rising Main as part of Unitywater’s Aura Sewer Rising Main (SRM) project. The locations of the proposed sewerage easements are shown on **Attachment 3 – Easement A on Survey Plan 331069**, **Attachment 4 – Easement D on Survey Plan 331072** and **Attachment 5 – Easement C on Survey Plan 331073** and an overview of the proposed sewerage easements alignment associated with the Aura Sewer Rising Main (SRM) project is shown on **Attachment 6 – Proposed Aura Sewer Rising Main (SRM) Sewerage Easements Alignment**.

Lot 800 SP243716 was transferred to Council’s ownership in 2014 under a nomination of Trust for open space purposes. Lot 9 SP248469 was transferred to Council’s ownership in 2007 under a nomination of Trust for sport and recreation purposes. Lot 606 SP231205 is Council freehold land that is currently utilised as the Meridan Fields Sporting Complex.

Local Government Regulation 2012 stipulates that Council may, by resolution, dispose of an interest in land (easement), other than by tender or auction, if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency and in this

instance, Unitywater is considered a government agency. Section 236(2) provides that a local government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting sewerage easements, in favour of Unitywater, over Council owned land.

Legal

Legal Services have been consulted in relation to this report and will review all easement documentation to enable the registration of the proposed sewerage easements with Titles Queensland.

Policy

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

Risk

The risk associated with this matter is that Council would not have a registered record of infrastructure within Lot 800 SP243716, Lot 9 SP248469 and Lot 606 SP231205. Further to this, Unitywater would not have legal rights to access the infrastructure under the protection of the *South East Queensland Water (Restructuring) Act 2007*.

Previous Council Resolution

There are no previous Council Resolutions relevant to this report.

Related Documentation

Council's Standard Terms Document dealing number 714904857 for easements in favour of Unitywater on Council owned land will be registered in accordance with the easement documentation.

Critical Dates

There are no critical dates relevant to this report, however, Unitywater have requested that the matter be finalised as soon as possible.





Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will delegate to Council's Delegated Officer that if Council resolves that an exception to division 4 of section 236 of the *Local Government Regulation 2012* applies, the survey plan and easement documentation will be executed and registered with Titles Queensland.

8.6 DISPOSAL (EASEMENT) OF PART OF COUNCIL FREEHOLD LOT 3 SP305328 FOREST GLEN

File No: D2021/1453626

Author: Senior Property Officer
Business Performance Group

Attachments: Att 1 - Lot 3 SP305328 Locality Map 275  
Att 2 - Easement 'C' on Survey Plan 319305 277  

PURPOSE

In accordance with Section 236 of the *Local Government Regulation 2012*, this report seeks an exception from Council from undertaking a tender or auction process to facilitate the registration of a sewerage easement in favour of Unitywater. The easement is for sewerage purposes over part of Council freehold land located at 18 Sandalwood Lane, Forest Glen and legally described as Lot 3 SP305328.

EXECUTIVE SUMMARY

This report seeks an exception from Council to facilitate the registration of a sewerage easement over Council freehold land located at 18 Sandalwood Lane, Forest Glen and legally described as Lot 3 SP305328 as shown on **Attachment 1 – Lot 3 SP305328 Locality Map**. The sewerage easement is proposed to be granted in favour of Unitywater for the purpose of accommodating sewer infrastructure, specifically a sewer trunk gravity main. The location of the proposed sewerage easement is shown on **Attachment 2 – Easement 'C' on Survey Plan 319305**.

Local Government Regulation 2012 stipulates that Council may, by resolution, dispose of an interest in land (easement), other than by tender or auction, if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency and in this instance, Unitywater is considered a government agency. Section 236(2) provides that a local government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting of a sewerage easement in favour of Unitywater over Council freehold land.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Disposal (Easement) of part of Council freehold Lot 3 SP305328 Forest Glen”
- (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 Lot 3 SP305328, 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.

FINANCE AND RESOURCING

Section 236(3) of the *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land if the consideration for the disposal is equal to, or

more than, the market value of the interest in land, including the market value of any improvements on the land.

Section 236(5) provides that a valuer (who is not an employee of the local government) registered under the *Valuers Registration Act 1992* is to provide a written report indicating the market value of the interest in land. In the event that an exemption to the disposal is granted, the Property Management Branch will commission an independent compensation assessment for the diminished value of the encumbered land.

Unitywater will be responsible for all costs in relation to the proposed sewerage easements which are expected to include compensation, the preparation of easement documentation and survey plans, the preparation of compensation assessments, and Titles Queensland registration fees to register the dealings.

CORPORATE PLAN

Corporate Plan Goal: *Our service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S21 - Property management – comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

CONSULTATION

Councillor Consultation

- Councillor E Hungerford – Division 7 Divisional Councillor
- Councillor W Johnston – Service Excellence Portfolio Councillor
- Councillor C Dickson – Service Excellence Portfolio Councillor

Internal Consultation

- Head of Property, Property Management
- Manager Leasing & Land Management, Property Management
- Senior Property Officer, Property Management
- Manager, Business & Innovation
- Coordinator, Strategic Property

External Consultation

Council's Property Management Branch has liaised with the consultant of the adjoining land owner of Lot 2 SP194358, being Murray & Associates Surveyors & Town Planners, in relation to the requirement for the registration of a sewerage easement.

Community Engagement

Due to the administrative nature of this report, no community engagement has been undertaken or is required.

PROPOSAL

This report seeks an exception from Council to facilitate the registration of a sewerage easement over Council freehold land located at 18 Sandalwood Lane, Forest Glen and legally described as Lot 3 SP305328 as shown on **Figure 1. Lot 3 SP305328 Locality Map** below. Lot 3 SP305328 is Council freehold land that was acquired in 2017 for future depot purposes. The sewerage easement is proposed to be granted in favour of Unitywater for the

purpose of accommodating sewer infrastructure, specifically a sewer trunk gravity main. The location of the proposed sewerage easement is shown on **Figure 2. Easement 'C' on Survey Plan 319305** below.



Figure 1. Lot 3 SP305328 Locality Map

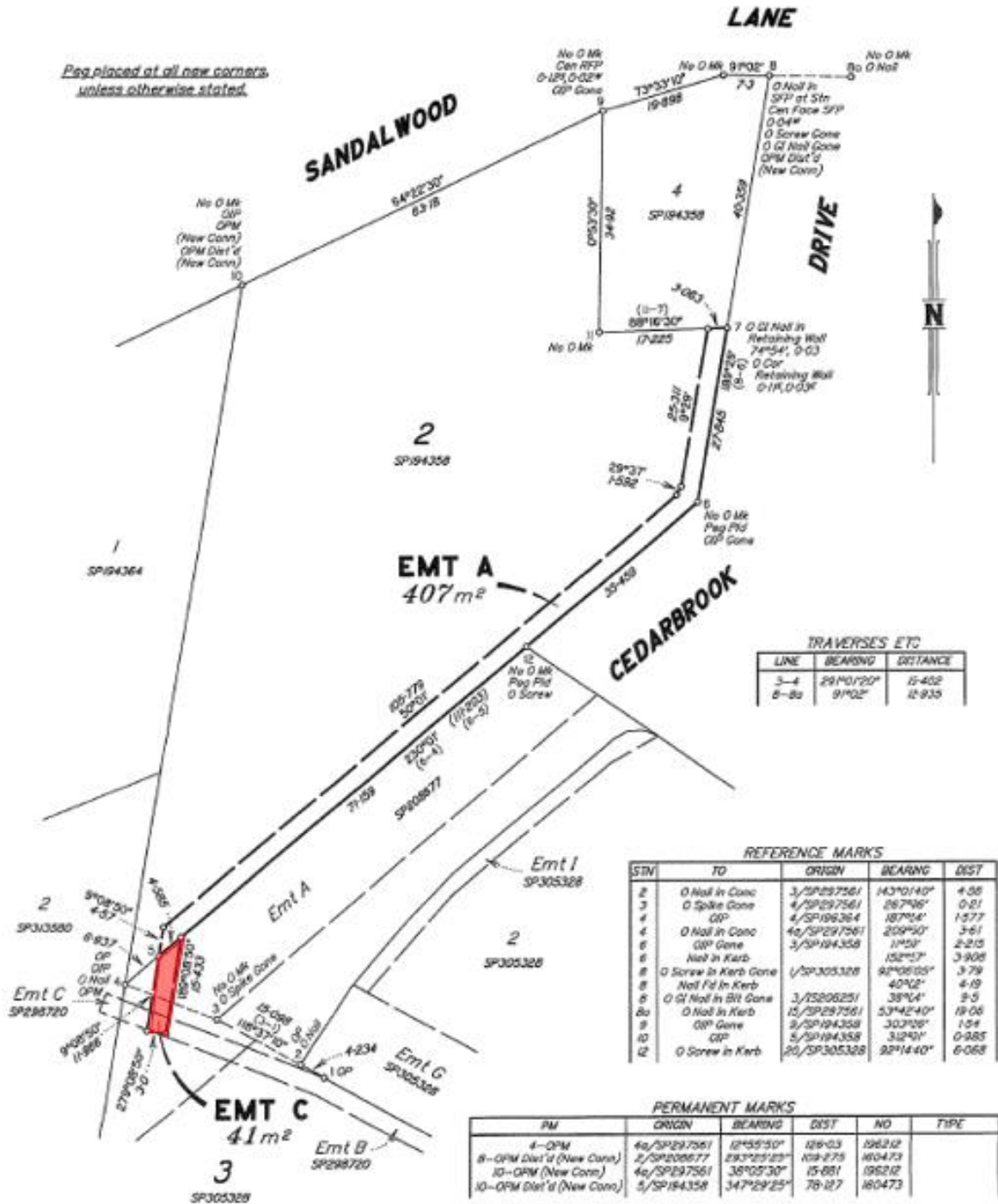


Figure 2. Easement 'C' on Survey Plan 319305

As part of an Operational Works development approval for the adjacent Lot 2 SP194358, an extension to the existing Unitywater sewer network was required which links the proposed sewer trunk gravity main into existing sewerage infrastructure within Council freehold Lot 3 SP305328. Unitywater issued the landowner of Lot 2 SP194358 with a Decision Notice Approval in March 2020, conditional upon Easement 'C' being registered over the proposed sewer trunk gravity main within Council freehold Lot 3 SP305328. The total area of Easement 'C' is approximately 49m² and the subject area of Lot 3 SP305328 is already encumbered by an access and services easement granted to an adjoining landowner of Lot 2 SP313580.

Local Government Regulation 2012 stipulates that Council may, by resolution, dispose of an interest in land (easement), other than by tender or auction, if an exception applies. Section

236(1)(b)(i) provides for an exception if the disposal is to a government agency and in this instance, Unitywater is considered a government agency. Section 236(2) provides that a local government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting of a sewerage easement in favour of Unitywater over Council freehold land.

Legal

Legal Services have been consulted in relation to this report and will review all easement documentation to enable the registration of the proposed sewerage easement with Titles Queensland.

Policy

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

Risk

The risk associated with this matter is that Council would not have a registered record of infrastructure within Lot 3 SP305328. Further to this, Unitywater would not have legal rights to access the infrastructure under the protection of the *South East Queensland Water (Restructuring) Act 2007*.

Previous Council Resolution

There are no previous Council Resolutions relevant to this report.

Related Documentation

Council's Standard Terms Document dealing number 714904857 for easements in favour of Unitywater on Council freehold land will be registered in accordance with the easement documentation.

Critical Dates

There are no critical dates relevant to this report, however, Unitywater have requested that the matter be finalised as soon as possible.







Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will delegate to Council's Delegated Officer that if Council resolves that an exception to division 4 of section 236 of the *Local Government Regulation 2012* applies, the survey plan and easement documentation will be executed and registered with Titles Queensland.

8.7 DISPOSAL (EASEMENT) OF PART OF COUNCIL FREEHOLD LOT 6 RP176544 BUDERIM

File No: D2021/1472297

Author: Senior Property Officer
Business Performance Group

Attachments: Att 1 - Lot 6 RP176544 285  
Att 2 - Buderim Locality Map..... 287  
Att 3 - Easements 'E' & 'F' on Survey Plan 325528 289  

PURPOSE

In accordance with Section 236 of the *Local Government Regulation 2012*, this report seeks an exception from Council from undertaking a tender or auction process to facilitate the registration of drainage easements in favour of the owner/s of the adjoining land. The easements are for drainage purposes over part of Council freehold land being Lot 6 RP176544 more commonly referred to as 2 Ballinger Road, Buderim.

EXECUTIVE SUMMARY

This report seeks an exception from Council to facilitate the registration of drainage easements over Council freehold land being Lot 6 RP176544 more commonly referred to as 2 Ballinger Road, Buderim as shown on **Attachment 1 – Lot 6 RP176544 Locality Map** and **Attachment 2 – Buderim Locality Map**.

The drainage easements are proposed to be granted in favour of the owner/s of the adjoining land for the purpose of accommodating inter-allotment drainage infrastructure, specifically stormwater pipes. The location of the proposed drainage easements is shown on **Attachment 3 – Easements 'E' & 'F' on Survey Plan 325528**.

Local Government Regulation 2012 stipulates that Council may, by resolution, dispose of an interest in land (easement), other than by tender or auction, if an exception applies. Section 236(1)(c)(iv) provides for an exception if the land is disposed to a person who owns adjoining land. Section 236(2) provides that a local government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting drainage easements in favour of a person who owns adjoining land over Council freehold land.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Disposal (Easement) of part of Council freehold Lot 6 RP176544 Buderim”; and
- (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 Lot 6 RP176544, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(c)(iv) the land is disposed of to a person who owns adjoining land.

FINANCE AND RESOURCING

Section 236(3) of the *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land if the consideration for the disposal is equal to, or more than, the market value of the interest in land, including the market value of any improvements on the land.

Section 236(5) provides that a valuer (who is not an employee of the local government) registered under the *Valuers Registration Act 1992* is to provide a written report indicating the market value of the interest in land. In the event that an exemption to the disposal is granted, the Property Management Branch will commission an independent compensation assessment for the diminished value of the encumbered land.

The adjoining land owners will be responsible for all costs in relation to the proposed drainage easements which are expected to include compensation, the preparation of easement documentation and survey plans, the preparation of compensation assessments, and Titles Queensland registration fees to register the dealings.

CORPORATE PLAN

Corporate Plan Goal: *Our service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S21 - Property management – comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

CONSULTATION

Councillor Consultation

- Councillor E Hungerford – Division 7 Divisional Councillor
- Councillor W Johnston – Service Excellence Portfolio Councillor
- Councillor C Dickson – Service Excellence Portfolio Councillor

Internal Consultation

- Head of Property, Property Management
- Manager Leasing & Land Management, Property Management
- Senior Property Officer, Property Management
- Manager, Business & Innovation
- Coordinator, Strategic Property
- Stormwater Services Manager, Transport Infrastructure Management
- Coordinator Engineering & Environment Assessment, Development Services
- Principal Development Engineer, Development Services
- Principal Development Engineer (Hydraulics), Development Services

External Consultation

Council's Property Management Branch has liaised with the consultant of the adjoining land owner of Lot 4 RP77533 and the land owner's consultant, being Murray & Associates Surveyors & Town Planners, in relation to the requirement for the registration of drainage easements within Lot 6 RP176544.

Community Engagement

Due to the administrative nature of this report, no community engagement has been undertaken or is required.

PROPOSAL

This report seeks an exception from Council to facilitate the registration of drainage easements over Council freehold land being Lot 6 RP176544 more commonly referred to as 2 Ballinger Road, Buderim as shown on **Attachment 1 – Lot 6 RP176544 Locality Map**, **Attachment 2 – Buderim Locality Map** and **Figures 1** and **2** below. Lot 6 RP176544 was acquired in 1984 for car parking purposes and is currently utilised as a car park.

The drainage easements are proposed to be granted in favour of the owner/s of the adjoining land for the purpose of accommodating inter allotment drainage infrastructure, specifically stormwater pipes. The location of the proposed drainage easements is shown on **Attachment 3 – Easements ‘E’ & ‘F’ on Survey Plan 325528** and **Figure 3** below.



Figure 1. Lot 6 RP176544 Locality Map



Figure 2. Buderim Locality Map

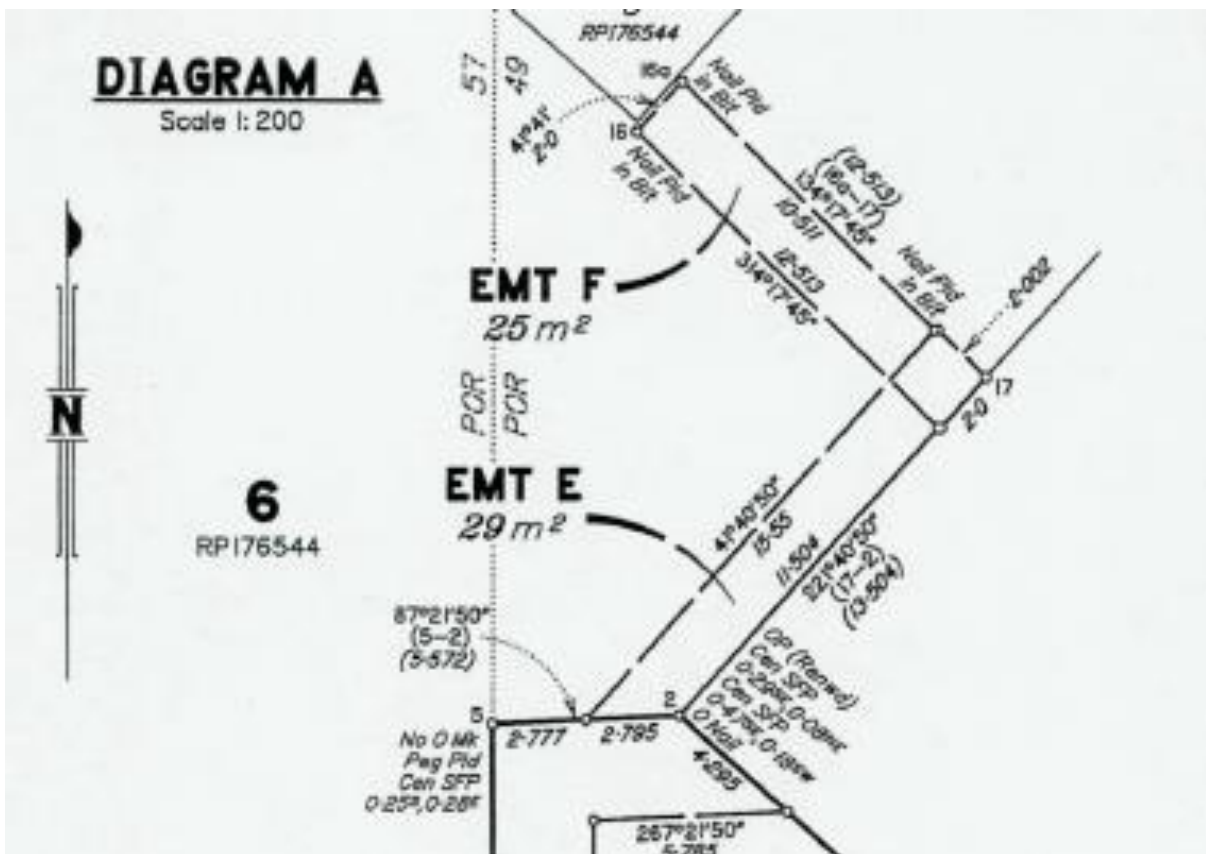


Figure 3. Easements 'E' & 'F' on Survey Plan 325528 Excerpt

The proposed inter-allotment drainage easements are associated with Plan of Subdivision POS21/0223 of Lot 4 RP77533 and Lot 2 RP128938 which are proposed to be registered within Council freehold Lot 6 RP176544. Please note that privately owned stormwater infrastructure already exists within Council freehold Lot 6 RP176544. Easement documentation for Easements A, B and C in Lots 1, 2 and 3 SP325528 associated with the

Plan of Subdivision approval for POS21/0223 and Approved Survey Plan SP325528 have already been executed by Council's Delegated Officer.

Local Government Regulation 2012 stipulates that Council may, by resolution, dispose of an interest in land (easement), other than by tender or auction, if an exception applies. Section 236(1)(c)(iv) provides for an exception if the land is disposed to a person who owns adjoining land. Section 236(2) provides that a local government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting drainage easements in favour of a person who owns adjoining land over Council freehold land.

Legal

Legal Services have been consulted in relation to this report and will review all easement documentation to enable the registration of the proposed sewerage easement with Titles Queensland.

Policy

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

Risk

The risk associated with this matter is that Council would not have a registered record of private drainage infrastructure within Lot 6 RP176544.

Previous Council Resolution

There are no previous Council Resolutions relevant to this report.

Related Documentation

Council's Standard Terms Document dealing number 717513492 for drainage infrastructure and access rights easements on Council owned land will be registered in accordance with the easement documentation.

Critical Dates

There are no critical dates relevant to this report, however, the adjoining landowner of Lot 4 RP77533 have requested that the matter be finalised as soon as possible.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will delegate to Council's Delegated Officer that if Council resolves that an exception to division 4 of section 236 of the *Local Government Regulation 2012* applies, the survey plan and easement documentation will be executed and registered with Titles Queensland.

8.8 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR DISPOSAL OF A COMMERCIAL LEASE AT MT COOLUM**File No:** D2021/1445972**Author:** Senior Property Officer
Business Performance Group**Attachments:** Att 1 - Aerial Photograph - Lease Area 295  
Att 2 - Proposed Lease Terms - *Confidential* 5/5

PURPOSE

The purpose of this report is to seek an exception from Council in accordance with the *Local Government Regulation 2012* from the tender or auction process to enter into a new commercial Lease agreement with the existing tenant of the land, being DPOB Pty Ltd.

EXECUTIVE SUMMARY

DPOB Pty Ltd ('the Tenant') holds a Lease for caretaking purposes with Sunshine Coast Regional Council ('the Council') over Council freehold land legally described as Lot 2 SP101012, Lot 3 SP101012, Lot 1 RP225495 and Lot 210 RP856174, located at 169-179 West Coolum Rd Mt Coolum, as shown on **Attachment 1 – Lot 2 SP101012, Lot 3 SP101012, Lot 1 RP225495 and Lot 210 RP856174 aerial map**.

The Lease expired on 31 July 2021 and the Tenant has been holding over monthly in accordance with the conditions of the current Lease, whilst a new Lease is being negotiated.

Following expiration, the Tenant wrote to Council requesting to enter into a new 2-year Lease. Council's Property Management Branch has sought the opinion of Council's Legal Department to establish the new Lease agreement and a registered valuer was appointed to determine the annual rental in accordance with the current market conditions. It is proposed to offer the Tenant a further 2-year term at the market assessed rent.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled "Exception under Local Government Regulation 2012 for Disposal of a Commercial Lease at Mt Coolum" and
- (b) resolve in accordance with section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land (Lease) over Lot 2 SP101012, Lot 3 SP101012, Lot 1 RP225495 and Lot 210 RP856174, other than by tender or auction applies, as the disposal is pursuant to section 236 (1)(c)(iii) to the existing tenant of the land, being DPOB Pty Ltd.

FINANCE AND RESOURCING

The proposed lease terms and annual rental has been assessed in accordance with the current market conditions by a registered valuer as at the commencement of the proposed new Lease being 1 August 2021 (backdated to align with the expiration of the current Lease).

CORPORATE PLAN

Corporate Plan Goal: *Our service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S21 - Property management – comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

CONSULTATION

Councillor Consultation

Councillor M Suarez – Division 9 Divisional Councillor and Environment and Liveability Portfolio Councillor

Councillor P Cox – Environment and Liveability Portfolio Councillor

Internal Consultation

Property Management
Strategic Planning
Open Space and Social Policy
Environmental Operations
Strategic Property
Sunshine Coast Airport Expansion Team

External Consultation

Councils Property Management Branch has liaised with the Tenant and its solicitor in relation to this report.

Community Engagement

Due to the administrative nature of this report no community engagement has been undertaken or is required in relation to this report.

PROPOSAL

In 2019, Council acquired in freehold (via compulsory acquisition) five parcels of land along West Coolum Road, Mount Coolum. The land was acquired for the purpose of 'Aviation and related purposes' to managed Obstacle Limitation Surfaces (namely trees and vegetation over the land) for the Sunshine Coast Airport Expansion Project.

Council agreed at the time to 'Lease-back' four of the acquired lots to the former owner for Caretaking including the occupancy of residential buildings for 'accommodation and home office purposes' and keeping of goats, bees and personal domestic pets.

The current Lease agreement commenced on 1 August 2019 and expired on 31 July 2021 with the Tenant holding over monthly under the terms of the current Lease. The Tenant occupies Council owned land located at 169-179 West Coolum Rd Mt Coolum and legally described as Lot 2 SP101012, Lot 3 SP101012, Lot 1 RP225495 and Lot 210 RP856174, as shown on **Attachment 1 – Lot 2 SP101012, Lot 3 SP101012, Lot 1 RP225495 and Lot 210 RP856174 aerial map** below.



Following expiration, the Tenant wrote to Council requesting to enter into a new 2-year Lease. The Tenant and Council have since been negotiating the new Lease (subject to an exception item being submitted to Council for consideration).

Council's Property Management Branch has sought the opinion of Council's Legal Department to establish the new Lease agreement terms and a registered valuer to determine the current market rental value in accordance with the current market conditions. It is proposed to offer the Tenant a further 2-year term at the market assessed rental rate.

An internal request for comments process has been undertaken seeking feedback from Council officers in relation to the proposed new 2-year Lease agreement which was supported by Council officers.

The Tenant is compliant with their obligations under the current Lease, including rental payments, and currently has no outstanding rental arrears. The new Lease agreement will be drafted in accordance with Council's standard commercial lease terms and in accordance with current Council policies.

In accordance with the *Local Government Regulation 2012* an exception from Council is required to enter into a new commercial Lease agreement with the existing tenant of the land. If no exception is granted the premises will be offered for Lease agreement via a public tender process.

Legal

Council's Legal Services department have been consulted in relation to the preparation of the Form 7 – Lease/Sublease documentation.

Policy

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

Risk

There are no risks relevant to Council in relation to this report.

Previous Council Resolution

There are no previous Council Resolutions relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

There are no critical dates relevant to this report, however, the current lease agreement is in 'holding over' as it is past the expiry date of 31 July 2021 and any new Lease documentation should be executed and registered at the Titles Office as soon as possible.

Implementation

Should Council resolve that an exception to the *Local Government Regulation 2012* applies, Council's Properties Lawyer will prepare the Form 7 – Lease/Sublease documentation for execution by DPOB Pty Ltd and Council's Delegated Officer and arrange for the registration of this documentation at the Titles Office.

8.9 NOVEMBER 2021 FINANCIAL PERFORMANCE REPORT

File No: D2021/829545

Author: Coordinator Financial Services
Business Performance Group

Attachments: Att 1 - November Financial Performance Report 2021301 [↓](#)
Att 2 - 2021/22 Capital Grant Funded Project Report November
2021303 [↓](#)

PURPOSE

To meet Council's legislative obligations, a monthly report is to be presented to Council on its financial performance and investments.

EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 30 November 2021 in terms of the operating result and delivery of the capital program.

Operating Performance

Table 1: Operating Budget as at 30 November 2021

	Original Budget \$000	Current Budget \$000
Total Operating Revenue	498,433	498,628
Total Operating Expenses	479,602	484,168
Operating Result	18,832	14,460

Details of the monthly financial report are contained in Attachment 1.

OFFICER RECOMMENDATION

That Council receive and note the report titled "November 2021 Financial Performance Report".

FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending 31 November 2021 and meets Council's legislative reporting requirements.

CORPORATE PLAN

Corporate Plan Goal: *Our outstanding organisation*
Outcome: We serve our community by providing this great service
Operational Activity: S28 - Financial and procurement services – financial and procurement management and governance, ensuring effective business management and legislative compliance, coordination and development of Council's budget process, administration of financial systems, sundry debtors, accounts payable, financial and asset accounting, treasury, procurement, contract and supply functions.

CONSULTATION

Portfolio Councillor Consultation

Consultation has been undertaken with the Portfolio Councillor, E Hungerford.

Internal Consultation

This report has been written in conjunction with advice from:

- Group Executive Business Performance
- Chief Financial Officer

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

Legal

This report ensures that Council complies with its legislative obligations with respect to financial reporting in accordance with Section 204 of the *Local Government Regulation 2012*.

Investment of funds is in accordance with the provisions of the *Statutory Bodies Financial Arrangements Act 1982* and the associated Regulations and the *Local Government Act 2009*.

Policy

Sunshine Coast Council's 2021/22 Investment Policy and
Sunshine Coast Council's 2021/22 Debt Policy.

Risk

Failure to achieve the budgeted operating result will negatively impact Council's capacity to complete its capital expenditure program.

Previous Council Resolution

Ordinary Meeting 16 September 2021 (OM21/87)

That Council:

- receive and note the report titled "**Budget Review 1 2021/22**"*
- adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2021/22 financial year incorporating:*
 - the statement of income and expenditure*
 - the statement of financial position*
 - the statements of changes in equity*
 - the statement of cash flow*
 - the relevant measures of financial sustainability*
 - the long term financial forecast*
 - the Debt Policy*
- note the following documentation applies as adopted 24 June 2021*

- (i) *the Revenue Policy*
 - (ii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
 - (iii) *the Revenue Statement and*
 - (iv) *the rates and charges to be levied for the 2021/22 financial year and other matters as adopted 24 June 2021 and*
- (d) *endorse the Minor Capital Works Program (Appendix B).*

Special Meeting Budget 24 June 2021 (SM21/3)

That Council adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2021/22 financial year incorporating:

- i. the statement of income and expenditure*
- ii. the statement of financial position*
- iii. the statements of changes in equity*
- iv. the statement of cash flow*
- v. the relevant measures of financial sustainability*
- vi. the long term financial forecast*
- vii. the Debt Policy (adopted by Council resolution on 27 May 2021)*
- viii. the Revenue Policy (adopted by Council resolution on 27 May 2021)*
- ix. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- x. the Revenue Statement*
- xi. Council's 2021/22 Capital Works Program, endorse the indicative four-year program for the period 2023 to 2026, and note the five-year program for the period 2027 to 2031*
- xii. the rates and charges to be levied for the 2021/22 financial year and other matters as detailed below in clauses 3 to 12*
- xiii. endorse the 2021/22 Minor Capital Works Program*
- xiv. establish a \$5 million internally restricted Disaster Rehabilitation Reserve.*

Related Documentation

2021/22 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

Placeholder for Attachment

November 2021 Financial Performance Report

November Financial Performance Report 2021

Placeholder for Attachment

November 2021 Financial Performance Report

2021/22 Capital Grant Funded Project Report November 2021

9 NOTIFIED MOTIONS**10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

- * Legible
- * Have purpose of the petition on top of each page
- * Contain at least 10 signatures
- * Motion limited to:
 - Petition received and referred to a future meeting
 - Petition received and referred to the Chief Executive Officer for report and consideration of recommendation
 - Petition not be received

11 CONFIDENTIAL SESSION**11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAROOCHYDORE CITY CENTRE PROJECT - COMMERCIAL UPDATE**

File No: D2021/1009640
Author: Project Accountant
Office of the CEO

In preparing this report, the Chief Executive Officer recommends that it be considered confidential in accordance with Section 254J(3) (g) of the *Local Government Regulation 2012* as it contains information relating to a confidential commercial agreement and confidential commercial negotiations involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

The information contained in this report is confidential as it relates to the implementation of aspects of a contractual arrangement with a third party for land within the Maroochydore City Centre Priority Development Area (PDA) and other property related negotiations in the PDA. The disclosure of this information would breach commercial confidentiality undertakings with other parties and disclose information relating to specific commercial negotiations involving Council that are yet to be finalised.

Council will need to resolve its decision on this report in that part of the Council meeting which is viewable by the public. Authority will also be sought for the Chief Executive Officer to release specific information contained in this report once certain conditions have been satisfied.

12 NEXT MEETING

The next Ordinary Meeting will be held on 27 January 2022.

13 MEETING CLOSURE