

Agenda

Ordinary Meeting

Thursday, 25 February 2021

commencing at 9:00am

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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 Ordinary Meeting held on 28 January 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 SUNSHINE COAST CORPORATE PLAN 2021 - 2025****File No:** Council meetings**Author:** Coordinator Organisational Performance
Office of the CEO**Appendices:** App A - Draft Sunshine Coast Corporate Plan 15

PURPOSE

This report presents to Council for consideration the Draft Sunshine Coast Council Corporate Plan 2021-2025 which if adopted will guide the directions and priorities over the next five years in pursuing Council's vision: Australia's most sustainable region – Healthy, Smart, Creative.

EXECUTIVE SUMMARY

The Draft Sunshine Coast Corporate Plan 2021-2025 (Appendix A) outlines the goals, pathways and strategic priorities over the next five years as we advance our vision: Australia's most sustainable region – Healthy. Smart. Creative.

Our region is growing and a balanced and connected approach to advance our goals whilst managing growth is critical to achieve our vision. The Draft Sunshine Coast Corporate Plan 2021-2025 has been developed based on the outcomes of a series of Council Workshops over the last six months. It has cascaded the key priorities of our long-term community, environment and liveability, and economic strategies and considered the community engagement received during these activities alongside the results of the Community Satisfaction Survey 2020 to help shape the strategic priorities for the next five years.

During this process our vision was maintained along with its healthy, smart, creative attributes that provide clear direction for the future. Our purpose has been updated to reflect a key principle of developing this Corporate Plan, "respecting our past". The goals that work together to provide balance and set the blue-print for success have also been updated to reflect our operating environment, community feedback and deliver a more inclusive voice that recognises we must work collectively with our community, business, partners and other tiers of government to deliver our vision for the region:

- Our Strong Community
- Our Environment and Liveability
- Our Resilient Economy
- Our Service Excellence
- Our Outstanding Organisation

All Local Governments across Queensland are required to have a five-year corporate plan and discharge their responsibilities in a way that is consistent to the five-year plan. To facilitate this each goal presents pathways, priorities and progress indicators that guide decision making and enable us to monitor and adjust our approach as required. This goal structure is cascaded into the annual operational plan, budget development, and corporate reporting to provide a line of site between our vision, strategies and delivery.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Corporate Plan 2021 - 2025” and
- (b) adopt the Sunshine Coast Council Corporate Plan 2021-2025 (Appendix A) and
- (c) authorise the Chief Executive Officer, in consultation with the Mayor and the Portfolio Councillors of Our Outstanding Organisation, to make minor administrative amendments to Sunshine Coast Council Corporate Plan 2021-2025.

FINANCE AND RESOURCING

The drafting, graphic design and communication activities associated with the Sunshine Coast Corporate Plan 2021-2025 have predominantly been delivered by Council staff within core resources and funding.

Budget expenditure related to the following activities:

- Community Satisfaction Survey 2020, inclusive of resourcing to complete the phone interviews, develop and promote the online survey, analyse the results and present back to Council cost \$42,280. This is the full cost of delivery, the results will also inform other service improvement activities across Council
- Printing, distribution and promotion of the Sunshine Coast Corporate Plan 2021-2025 to build awareness of our vision, goals and key advocacy initiatives - \$7,500.

Development and implementation costs for the Sunshine Coast Corporate Plan 2021-2025 are all within the approved operational budget in the Strategy and Coordination Branch, OCEO.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: We serve our community by providing this great service

Operational Activity: S29 - Governance: providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

CONSULTATION

Councillor Consultation

The Draft Sunshine Coast Corporate Plan 2021-2025 is the outcome of a series of six workshops that were held with the Council and senior management between July and December 2020. All Councillors were invited to participate in these discussions.

There was dedicated time allocated within these workshops for Council to discuss our vision, purpose and each of the five corporate plan goals and the strategic priorities for the next five years. Further time was allocated to discuss growth management as well as analysis of the results of the Community Satisfaction Survey 2020.

Internal Consultation

The Sunshine Coast Corporate Plan 2021-2025 guides the priorities and deliverables for the next five-years for each and every part of Council. During development of the document extensive internal engagement occurred, including:

- Mayor and Councillors
- Chief Executive Officer and Executive Leadership Team
- Regional Strategy owners: Community Strategy, Environment and Liveability Strategy, Regional Economic Development Strategy
- Council Strategy owners: Integrated Transport Strategy, Waste Strategy, Major Events Strategy, Arts Plan
- Corporate Strategy owners: Service Excellence Strategy, An Outstanding Organisation Strategy
- Corporate Service Branch's – Finance, People and Culture, Information Technology, Business and Innovation, Communication, Corporate Governance
- Customer Experience project management office
- Senior Advisor, First Nations Partnerships
- Social Project Officer for demographic and population data
- Group Executive Officers
- Branch Managers and relevant Coordinators

Through these internal engagements all of Council's Groups have had an opportunity to contribute:

- Built Infrastructure Group
- Business Performance Group
- Customer Engagement and Planning Services Group
- Economic and Community Development Group
- Liveability and Natural Assets Group
- Office of the Mayor and Office of the CEO

External Consultation

External groups were invited to provide feedback on the working draft of the Corporate Plan 2021-2025. These groups represented our three regional goals (community, environment and liveability, and economic) with the objective of delivering a balanced and connected set of strategic priorities for the next five year:

- Community Strategy Leadership Group
- Biosphere Reference Group
- Economic Resurgence Taskforce

Community Engagement

Extensive community engagement undertaken during development of our long term strategies has informed this plan. In 2013 during consultations for the Regional Economic Development Strategy our community recognised the need to diversify our economy, access

new market opportunities, and placed great value on the jobs created for our future generations.

The 2017 consultations on the Environment and Liveability Strategy determined the extent to which our community values the region's natural assets, wants to preserve our liveability, and retain the distinct character of the Sunshine Coast.

During extensive community engagement for our Community Strategy during 2018/19, our community told us they want to be part of a strong community that is connected, engaged and inclusive. In 2018 when developing the Integrated Transport Strategy our community informed us on the importance of Council's efforts to help deliver a connected and integrated transport system.

The themes from these engagement activities and resulting strategies have shaped the Sunshine Coast Corporate Plan 2021-2025. Council sought further community engagement during November and December 2020 to ensure these strategic directions remained relevant to the needs of the community over the next five years. A community survey was undertaken to discover how the community values the unique qualities that make the Sunshine Coast a great place to live and to gather information regarding the satisfaction, importance and utilisation of Council services. Responses were collected by telephone (1000 interviews) and via online survey (858 response). The community survey confirmed the top 3 priorities for liveability over the next five years are:

- Maintaining our beaches, rivers and bushlands;
- Providing access to a connected transport network and advocating for improved public transport; and
- Fostering a prosperous economy with a range of employment opportunities.

In addition, our community wants to be involved in decision making through improved community engagement. These items have been included as strategic priorities for the term of this plan.

PROPOSAL

Queensland Local Governments are required to develop and adopt a five year Corporate Plan (*Local Government Regulation 2012 s.165*). The regulation also requires a local government to discharge its responsibilities consistent with its five year Corporate Plan.

The timing of this Corporate Plan 2021-2025 is necessary for Council to consider capital and operating priorities and associated resources for the forthcoming annual operational plan and budget to be adopted by 30 June 2021.

The Corporate Plan 2021-2025 presents a balanced commitment to advance our vision as Australia's most sustainable region – Healthy, Smart, Creative. The community, environment and economic goals are clearly focused on:

- social inclusion, connectivity, and a strong community
- the preservation and enhancement of the natural environment and liveability credentials, and
- transformation of the regional economy to ensure ongoing economic resilience and prosperity.

The organisation and service goals concentrate on developing and maintaining the capability and capacity to advance our community, environment and liveability, and economic goals, engage with our community and collaborate with partners to deliver essential and valued services to our community.

A recurring theme from community engagement is the importance of Council maintaining the region's liveability as our population grows. Our community is aware the region's projected population growth brings exciting opportunities for a more resilient economy, more jobs, and

better infrastructure. However population growth also increases demand for services and infrastructure and creates challenges around protecting the lifestyle we wish to retain.

This Corporate Plan responds to this challenge. It strives for balance between driving economic opportunities, maintaining and enhancing environmental values and ensuring community well-being, whilst maturing our organisation's approach to deliver service excellence and fostering an agile and innovative workforce our people are proud to work for. This balance is presented through five corporate plan goals:

- Our Strong Community
- Our Environment and Liveability
- Our Resilient Economy
- Our Service Excellence
- Our Outstanding Organisation

The pathways, strategic priorities and progress indicators for each of the goals have been shaped by the long-term regional strategies to strengthen the alignment between strategy and delivery. This alignment is particularly strong for the community, environment and liveability, and economic goals. For the remaining two goals further work is prioritised over the next five years to establish Service Excellence and Outstanding Organisation strategies that support these regional strategies to progress our vision.

This Corporate Plan incorporates a set of progress indicators that are of regional significance and outcome based. Not all of these indicators can be measured annually, and the intent has been to leverage our regional strategies to monitor progress towards our vision in a holistic and timely manner to enable adjustment as required along the way. These will be supported by a sub-set of output measures that are available at more regular intervals and reported through our quarterly and annual reporting processes.

Council will continue to regularly consider any major policy or regulatory changes by other levels of government, emerging issues or matters of community interest that may have implications on Council's strategic priorities or operations. These reviews may result in the need to update planning documents, including the operational or corporate plans.

Legal

The Sunshine Coast Corporate Plan 2021-2025 has been developed in line with the requirement of the *Local Government Act 2009* and Local Government Regulations 2012.

The Local Government Regulation 2012 requires that a local government:

- must prepare a 5-year corporate plan for each period of 5 financial years
- adopt the 5-year corporate plan in sufficient time to allow a budget and annual operational plan, consistent with the Corporate Plan, to be adopted for the first financial year that is covered by the plan.
- may, by resolution, amend its 5-year corporate plan at any time.
- must discharge its responsibilities in a way that is consistent with its 5-year corporate plan (s165)

A local government's 5-year corporate plan must:

- outline the strategic direction of the local government; and
- state the performance indicators for measuring the local government's progress in achieving its vision for the future of the local government area (s166).

The regulation also has a number of requirements of commercial business units. Council currently has no commercial business units. Business areas which undertake activities of a commercial nature and which may be classified as commercial business units during the life of the Sunshine Coast Corporate Plan 2021-2025 will be identified through regular environmental scans and review processes.

Policy

Once adopted, the corporate plan becomes the business planning document which will guide the operations of Council for the next five years. All strategies, services, programs and projects progressed during that time will need to align with one or more of the strategic goals articulated in the Sunshine Coast Corporate Plan 2021-2025.

Risk

It is considered there are no new risks for Council in adopting the Sunshine Coast Corporate Plan 2021-2025 as the vision and strategic intent are not substantially different from the direction pursued through the Corporate Plan 2020-2024.

However, it is good governance and organisation practice to review risks associated with its strategic objectives on a regular basis. This is particularly important as changes occur in our operating environment.

The Sunshine Coast Corporate Plan 2021-2025 includes a priority under Our Outstanding Organisation to complete a strategic review of Council's strategic risk register.

Previous Council Resolution

Ordinary Meeting 30 January 2020 (OM20/2)

That Council:

- (a) *receive and note the report titled "Sunshine Coast Corporate Plan 2021 - 2025"*
- (b) *adopt the updated Sunshine Coast Council Corporate Plan 2020-2024 (Appendix A) and*
- (c) *delegate to the Chief Executive Officer, in consultation with the Mayor and Portfolio Councillor Corporate Strategy and Finance, to finalise the design of the Sunshine Coast Council Corporate Plan 2020-2024.*

Related Documentation

Related documentation includes all Council endorsed strategies and plans – as identified under each of the five goals in the Sunshine Coast Corporate Plan 2021-2025.

Critical Dates

Section 165(2) of the *Local Government Regulation 2012* provides that a local government must adopt its five year corporate plan in sufficient time to allow an annual operational plan and budget to be adopted for the first financial year that is covered by the corporate plan.

Adoption of the proposed Sunshine Coast Corporate Plan 2021-2025 at this meeting allows Council to consider capital and operating priorities and associated resources within the parameters of the new corporate plan; and for the forthcoming annual operational plan and budget to be finalised and adopted by June 30, 2021.

Implementation

Subject to Council's adoption of the Sunshine Coast Corporate Plan 2021-2025, the following actions will occur:

- Council's website will be updated to replace existing corporate plan references and replaced with digital copies of the new corporate plan
- Online promotion of the Corporate Plan to build awareness of the vision, goals and priorities, this will incorporate a short video on "Advancing our vision"
- A limited run of hard copies of the corporate plan to be distributed to key stakeholders
- A short version of the new Corporate Plan will be made available, with each of the five goal pages available as posters to provide a visible tool to reinforce our vision, goals and priorities amongst our community, partners and employees
- A digital copy will be provided to the Queensland State Library for record keeping.

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

- Notify all staff of the adoption of the new corporate plan and provide access to a new intranet page with updated material
- Implement consequential changes to Council templates, budget development documents, Council reports, published and on-line documents to ensure that processes are aligned to the new corporate plan and it takes effect from 1 July 2021.

8.2 QUARTERLY PROGRESS REPORT - QUARTER 2, 2020/21

File No:	Council meetings
Author:	Coordinator Organisational Performance Office of the CEO
Appendices:	App A - CEO's Quarterly Highlights Report Quarter 2, 2020/21 ..77 App B - Operational Plan Activities Report Quarter 2, 2020/21 ..93

PURPOSE

This report presents the Quarterly Progress Report for Quarter 2, 2020/21. The report covers the period 1 October to 31 December 2020 and has been prepared to inform Council and the community on the implementation of operational activities, significant projects and service highlights from Council's Operational Plan 2020/21.

EXECUTIVE SUMMARY

During the quarter, the presence of COVID-19 in the world has continued to present many challenges to people from across our community, our businesses and our employees as we work together to respond to changes and keep each other safe.

Alongside these challenges, COVID-19 has provided a catalyst for change and a number of new opportunities have emerged across our community and Council. Our early planning and ability to quickly transition to the 'new normal' has enabled the Sunshine Coast to remain open to visitors, providing an important stimulus into our economy and creating a high demand for many of our services.

Our Council staff have done a great job to meet this demand and continue to take great pride in their work. Our assets and facilities have continued to be presented in outstanding condition and we have continued to find ways to engage with our community to inform decision-making.

Each quarter, Council receives a progress report on the delivery of the Operational Plan. Once adopted, it is published and made available to the community.

The Report comprises:

- Appendix A – CEO's Quarterly Highlight Report Quarter 2, 2020/21
- Appendix B – Operational Plan Activities Report Quarter 2, 2020/21

Below is a summary of key highlights by Corporate Plan goal for Quarter 2, 2020/21:

A strong community

- A flag-raising ceremony was held in the courtyard of Council's Nambour Chambers to celebrate NAIDOC Week in November, kick-starting a number of cultural activities and events
- \$2.5 million in community grants were awarded providing a strategic investment tool to be responsive to the community's changing needs
- Council launched the myLibrary app in October, to provide a convenient platform to save time for customers and offer improved functionality, including the ability to link family members and children.

A healthy environment

- Council commenced converting waste to electricity at the new Caloundra Renewable Energy Facility and will generate 7000 megawatt hours of renewable electricity and reduce greenhouse gas emissions by approximately 41,000 tonnes per annum
- 121 kilograms of litter was collected from Sunshine Coast beaches by eight schools with 262 students picking up almost 4000 pieces of litter to get the sand ready for the arrival of nesting turtles as part of the annual Schools Beach Clean Up
- 9261 hectares of land was managed for conservation under the Sunshine Coast Land for Wildlife program, and a value of \$229,000 Landholder Environment Grants were approved for 69 recipients.

A smart economy

- The new \$23.5 million eight-storey ParknGo Mooloolaba Central car park opened to the public in December, providing 700 public car parking spaces for residents, visitors and local business trade to utilise
- A landmark development agreement was signed in November between Council, SunCentral Maroochydore and one of Australia's leading private property groups, Walker Corporation, who will invest \$2.5 billion into the Maroochydore City Centre project
- Nine sponsored major events are estimated to have delivered \$7 million in economic benefit
- In a partnership between Council, TAFE Queensland and Amazon Web Services, the Next Level platform was formally launched in November to provide the community with free access to specialist digital skills training.

Service excellence

- 668 metres of widened pathways, an undercover viewing deck, furniture, and refurbished kayak ramp were delivered as part of the \$2.6 million upgrade of Bradman Avenue Maroochy River Foreshore
- 65,366 customers were assisted through the development and customer contact centres
- 2416 building approvals issued with a construction value of \$437 million.

An outstanding organisation

- The 2019/20 Sunshine Coast Annual Report was adopted by Council in November providing an update on significant achievements, progress measures, governance disclosures and financial statements for the period 1 July 2019 to 30 June 2020
- \$58.5 million – which represents 67% of Council's total available purchasing spend for the quarter went to local businesses
- Council received six awards during this period, including:
 - Sunshine Coast Airport Expansion Project was recognised with two awards at the Annual Institute of Public Works Engineering Australasia (IPWEAQ) - Projects over \$10 Million, and Best Project of the Year
 - The Sunshine Coast International Broadband Network project was the winner of the Australian Achievement of the Year Award at the Municipal Association of Victoria (MAV) Technology Awards for Excellence

- The Sunshine Coast Community Strategy was the winner of the Public Engagement and Community Planning category at the Planning Institute of Australia Awards for Planning Excellence 2020
- Blue Heart Sunshine Coast won the Regional Innovation Project of the Year at the Cities Power Partnership (CPP) Climate Awards
- The Environment and Liveability Strategy received a Commendation award under the Improving Planning Processes and Practices category at the 2020 Qld Awards for Planning Excellence, Planning Institute of Australia.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Quarterly Progress Report - Quarter 2, 2020/21”
- (b) note the CEO’s Quarterly Highlights Report - Quarter 2, 2020/21 (Appendix A) on service delivery highlights and
- (c) note the Operational Plan Activities Report - Quarter 2, 2020/21 (Appendix B) reporting on implementation of the Corporate and Operational Plans.

FINANCE AND RESOURCING

Financial reporting information is not included in the report. A Financial Performance Report is provided to Council each month covering operating revenue and expenses and capital programs.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: We serve our community by providing this great service
Operational Activity: S29 - Governance: providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

CONSULTATION

Councillor Consultation

Councillor J Natoli and Councillor E Hungerford as Portfolio Councillors for Outstanding Organisation have been briefed on this report prior to the Ordinary Meeting.

Internal Consultation

Consultation has occurred with relevant coordinators, managers and each Group Executive to provide information on service delivery and status of operational activities. This is whole of Council report and consultation involves all Groups of Council:

- Built Infrastructure Group
- Business Performance Group
- Customer Engagement and Planning Services Group
- Economic and Community Development Group

- Liveability and Natural Assets Group
- Office of the Mayor and Office of the CEO

External Consultation

There has been no external consultation in relation to this report, however the report, once endorsed, is made available to the community.

Community Engagement

There has been no community engagement in relation to this report.

PROPOSAL

Under the requirements of the *Local Government Act 2009* and associated Regulation, Council is required to consider a regular report from the Chief Executive Officer outlining the achievements in delivering on the outcomes in its corporate and operational plans.

This report provides information on the following for consideration by Council.

Progress report

The Chief Executive Officer's Quarterly Highlights Report - Quarter 2, 2020/21 (Appendix A) consists of a summary of achievements; and supporting information by Corporate Plan goal covering delivery of Council's services.

Operational plan activities

Operational Plan Activities Report - Quarter 2, 2020/21 (Appendix B) provides details on the implementation of the 64 activities outlined in Council's Operational Plan. It includes the status of each activity covering percentage complete, on time and on budget indicators as well as progress commentary.

Legal

There is a legislative requirement to provide a report on performance against the corporate and operational plans. This report meets the requirements of the *Local Government Act 2009* and Local Government Regulation 2012.

Policy

There is no policy associated with the presentation of a quarterly progress report however it is a component of the Corporate Strategic Planning and Reporting Framework.

Risk

In accordance with Council's Risk Management Framework, the risks and opportunities identified in relation to the quarterly progress report include:

- reputation/public image: the report provides information on Council's operational plan and service delivery with both qualitative and quantitative updates to the community
- legislative: the report meets the legislative requirements of the *Local Government Act 2009* and Regulation and
- business activity: the report keeps Council informed about the progression of the operational plan activities and provides a timely account of Council's progress to the community.

Previous Council Resolution**Ordinary Meeting 12 November 2020 (OM20/117)**

That Council:

- (a) receive and note the report titled "**Quarterly Progress Report - Quarter 1, 2020/21**"
- (b) note the Chief Executive Officer's Quarterly Highlights Report – Quarter 1, 2020/21 (Appendix A) on service delivery highlights and
- (c) note the Operational Plan Activities Report – Quarter 1, 2020/21 (Appendix B) reporting on implementation of the Operational Plans

Related Documentation

- Corporate Plan 2020-2024
- Operational Plan 2020/21
- Financial information provided to Council in the Financial and Capital management report.

Critical Dates

Quarterly Progress reports are usually presented to Council within eight weeks of the end of the calendar quarter, subject to the scheduled meeting cycle. Legislation requires the report to be presented to Council at intervals of not more than three months.

Implementation

The report will be published and available for community access via Council's website and a copy will be provided to the State Library.

8.3 JANUARY 2021 FINANCIAL PERFORMANCE REPORT

File No:	Financial Reports
Author:	Coordinator Financial Services Business Performance Group
Attachments:	Att 1 - January Financial Performance Report121

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 31 January 2021 in terms of the operating result and delivery of the capital program.

Operating Performance**Table 1: Operating Budget as at 31 January 2021**

	Original Budget \$000
Total Operating Revenue	467,015
Total Operating Expenses	464,544
Operating Result	2,471

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "January 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 January 2021 and meets Council's legislative reporting requirements.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: 5.7 - A financially sustainable organisation
Operational Activity: 5.7.1 - Develop and monitor Council's budget, including legislated requirements.

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:

- Acting Group Executive Business Performance
- Acting 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 2020/21 Investment Policy and
Sunshine Coast Council's 2020/21 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**Special Meeting Budget 25 June 2020 (SM20/16)**

That Council adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2020/21 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 11 June 2020)*
- viii. the Revenue Policy (adopted by Council resolution on 11 June 2020)*
- 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 2020/21 Capital Works Program, endorse the indicative four-year program for the period 2022 to 2025, and note the five-year program for the period 2026 to 2030*

- xii. the rates and charges to be levied for the 2020/21 financial year and other matters as detailed below in clauses 3 to 12 and*
- xiii. endorse the full time equivalent establishment as per the Sunshine Coast Council Establishment 2020/2021 report.*

Related Documentation

2020/21 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.4 SUNSHINE COAST HERITAGE PLAN 2021-2031

File No:	Council Meetings
Author:	Coordinator Cultural Heritage Services Economic & Community Development Group
Appendices:	App A - Sunshine Coast Heritage Plan 2021-2031 143

PURPOSE

To present the draft Sunshine Coast Heritage Plan 2021-2031(Appendix A) to Council for its consideration and endorsement.

EXECUTIVE SUMMARY

In 2015, Council endorsed its first Sunshine Coast Heritage Plan 2015-2020 (Heritage Plan 2015-2020), to provide a strategic framework, clear heritage vision and agreed heritage outcomes for the region. The Heritage Plan 2015-2020 has now reached the end of its life with the successful delivery of its Implementation Plan.

The draft Sunshine Coast Heritage Plan 2021-2031 (Heritage Plan 2021-2031) has been developed, drawing on the proven framework of the Heritage Plan 2015-2020. It builds on the successes of the past, recommends the continuation of several ongoing programs and sets direction for the future.

The draft Heritage Plan 2021-2031 was prepared in consultation with the region's heritage sector and identified stakeholders. An external peer review completed in 2020 assisted to refine the document.

The draft Heritage Plan 2021-2031 was endorsed for public exhibition and feedback at the 12 November 2020 Ordinary Meeting.

The draft Heritage Plan 2021-2031 was made available for public consultation to enable the broader community to 'Have Your Say' and provide comment.

The engagement program requested feedback via a survey which was made available on-line and via a series of events (drive-in movie and Christmas theatre and activities at Bankfoot House) which required the completion of the survey for free tickets.

The heritage sector and internal stakeholders were again specifically invited to review the draft Heritage Plan 2021-2031.

The feedback received was positive with overall support. Minor edits were made to the appendices to update the status of the actions delivered (noting the timing of the report to Council allowed further work to be completed) and to better clarify the role of the Heritage Plan 2021-2031 to ensure inclusion of heritage places (landscapes) and the partnership role Council plays with the sector, First Nations peoples and other external stakeholders in heritage tourism.

This report provides Council with the outcomes of the consultation activities implemented as a result of the public exhibition period. The processes of internal consultation, external consultation and community engagement has ensured that the plan is:

- thorough and aligns with state legislation and statutory processes
- informed by detailed research
- considerate of community, stakeholder and peer feedback.

The draft Heritage Plan 2021-2031 is presented to Council for its endorsement and to provide the community with Council's holistic framework for the identification, conservation and management of the region's heritage over the next ten years covering all aspects of the Sunshine Coast's cultural heritage.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sunshine Coast Heritage Plan 2021-2031"
- (b) adopt the "Sunshine Coast Heritage Plan 2021-2031" (Appendix A) and
- (c) authorise the Chief Executive Officer to make minor administrative amendments to the "Sunshine Coast Heritage Plan 2021-2031" to allow for final editing and publication.

FINANCE AND RESOURCING

Council's Heritage Levy currently generates over \$1.9 million annually and is the key funding source for delivery of the annual Heritage Levy program.

The Heritage Levy Policy articulates two restricted cash funds:

- (i) Futures Fund (current balance: \$3.738 million) that provide the resources for funding infrastructure outcomes as outlined in the endorsed Heritage Plan 2015-2020.
- (ii) Built Heritage Conservation Fund (current balance: \$72,000) to undertake ongoing maintenance of Council owned or managed, state or locally listed heritage properties that are leased by community groups or associations.

The draft Heritage Plan 2021-2031 will enable the Heritage Levy to continue to be utilised in this strategic and coordinated way.

Together, the Heritage Levy Policy and Sunshine Coast Heritage Plan guide the annual Heritage Levy program, which is a matter for Council's consideration as part of the annual budget process.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 1.3 - A shared future that embraces culture, heritage, diversity

Operational Activity: 1.3.2 - Develop the annual Heritage Levy program to implement the priority activities and projects identified in the Sunshine Coast Heritage Plan 2015-2020.

CONSULTATION

The draft Heritage Plan 2021-2031 was developed following a wide range of internal and external consultation and benchmarking activities. Further engagement activities have now assisted in refining the plan and ensuring it meets community and stakeholder expectations as it relates to Council's holistic framework for the identification, conservation and management of the region's heritage over the next ten years.

Councillor Consultation

As a result of the consultation, an additional strategy was developed and is now included in the draft Heritage Plan 2021-2031:

3.2.5 Investigate operational models to support the professionalisation of the region's community museums for Council consideration.

This addresses the main focus of Councillor feedback in relation to how Council may better support:

- the community museum sector which is run by volunteers
- succession planning for volunteers
- management and exhibition of community owned collections, and
- visitor engagement and audience development.

To note, this investigation has now commenced. The action is highly supported by the heritage museum sector.

Internal Consultation

2019: The preparation of the draft Heritage Plan 2021-2031 was informed in consultation with 14 branches from:

- Economic and Community Development
- Liveability & Natural Assets
- Customer Engagement & Planning Services
- Business Performance
- Built Infrastructure

2020: Invitation for internal stakeholders to comment on the draft Heritage Plan 2021-2031 via email or online survey.

External Consultation

The preparation of the draft Heritage Plan 2021-2031 was informed by the following activities with external heritage industry stakeholders:

- A program of 19 focus group discussions with local heritage groups and museums, May-June 2019
- A sector-wide consultation workshop session attended by 45 people from heritage groups, local government, professional associations and specialist heritage consultants, July 2019
- A round-table discussion with the former Sunshine Coast Heritage Reference Group, August 2019
- A survey to heritage stakeholders, August 2019.

The draft Heritage Plan 2021-2031 was then peer reviewed by:

- Queensland Government, Department Environment and Science, Arts and Heritage
- Queensland Government, Queensland Museum Network, Museum Development Officers

- Queensland Heritage Council, independent but affiliated with the Department Environment and Science, Arts and Heritage
- Museums and Galleries Queensland, peak body for the public museum and gallery sector in Queensland
- National Trust of Australia (Queensland).

A program of benchmarking was also undertaken to ensure contemporary thinking, focus areas and realistic (and affordable) deliverables are reflected.

Community Engagement

Following Council's endorsement of the draft Heritage Plan 2021-2031 for community consultation at its Ordinary Meeting on 12 November 2020, it was released for public exhibition and comment from 16 November to 13 December 2020.

Community engagement included:

- Invitation for the general community to comment via email, Have Your Say and the online survey
- Invitation for museum and heritage stakeholders to comment via email, Have Your Say and the online survey
- Invitation for consultants, heritage professionals and historians to comment via email, Have Your Say and the online survey
- Survey Program: A range of incentives for survey participants attracted a more diverse representation of the community to provide feedback. Community events, which formed part of the incentive program, also provided post-survey marketing opportunities to promote cultural heritage on the Sunshine Coast. Incentives included:
 - Enter the draw to win an iPad – promoted as easy access to cultural heritage via Council's app and heritage website
 - Community event – free tickets for the Christmas Radio Drama 'Pinocchio' at Bankfoot House, provided increased awareness of the heritage precinct
 - Community event – free car passes to drive-in experiences (Maleny and Eumundi), provided an opportunity to distribute Council's heritage marketing collateral and test-market the new cultural heritage tourism video.

Marketing:

The community engagement program was promoted via a range of media activities including:

- Radio: Sea FM and Sunshine FM
- Print Media: My Weekly Preview and independent newspaper articles
- Social Media: Facebook (three posts)
- Council Media Platforms: Council's website homepage, Heritage Plan page, Have Your Say page, TV screen, messages on hold
- Council's Heritage website
- Inclusion in the following Council newsletters: Cultural Heritage; Libraries; Arts and Events; Galleries; Mary Cairncross; Liveability; and Bush Hands
- Inclusion in the following industry newsletters: Museums & Galleries Queensland
- Note: due to COVID-19 restrictions, intercept surveys were not undertaken.

PROPOSAL

In 2015, Council endorsed its first Sunshine Coast Heritage Plan 2015-2020 (Heritage Plan 2015-2020).

With the endorsement of the Heritage Plan 2015-2020, Council had, for the first time, a plan that:

- Sets out Council's vision for heritage – "Our heritage is our gift for the future"
- Identified the importance value of protecting and enhancing the regions heritage
- Provided clarity around the roles and responsibilities of Council in heritage conservation and management
- Identified the key actions structured under five key outcome areas (Knowledge, Conservation, Support, Communication and Advocacy)
- Provided a tool to guide future funding through the Heritage Levy program (endorsed annually by Council).

At that time, the Heritage Levy Policy was also reviewed to align to the Heritage Plan 2015-2020 to ensure that the Heritage Levy revenue supported the agreed heritage outcomes (specifically the endorsed five year action plan of projects and programs).

Over the past five years, the Heritage Plan 2015-2020 has successfully delivered its implementation plan via an annual implementation program, funded by the Heritage Levy.

Plan overview:

The draft Heritage Plan 2021-2031 will continue the delivery of successful heritage outcomes.

It is structured around the same five identified outcome areas of: Knowledge, Conservation, Support, Communication and Advocacy.

The outcome areas are interrelated and will continue to be managed through a cooperative approach across Council. This approach will ensure that Council's response to heritage matters is integrated into business practices and is carried out in a sustainable way.

The draft Heritage Plan 2021-2031 was developed via the following process:

- A progress review of the 2015-2020 Heritage Plan to determine which actions had been completed, which were underway, and which were yet to be commenced.
- An extensive program of focus group discussions, workshop sessions with internal and external stakeholders, and a survey to heritage stakeholders (outlined above).
- A program of benchmarking to ensure the draft reflected contemporary thinking, focus areas and realistic (and affordable) deliverables.
- A heritage industry peer review.

The initial stakeholder engagement program was led by Positive Solutions, an experienced arts and cultural strategy consultancy. The Heritage Plan 2021-2031 was then drafted to reflect the stakeholder discussions, while also maintaining the momentum of the current plan, peer reviewed by a number of external parties, and all feedback was considered in the final draft.

Following Council endorsement for public exhibition, a community engagement 'Have Your Say' program was implemented to provide the community with opportunities to give feedback on the draft Heritage Plan 2021-2031.

The engagement program was held over four weeks from 16 November to 13 December 2020. Feedback was collated and relevant amendments to the Plan were made.

Survey responses and community feedback:

A total of 583 responses to the survey were received during the community engagement period (16 November–13 December 2020), nineteen email submissions and internal stakeholder feedback.

Survey participants were made up of 18% male and 82% female; 4% identified as Aboriginal, 0.4% as Torres Strait Islander, 0.7% as South Sea Islander, and 4% from non-English speaking background.

Respondents per age bracket were:

- 10-24 years (6%)
- 25-34 years (11%)
- 35-44 years (29%)
- 45-54 years (20%)
- 55-64 years (15%)
- 65 years and above (19%)

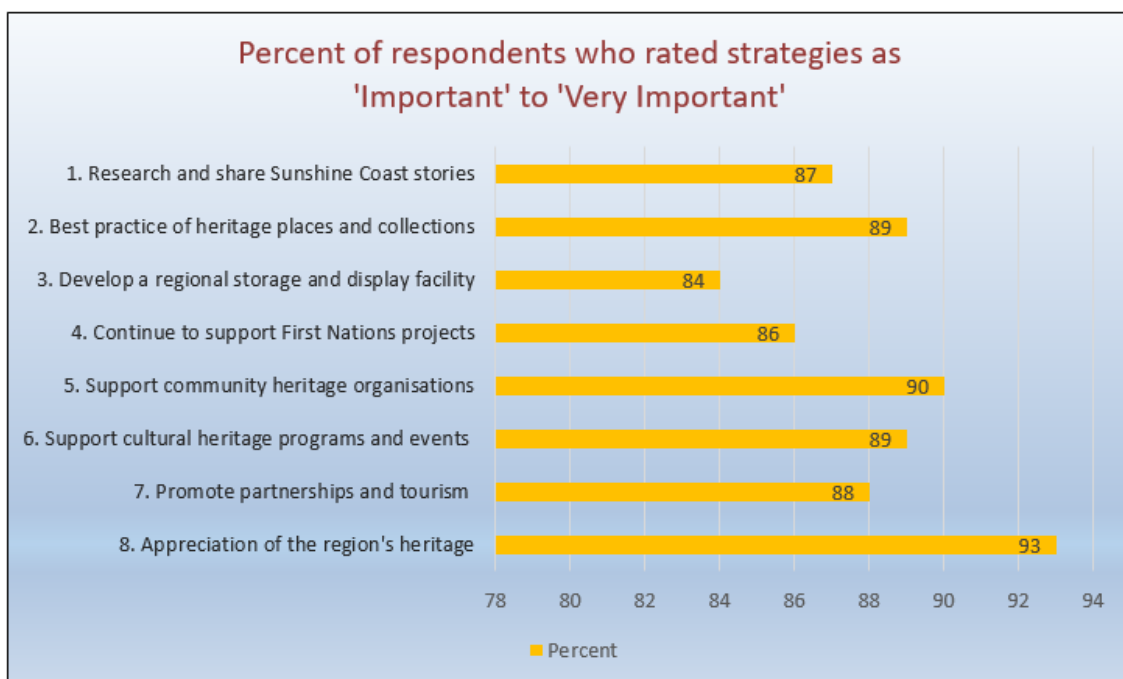
74% of respondents were ratepayers, and of these, 66% knew they paid an annual Heritage Levy of \$13. This compares to only 45% awareness of the Heritage Levy in 2015.

Key survey findings – draft Heritage Plan 2021-2031

Strategies overall:

When asked how survey participants would rate the draft Heritage Plan 2021-2031 strategies, an average of 88% of respondents rated the overall strategies as important to very important.

This was measured by asking the respondents to measure eight statements that summarised the draft Heritage Plan’s 16 strategies (*refer to Graph 1*).



Graph 1: Percentage of respondents that rated the Heritage Plan statements– 'Important' to 'Very Important'

Respondents were asked to provide written comment on the reason for their rating. Of the 532 who responded to the question, 130 provided a comment.

The following is a breakdown of the common themes the comments related to:

- First Nations, 13%
- Community museums and heritage buildings, 12%
- Marketing and promotions, 12%
- Education, 10%
- Planning and development / green spaces, 9%.

Supportive comments about the strategies included:

- Without a Heritage Plan, no-one will understand who we are and where we came from. It is so important, especially for future generations to know this information so they too can embrace and preserve our past.
- I support all of this fully but exercise caution that it doesn't restrict traditional activities that generations have enjoyed.
- Building and promotion of heritage sites will assist in tourism for the coast and encouraging children's appreciation of environment and sense of belonging in community.

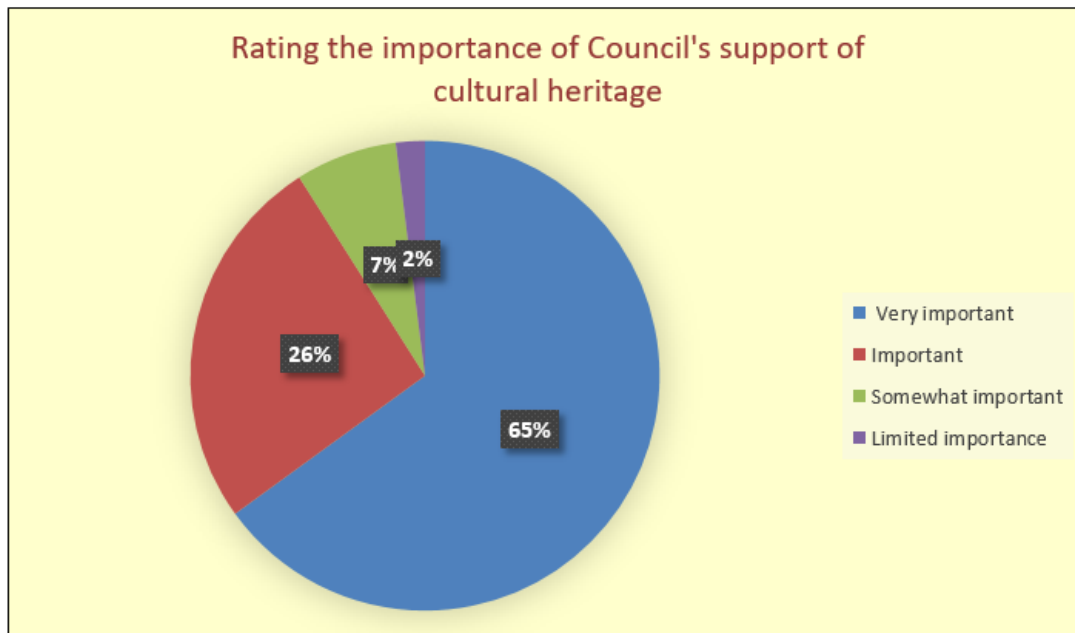
Comments for further action included:

- The local indigenous culture, history and heritage is underrepresented and should be more visible.
- There needs to be more emphasis on cultural heritage days and events, more encouragement for families to attend and educate their children on our cultural heritage.
- Everyone should understand and learn cultural differences, however the facilities we have at present are not very appealing. We need better museums where people can interact.

The draft Heritage Plan 2021-2031 strategies enable actions that can respond to these sentiments.

Council's support:

When asked to rate how important Council's support of cultural heritage is into the future, 91% rated it as important to very important (65% very important and 26% important; *refer to Graph 2*).



Graph 2: Responses to- how important is it to you that Council support cultural heritage into the future?

Respondents were asked to comment on the reason for their rating of Council's support for cultural heritage. Of the 221 comments received, the majority were positive, however, of those comments with concerns, the following themes emerged:

- Planning and development / green spaces / natural heritage, 9%
- First Nations, 7%
- Community museums and heritage buildings, 3%.

Reasons given for the high importance included:

- A sense of place and history deepens connection, which is important in developing a strong community.
- An understanding of the history of Indigenous culture and land management, the natural environment and the changes brought by white occupation, are essential to avoid harmful outcomes from future planning decisions.
- This is our history and our story. It's important for us to know and respect both Indigenous and European history... the true history. We have already lost so much of that story and the sites that were so important to the TOs [Traditional Owners] of this land.
- I see value in educating our youth on how things were in previous times and understanding the extent of change from then to now.

Email submissions:

Council received 19 email submissions, which ranged from providing minor text edits, to requests for more priority being allocated to First Nations heritage as it relates to the impacts of town planning and development.

Key comments:

- Need for greater awareness and education in the broader community with respect to heritage. Include also resources, workshops, and training for Council staff, businesses, and developers.

- Recognition, protection and conservation - emphasis on the Aboriginal and Torres Strait Islander Cultural Heritage Protections Acts as applied to planning.

Summary – Community Engagement:

Overall, feedback from the community engagement program suggests that the draft Heritage Plan 2021-2031 takes a proactive approach and comprehensively identifies the importance and value of protecting and enhancing the region's heritage.

There is significant community support for the key strategies within the plan.

The issues of concern identified for further and ongoing investigation and partnerships were:

- a) Visible underrepresentation of Aboriginal and Torres Strait Islander culture, history and heritage in the region's story.
- b) Need for community programs to encourage broader awareness and understanding of cultural heritage and the region's story.
- c) Protection and recognition of First Nations sites and places, particularly within the context of the planning environment.

In responding to these concerns, the following advice is provided:

- (a) The Jinibara and Kabi Kabi peoples of the Sunshine Coast have identified many of these issues, and also identified some priority projects to facilitate cultural awareness in the community. Council will continue to support these initiatives. Refer Strategy 3.1 within the draft Heritage Plan 2021-2031, and Implementation Plan actions 3.1.1, 3.1.2, 3.1.3, and 3.3.3.
- (b) The draft Heritage Plan 2021-2031 aims to expand beyond its previous emphasis on supporting heritage organisations and encourages community awareness and appreciation of heritage more broadly. Programs, events, workshops and other initiatives are planned to accommodate diverse interests, ages, knowledge and expertise. Refer several sections within the draft Heritage Plan 2021-2031, including 1.3.3, 2.3.3, 3.3.1, 3.3.2, 4.3.1, 4.3.2, 4.3.3, and 5.2.1.
- (c) The Queensland Government, via various departments and legislation (*Planning Act 2016, Aboriginal Cultural Heritage Act 2003, Torres Strait Islander Cultural Heritage Act 2003*), provide some guidance with respect to the issues raised. This is a complex issue that requires further investigation with internal and external stakeholders with the responsibilities for these tools and sites. The draft Heritage Plan 2021-2031 ensures that advocacy, partnerships and awareness of these issues continue.

All public feedback received through the community engagement program has been analysed and where appropriate, incorporated through minor amendments. The following amendments are of note:

Page 14, Heritage snapshot, Local scene: last dot point read:

- In 2019 volunteers contributed 1,778 hours towards recording, conserving and sharing Sunshine Coast's cultural heritage (SCC, 2019).

In order to more accurately reflect the dedication and significant contribution of our region's cultural heritage volunteers, these amendments were made:

- In 2019 Council's cultural heritage volunteers contributed 1,778 hours towards recording, conserving and sharing Sunshine Coast's cultural heritage (SCC, 2019).
- Volunteers at Sunshine Coast's network of community museums and heritage groups contributed 137,395 volunteer hours in 2019.

Page 27, Outcome Area 2 – Conservation, Strategies: Strategy 2.3 read:

- 2.3 Assist the community and Council in the care of heritage places and collections.

In response to a number of comments regarding definitions or perceived omissions, a minor addition was made to this strategy:

- 2.3 Assist the community and Council in the care of heritage sites, places and collections.

Page 28, Outcome Area 3 – Support, second paragraph read:

- Council owns and manages a wide array of heritage buildings, places and landscapes, and has significant collections of documents, images, objects, public art and monuments in its care. Council houses these collections, archival material and resources within its own properties such as Bankfoot House Heritage Precinct, Heritage Library, Bli Bli Archive facility, depots and at local library branches.

To reflect the number of loans to museums, galleries, and tertiary institutions, a minor amendment was made to the second sentence which now reads:

- Council houses these collections, archival material and resources within its own properties such as Bankfoot House Heritage Precinct, Heritage Library, Bli Bli Archive facility, depots, local library branches, and on loan to secure external locations.

Page 37, Implementation Plan, Outcome Area 4 – Communication, Action 4.2.1 read:

- 4.2.1 Collaborate with the heritage sector and First Nations representatives to identify and promote cultural heritage tourism opportunities.

In response to a number of comments to broaden the scope and intent of this action, it was amended to:

- 4.2.1 Collaborate and partner with the heritage sector, First Nations representatives and external stakeholders to identify and promote cultural heritage tourism opportunities.

Pages 40 – 45, Appendix 1: Heritage plan review 2015-2020:

Commentary in this section reflected the status and implementation of the Heritage Plan 2015-2020 at a point in time. A series of minor edits were made through this section to reflect the status as at the end of 2020.

The “Status” column was also removed as this caused some confusion amongst a number of respondents. In addition, all items are now considered complete and/or will be superseded by the draft Heritage Plan 2021-2031. Many ongoing actions have new reference numbers and deadlines under the new Plan.

Once endorsed, the Sunshine Coast Heritage Plan 2021-2031 will guide Council’s heritage activities and actions for the next 10 years. Together with the Heritage Levy Policy and the Plan, will inform the development of the annual Heritage Levy program, which is a matter for Council’s consideration as part of its annual budget process.

Legal

There are no legal implications relevant to this report.

Policy

Once endorsed by Council, the draft Sunshine Coast Heritage Plan 2021-2031 will supersede the Sunshine Coast Heritage Plan 2015-2020.

The Heritage Levy Policy 2019 (the Policy) is reviewed annually. The Policy will be reviewed and updated to align to the Heritage Plan 2021-2031.

The updated Policy will be provided to Council as part of 2021/22 financial year budget considerations.

Risk

The draft Heritage Plan 2021-2031 and policy framework for heritage ensure that services, programs and projects are appropriately developed, managed, funded and delivered to the community.

Previous Council Resolution**Ordinary Meeting 12 November 2020 (OM20/119)**

That Council:

- (a) *receive and note the report titled "Sunshine Coast Heritage Plan 2021-2031"*
- (b) *approve the progression of the "Draft Sunshine Coast Heritage Plan 2021-2031" (Appendix A) to public consultation and*
- (c) *request the Chief Executive Officer collate and consider all feedback received during the public consultation period before presenting the Draft Sunshine Coast Heritage Plan 2021-2031 to Council for consideration.*

Ordinary Meeting 20 August 2015 (OM15/134)

That Council:

- (a) *receive and note the report titled "Sunshine Coast Heritage Plan 2021-2031"*
- (b) *adopt the "Sunshine Coast Heritage Plan 2021-2031" (Appendix A) and*
- (c) *note that the Chief Executive Officer may make minor amendments to the "Sunshine Coast Heritage Plan 2015-2020" to allow for final editing and publication.*

Ordinary Meeting 21 May 2015 (OM15/68)

That Council:

- (a) *receive and note the report titled "Sunshine Coast Heritage Plan 2021-2031"*
- (b) *endorse the "Sunshine Coast Draft Heritage Plan 2015-2020" (Appendix A) for public exhibition and comment*
- (c) *request the Chief Executive Officer collate and consider all feedback received during the public exhibition period before presenting the final "Sunshine Coast Heritage Plan 2015-2020" to Council for adoption.*

Related Documentation

Documentation relevant to this report includes:

- Sunshine Coast Heritage Plan 2015-2020
- Heritage Levy Policy 2019
- Environment and Liveability Strategy 2017
- Regional Economic Development Strategy 2013–2033
- Sunshine Coast Community Strategy 2019–2041
- Corporate Plan 2021–2025.

Critical Dates

The life of the Sunshine Coast Heritage Plan 2015-2020 ended on December 2020, with final actions delivered as part of the endorsed Heritage Levy program 2020/21.

It is important to maintain the momentum of Council's commitment to the conservation and management of the region's heritage.

Endorsement of the draft Heritage Plan 2021-2031 will enable the Heritage Levy Program 2021/22 to be aligned appropriately to the relevant strategic framework.

The timeline which allows for this approach:

- 12 November 2020 Ordinary Meeting: draft Heritage Plan 2021-2031 to be considered by Council for community engagement – *completed*
- November/December 2020: Community engagement - *completed*
- February 2021: draft Sunshine Coast Heritage Plan 2021-2031 considered by Council for final endorsement.
- March/April 2021: Heritage Levy Policy and the Annual Heritage Levy Program 2021-2022 aligned to the Sunshine Coast Heritage Plan 2021-2031 and presented to Council for consideration as part of the annual budget development process.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will implement the Sunshine Coast Heritage Plan 2021-2031. This will inform the development of the annual Heritage Levy Program, funded by the Heritage Levy, and provide a strategic framework for the next ten years.

8.5 LOCAL GOVERNMENT INFRASTRUCTURE PLAN

File No: Council meetings
Author: Manager Transport and Infrastructure Planning
Built Infrastructure Group

PURPOSE

The purpose of this report is to seek Council's approval to make a Local Government Infrastructure Plan, as required by State Government legislation (*Planning Act 2016*).

EXECUTIVE SUMMARY

The *Minister's Guidelines and Rules (2020)*, which outline the processes governing making and managing new Local Government Infrastructure Plans, require Council, formally, "to decide to make a Local Government Infrastructure Plan". Further, Section 25(3) of the *Planning Act 2016* requires Council to review the Local Government Infrastructure Plan within five years of the Local Government Infrastructure Plan being included in the planning scheme, which would make the review due for completion in June 2023. Given Council is drafting a new Planning Scheme, approval has been sought and obtained from the State Government to extend this review period to align the Local Government Infrastructure Plan timeframes with those for making the new Planning Scheme.

This report prompts the decision to commence the process of making a new Local Government Infrastructure Plan. Because the new Planning Scheme will inform the necessary network planning, it follows that the Local Government Infrastructure Plan will run with the development of the new Planning Scheme.

The Local Government Infrastructure Plan, as part of the Planning Scheme, identifies Council's plans for trunk infrastructure that is necessary to service urban development, at the desired standard of service, in a coordinated, efficient and financially sustainable manner.

Expanding on this, the Local Government Infrastructure Plan forms the basis for the investment in Council's trunk infrastructure, being the higher order regional priorities, which equates to approximately \$600 million of investment over a fifteen-year planning horizon. The planned trunk infrastructure projects are identified in a schedule of works model, developed in accordance with State Government requirements. The prioritisation process within the Local Government Infrastructure Plan seeks to address the major regional deficiencies in the networks of transport, stormwater, public parks and land for community facilities, primarily as a result of growth, meaning the projects which attract funding are directed at addressing the major regional growth and capacity shortfalls within the defined urban area.

The Local Government Infrastructure Plan defines the Priority Infrastructure Area, which sets the limits of Council's identified development fronts for the fifteen-year planning horizon and also informs the schedule of works. Funding of this growth infrastructure is sourced from a combination of Infrastructure Charges revenue from developers (70%) and General Revenue (30%), in accordance with Council's adopted Finance Policy. While the matter of raising revenue from Infrastructure Charges is not part of the Local Government Infrastructure Plan, the State requires that Infrastructure Charges cannot be levied without a local government having a duly adopted Local Government Infrastructure Plan.

The Infrastructure Planners and Policy Officers will be assisted by an external Appointed reviewer, required as part of the process set down by the State Government.

The proposed schedule for producing the Local Government Infrastructure Plan has hold points where Council's approval to progress is required, as outlined in the report. It is recommended that, in accordance with the Minister's Guidelines and Rules, Council decides to make a new Local Government Infrastructure Plan.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Local Government Infrastructure Plan"
- (b) decide to make the Sunshine Coast Regional Council Local Government Infrastructure Plan, in accordance with the *Planning Act 2016*
- (c) note that a draft Local Government Infrastructure Plan will be provided for Council consideration and approval for submission to the Minister, for State review
- (d) appoint a State-endorsed Local Government Infrastructure Plan reviewer and
- (e) note that this decision will mark the commencement of making the Local Government Infrastructure Plan.

FINANCE AND RESOURCING

The making of a new Local Government Infrastructure Plan, like its predecessor which forms part of the current planning scheme, will generally be prepared in-house. The Infrastructure Planners and Policy Officers will be assisted by an external Appointed reviewer, required as part of the process set down by the State Government. A State-endorsed Local Government Infrastructure Plan Reviewer has been engaged, pending Council's approval to proceed, and it is anticipated the cost of this review and guidance will be approximately \$45,000; \$15,000 in 2021/22, \$15,000 in 2022/23 and \$15,000 in 2023/24. Budget requests will be submitted as required.

CORPORATE PLAN

Corporate Plan Goal: *A healthy environment*

Outcome: We serve our community by providing this great service

Operational Activity: S15 - Sustainable growth and network planning: providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.

CONSULTATION

Councillor Consultation

All Councillors have been consulted on the purpose of Council's Local Government Infrastructure Plan and the need to make a new Local Government Infrastructure Plan.

Internal Consultation

There has been consultation with Strategic Planning Branch.

External Consultation

There has been no external consultation undertaken, or required, to date. The draft Local Government Infrastructure Plan will be reviewed by the State Government during the statutory process outlined in the Minister's Guidelines and Rules.

Community Engagement

There has been no community consultation.

There will be a public consultation period of no less than 30 business days scheduled during the process of making the Local Government Infrastructure Plan, as required by the Minister's Guidelines and Rules. While the Local Government Infrastructure Plan is part of the Planning Scheme, the making of the Local Government Infrastructure Plan will be informed by the land use planning proposals identified as the new Planning Scheme is developed.

As such, the consultation for the Local Government Infrastructure Plan will be built and guided by the Planning Scheme as it is developed. When the Planning Scheme has reached the point of Council approval to then be submitted to the State for First State Interest Review, the network planning for the Local Government Infrastructure Plan can be progressed with the knowledge that the land use plan and associated matters are at 'final draft' stage.

On this level of information from the Planning Scheme, the Local Government Infrastructure Plan will then be developed to a level of readiness for submission to the State for Review, via formal Council approval. On receipt of State approval following the State Review, the Local Government Infrastructure Plan community consultation can then be carried out, inclusive of an appropriate educational component, ensuring that the community can provide suitably informed feedback on the proposed Local Government Infrastructure Plan.

It can be seen then that the Local Government Infrastructure Plan community engagement occurs in parallel, but separately and later to the Planning Scheme engagement.

The Local Government Infrastructure Plan community engagement will be the subject of a developed Communications Plan, as outlined above, meeting Council's and State Government's requirements and will include targeted engagement with industry and community representative bodies.

PROPOSAL

In June 2018, Sunshine Coast Council adopted a Local Government Infrastructure Plan to form Part 4 of Council's Planning Scheme. Section 25(3) of the *Planning Act 2016* requires Council to review the Local Government Infrastructure Plan within five years of the Local Government Infrastructure Plan being included in the planning scheme, which would make the review due for completion in June 2023. Given Council is drafting a new Planning Scheme, approval has been sought and obtained from the State Government to extend this review period to align the Local Government Infrastructure Plan timeframes with those for making the new Planning Scheme. Importantly, this will enable the infrastructure planning and project prioritisation to align with the land use plan and planning assumptions in the scheme. The State has confirmed that the provision requires Council to commence a review within five years and also confirmed that by commencing the review in 2021, Council is well within the required review period.

The statutory process for the adoption of a new Local Government Infrastructure Plan is outlined in Part 4 of the Minister's Guidelines and Rules (September 2020):

1. Planning and preparation – a local government decides to make a Local Government Infrastructure Plan, prepares a draft Local Government Infrastructure Plan and consults with State agencies and the distributor-retailer (Unitywater).
2. First compliance check – a local government engages an Appointed reviewer who carries out the compliance check.
3. State review – Council writes to the Minister providing copies of relevant documentation and requesting a State review of the proposed Local Government Infrastructure Plan.

4. Public consultation – on receiving the Minister’s approval, the local government must carry out public consultation for a period of at least 30 business days, consider submissions and may make changes to the Local Government Infrastructure Plan.
5. Second compliance check – the Appointed reviewer considers if the proposed Local Government Infrastructure Plan complies with the Minister’s Guidelines and Rules.
6. Minister’s consideration – Council sends the proposed Local Government Infrastructure Plan to the Minister for approval.
7. Adoption – Council amends the proposed Local Government Infrastructure Plan in line with the Minister’s conditions and decides to adopt the proposed Local Government Infrastructure Plan or to not proceed.

Following adoption, and in accordance with the Minister’s Guidelines and Rules the Local Government Infrastructure Plan and associated documents will be included on Council’s website.

Legal

Section 25(3) of the *Planning Act 2016* requires review of the Local Government Infrastructure Plan every five years. This review will meet this requirement by commencing the review in 2021.

Policy

The Local Government Infrastructure Plan, once adopted, will form part of the planning scheme, replacing the existing Local Government Infrastructure Plan.

Risk

The infrastructure planning within the Local Government Infrastructure Plan informs trunk capital investment across the region. It is important to keep the planning current.

Under the Planning Act (2016) a local government’s ability to levy charges for trunk infrastructure is contingent on the Planning Scheme including a Local Government Infrastructure Plan. To ensure that Council maintains the capacity to levy infrastructure charges it essential that the new Planning Scheme includes a compliant and up to date Local Government Infrastructure Plan.

Previous Council Resolution

Ordinary Meeting 14 June 2018 (OM18/87)

That Council:

- (a) *receive and note the report titled “**Local Government Infrastructure Plan**”*
- (b) *adopt the Local Government Infrastructure Plan (Appendix A), and associated planning scheme amendments to commence on the 29 June 2018*
- (c) *delegate authority to the Chief Executive Officer to undertake the following actions prior to commencement of the Sunshine Coast Planning Scheme 2014 (Local Government Infrastructure Plan Amendment):-*
 - (i) *update the Local Government Infrastructure Plan mapping to reflect the latest version of the planning scheme mapping layers (e.g. zoning, local plan area boundaries and DCDB mapping layers) and*
 - (ii) *make terminology changes, where required, to align the Local Government Infrastructure Plan with the terminology used in the Planning Act 2016 and Planning Regulation 2017.*

Ordinary Meeting 18 May 2017 (OM17/90)

That Council:

- (a) *receive and note the report titled 'Provision of the Sunshine Coast Draft Local Government Infrastructure Plan to the Minister for Infrastructure and Planning'*
- (b) *provide the Sunshine Coast Draft Local Government Infrastructure Plan to the Minister for Infrastructure and Planning, requesting a review of the proposed Local Government Infrastructure Plan and further, seeking the Minister's agreement to publicly consult the proposed Local Government Infrastructure Plan and*
- (c) *authorise the Chief Executive Officer to progress to public consultation, should the Minister advise Council that it may consult on the proposed Local Government Infrastructure Plan, provided no material conditions accompany the Minister's advice.*

Ordinary Meeting 25 February 2016 (OM16/24)

That Council:

- (a) *receive and note the report titled "**Extension of the Timeframe to Prepare a Local Government Infrastructure Plan (LGIP)**"*
- (b) *approve the making of an application to the State for an extension of the timeframe to prepare a Local Government Infrastructure Plan until 1 July 2018, and*
- (c) *approve the "Sunshine Coast Council Local Government Infrastructure Plan Project Schedule" as provided in Appendix A.*

Ordinary Meeting 26 March 2015 (OM15/32)

That Council:

- (a) *receive and note the report titled "**Applying for an Extension of the Timeframe to Prepare a Local Government Infrastructure Plan (LGIP)**";*
- (b) *in accordance with Section 982 (3) of the Sustainable Planning Action resolve to make the Sunshine Coast Regional Council Local Government Infrastructure Plan; and*
- (c) *note that a draft Local Government Infrastructure Plan will be provided for Council consideration and approval for submission to the Minister in August 2015.*

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

It is critical the Local Government Infrastructure Plan is adopted with the planning scheme.

Implementation

It is proposed that the making of the Sunshine Coast Council Local Government Infrastructure Plan will occur through the next three calendar years and be adopted with the Planning Scheme in 2023/24.

8.6 SUNSHINE COAST AIRPORT EXPANSION PROJECT - PROJECT UPDATE TO 31 DECEMBER 2020

File No: SCAEP Quarterly Report
Author: Project Director (Sunshine Coast Airport Expansion)
Built Infrastructure Group

PURPOSE

The purpose of this report is to provide an update to Sunshine Coast Council on the construction of the Sunshine Coast Airport Expansion Project as at 31 December 2020. Any new information on project related matters since that time will be provided as an update at the Council meeting.

EXECUTIVE SUMMARY

This report provides an update on the Sunshine Coast Airport Expansion Project (the project) activities that have been completed since the last report to Council on 20 August 2020.

As previously reported construction work on the major portion of the new runway (2,450 metre) was completed and certified on 10 June 2020 and handed over to the Sunshine Coast Airport on 12 June 2020. The first flight took place on 14 June 2020.

The Design and Construct Contractor officially provided a notification of Completion of Construction Works for Separable Portion 3 on 25 November 2020 with Practical Completion issued on 14 December 2020. A review of the Separable Portion 3 was undertaken and the concrete apron works were transferred into a new Separable Portion (Separable Portion 4), to allow Practical Completion of Separable Portion 3 to be issued. Separable Portion 4 is currently being reviewed and final Practical Completion for the Works is expected to be issued in January 2021. This completes all of the works under the Design and Construction Contract. That Contract will then be novated to Sunshine Coast Airport Pty Ltd.

Discussions with the Department of Environment and Science have continued throughout the last six months. Department of Environment and Science have visited the site on numerous occasions` to view activities and obtain a first-hand understanding of the works in progress.

The ancillary works programs associated with environmental offsets on the site, including the management of per- and polyfluoroalkyl substances (PFAS) contaminated soils, are also nearing completion. It is anticipated that this work will be completed by the end of February 2021.

At that time, Sunshine Coast Airport will be required to assume responsibility for all monitoring of the on-site environmental offsets

Works associated with the off-site environmental offsets at the Lower Mooloolah River Environmental Reserve will commence in 2021 and will be managed by Council personnel from Livability and Natural Assets Group. This work is scheduled to commence in March 2021.

To close out the project, a summary of the various obligations arising out of the Coordinator-General's Evaluation Report and the resultant Environmental Authority will be prepared. This will include details associated with compliance with those obligations.

Council will also commence the process to surrender the Environmental Authority.

All project related correspondence will then be transferred from Project Management Office into Council's Electronic Document Record Management System.

The procurement activities for the reporting period include:

- Construction of Frog Ponds (Q19177) to Bebrok Excavations Pty Ltd on 29 September 2020.
- Contract Variation - Construction of Frog Ponds (Replanting) to Catchment Services & Maroochy Waterwatch on 25 November 2020.
- In accordance with the 2020/21 Procurement Policy, suppliers have been engaged to provide goods/ services from the Non-Priced Supplier Arrangement and the Specialised Supplier Listing for:
 - Sole Provider: Flood Modelling Review against Environmental Impact Study (EIS) as Sole Provider (SOL1540) on the 17 July 2020.
 - Local Buy: Project Manager Support Services as Local Buy panel for Engineering and Environmental Consultancy Services with Tonkin Consulting Pty Ltd on 17 September 2020.
 - Infrastructure Design Services – Civil, and
 - Trade and General Maintenance Services.

OFFICER RECOMMENDATION

That Council receive and note the report titled “Sunshine Coast Airport Expansion Project - Project Update to 31 December 2020”.

FINANCE AND RESOURCING

The amended Project budget adopted by Council for the financial year 2020/21 is \$42.83 million, with a cumulative total of \$330.27 million to 30 June 2021. Throughout the reporting period, regular reviews of the Project cash flow have been undertaken. The Project cash flow includes all contract and ancillary works packages and all other project related costs.

The Principal’s Representative is responsible for administration of the Design and Construct Contract on the Principal’s behalf.

External consultants have been engaged to assist with the mandatory monitoring activities in accordance with the Coordinator-Generals Evaluation Report and subsequent environmental approvals and permits as well as amendments to those approvals and permits.

During the period 1 July 2020 to 30 November 2020, Council borrowed \$25,979,871 from Queensland Treasury Corporation (QTC) which covered principal contractor costs for the period 1 May 2020 to 31 August 2020. This brings total borrowings for this project to \$236,614,329.

CORPORATE PLAN

Corporate Plan Goal:	<i>A smart economy</i>
Outcome:	3.3 - Investment and growth in high-value industries
Operational Activity:	3.3.1 - Manage the Sunshine Coast Airport Expansion Project, ensuring compliance with state and federal agency regulatory requirements.

CONSULTATION

Councillor Consultation

In accordance with the Project's Governance Framework, the Portfolio Councillors and the Divisional Councillor have been involved in meetings to oversee activities relating to the project, including discussion of key issues impacting the project.

Internal Consultation

- Chief Executive Officer
- Group Executive Built Infrastructure
- Group Executive Economic and Community Development
- Chief of Staff
- Chief Strategy Officer
- General Counsel
- Manager Communication
- Chief Financial Officer
- Manager Business and Innovation
- Coordinator Financial Accounting
- Manager Environment & Sustainability Policy
- Coordinator Strategic Property.

External Consultation

- Sunshine Coast Airport (SCA)
- John Holland Pty Ltd
- Beca Consulting Pty Ltd
- Aurecon Australasia Pty Ltd
- King & Wood Mallesons
- Clayton Utz
- Office of the Coordinator-General
- Department of Environment and Science
- Queensland Parks and Wildlife Service (QPWS)
- BMT WBM Pty Ltd
- Core Consulting Pty Ltd
- Future-Plus Environmental
- Civil Aviation Safety Authority (CASA)
- Airservices Australia (AA)
- Sunshine Coast Environment Council (SCEC)
- Various community groups.

Various Project groups have continued to meet in accordance with the Project's Governance Framework, namely:

- Sunshine Coast Airport Expansion Project (SCAEP) Project Control Group (Consisting of the Divisional Councillor, Portfolio Councillors - Economy, Outstanding Organisation, Chief Executive Officer, Group Executive (Built Infrastructure), Chief of Staff, Sunshine Coast Airport Expansion Project - Project Director and Manager Business Innovation) - Meets on a quarterly basis to oversee the coordination of all activities relating to the project, including discussion of key issues impacting the project.
- Sunshine Coast Airport Expansion Project (SCAEP) Project Steering Group (Consisting of the Chief Executive Officer, Group Executive (Built Infrastructure), Group Executive (Economic and Community Development), Sunshine Coast Airport Expansion Project - Project Director and Manager Business and Innovation) - Meets monthly to discuss the activities relating to the delivery of the project and is chaired by the Group Executive Built Infrastructure.
- The Sunshine Coast Airport Project Control Group attended by two representatives each from Council and from the airport operator Sunshine Coast Airport Pty Ltd meets monthly or more frequently as required. This meeting is chaired by the Group Executive Built Infrastructure.

With the contract works now complete, the roles of the internal Governance control groups tasked with coordination and management of the project will diminish as Council's remaining obligations are transferred to internal branches, or closed out.

The Sunshine Coast Airport Project Control Group will cease to operate following the award of the final Practical Completion. A Sunshine Coast Airport Framework Agreement management group, has been formed to oversee the finalization of various aspects of the project in accordance with the relevant documentation and to continue arrangements as detailed in the Sunshine Coast Airport Framework Agreement.

Interaction with Airservices Australia in accordance with the Terms of Reference Agreement with both Airservices Australia and Sunshine Coast Airport has been completed. Any ongoing requirement for interaction with Airservices Australia will now revert to matters associated with the Coordinator-General's recommendations and Airservices Australia's Post Implementation Review.

Community Engagement

Bi-monthly meetings with Sunshine Coast Environment Council continue to be held, providing updates on environmental matters associated with the project.

It is anticipated that the last of these with the project team will take place in June 2021.

Various Fact Sheets and media releases were prepared during the reporting period.

PROPOSAL

Design and Construct Contract Works

Construction work on the major portion of the new runway (2,450 m) was completed and certified on 10 June 2020 and handed over to the Sunshine Coast Airport on 12 June 2020. The first flight took place on 14 June 2020.

The Design and Construct Contractor officially provided notification of Completion of Construction Works for Separable Portion 3 on 25 November 2020.

The work completed in December 2020 includes the completion of the underground fuel system in the apron area and the asphalt surfacing of the final 350 metres of runway (comprising the runway starter extension) and connecting taxiways. A new Aviation Rescue Fire Fighting Services access route was constructed, with the final asphalt surfacing being

completed on the 22 September 2020. The validation of the response time for this route was successfully completed on the 23 September 2020, confirming conformance with the requirements of the revised Manual of Standards (MOS) Part 139 H. This enabled the construction of the intersection between Taxiway Alpha and Taxiway Foxtrot to proceed.

Line marking was undertaken in mid-November 2020. After completion of the Airfield Ground Lighting a flight check validation was undertaken on 24 November 2020.

Formal inspections of the Works commenced in mid-November and were completed in early December 2020, in accordance with the requirements of the D&C Contract.

Minor defects associated with very fine hairline shrinkage cracks in the surface of some of the concrete slabs in the apron were identified. To allow Sunshine Coast Airport sufficient time to confirm the designers advice that this did not represent a structural concern for the future and to adequately inform themselves as to the best means of dealing with this issue, the concrete apron works were transferred into a new Separable Portion (Separable Portion 4), to allow Practical Completion of Separable Portion 3 to be issued on 14 December 2020. This allowed the runway starter extension and Taxiway Foxtrot to be opened in accordance with the advice published in the Aeronautical Information Circular.

Whilst the concrete apron, which includes rigid pavement in parking bays 10-14 (east of the terminal), was actually completed in mid-October 2020, Separable Portion 4 is currently being reviewed and full Practical Completion is expected by the end of January 2021. In the meantime, Sunshine Coast Airport has been formally granted permission to use the apron if needed.

From the date of certification of the final Practical Completion, the Design and Construct Contract Deed will be novated to the Sunshine Coast Airport, in accordance with the Sunshine Coast Airport Runway Construction Framework Deed.

The Water Treatment Plant was reactivated during September. The final water treatment campaign was undertaken in October with the Water Treatment Plant being decommissioned in mid-November. By the time that the Water Treatment Plant was decommissioned in November, a total of approximately 73ML of water had been treated and reused on the project site. The Water Treatment Plant was removed from site in early December 2020.

Management of PFAS

Management of PFAS has continued, with discussions and site inspections with the Department of Environment and Science being undertaken. Discussions are underway between the Sunshine Coast Airport Expansion Project team, the Contaminated Land Auditor and Department of Environment and Science for the surrender of the environmental authority (BRID 0035) covering the approved works associated with dredging and the hydraulic placement of the sand embankment. This surrender will lead to a transition towards a longer term contaminated land management regime in accordance with the contaminated land provisions of the *Environmental Protection Act 1994*.

Accordingly, a response has been provided to Department of Environment and Science in relation to the Show Cause Notices for the listing of various Lots within the project footprint on the Environmental Management Register. Department of Environment and Science has been advised that Council has no objection to the proposed listing and this matter has been communicated to Sunshine Coast Airport. This will give rise to the preparation of a range of documents in the form of an Environmental Site Assessment which will be instrumental in managing the issue into the future. The Contaminated Land Auditor has commenced a formal process associated with an audit of the site to formalise the relevant documentation.

Soil and material movement on and off the site, represented a critical item, but alternatives for reuse on site have been identified and discussed with Department of Environment and Science, who indicated agreement in principle with the proposed approach. A preliminary report addressing the reuse of materials, including some construction material salvaged from previous works, was received from Council's consulting Suitably Qualified Persons. The

report identified the circumstances under which that activity was possible, and work proceeded accordingly. Following a review of the completed Environmental Site Assessment, the Contaminated Land Auditor will provide final commentary on this proposal.

Flight Procedures and Airspace

The new flight paths and associated controlled airspace are managed by Airservices Australia.

Airservices Australia has initiated a Post Implementation Review (PIR) of the flight path design and has held a public meeting to seek feedback on the associated Terms of Reference. Airservices Australia has also sought feedback from Council. A review of the Terms of Reference has not identified any issues that Council would need to raise with Airservices Australia. Airservices Australia are the entity responsible for the approval of flight path design and implementation. The Civil Aviation Safety Authority are responsible for the approval of controlled airspace which encapsulates the instrument flight paths.

Operational Readiness

The Operational Readiness Airfield Transition (ORAT) Management Group, largely comprising the Joint Implementation Group (consisting of representatives from Sunshine Coast Council, Sunshine Coast Airport and Airservices Australia), Contractor representatives and the Independent Certifier, was reconvened to manage the transition to the airfield end state. This transition was far less complex than the transition to the runway opening in June 2020.

Ancillary Work Packages

Ancillary Works Packages are progressing under the management and administration of the SCAEP team.

- (a) Revision 3.1 of the Offset Delivery Plan has been approved by Department of Environment and Science. This revision of the Offset Delivery Plan has formally replaced the Biodiversity Offset Strategy and incorporates all offsets related to the Airport Expansion Project. A further revision of the Offset Delivery Plan will be required as offset works off site progress.
- (b) Flood Mitigation Levee and National Park Revocation
The ongoing maintenance of the levee is now being managed by the appropriate areas within Council in line with Council's asset management plan. The revocation process of the portion of Mount Coolum National Park in which the levee was constructed is still progressing by way of negotiations with Queensland Parks and Wildlife Service over land to be provided as an offset and the compensation to be paid for the balance.
- (c) Wallum Heath Management Area
Ongoing maintenance works in the Wallum Heath Management Area occurred in early July 2020 prior to the Eastern Ground Parrot breeding season. These works included removal of weeds and slashing of undesired species of flora. The breeding season for the Eastern Ground Parrot is from 15 July - 31 October 2020. Following the conclusion of the Eastern Ground Parrot breeding season works have commenced to deliver environmental offset requirements within the Wallum Heath Management Area. These works include the creation of breeding habitat primarily for the Wallum Sedgefrog which will also be suitable for the Wallum Rocketfrog, Wallum Froglet and the Eastern Ground Parrot.
- (d) Mount Emu She-Oak
A new drainage design has been developed for the Mount Emu She-oak receival area No. 1. This work has now successfully transformed an area with poor drainage into habitat more supportive of the Mount Emu She-oak.
Advice received from botanists and ecologists on the Mount Emu She-oak translocation project indicate that the receival areas are on track to achieve the habitat

quality gains as required by the offset plan. Plants within the receival area are progressing well with minimal predation by macropod species. The latest population count during May 2020 identified a total of 207 plants within receival area No. 1 and approximately 350 plants within receival area No. 2. Ongoing maintenance has occurred across the receival area including weed treatment/removal and slashing of undesirable grass species.

(e) Acid Frog and Ground Parrot Monitoring

The latest reports on Acid Frog and Ground Parrot populations have been received and submitted to the relevant regulatory agencies as required. Information in the Acid Frog annual report suggests that local population numbers of Acid Frog species compare favorably to baseline surveys completed in 2016/17. This report also identified that construction works on the Project have not adversely impacted this local population.

Bio-acoustic recorders were deployed at designated monitoring locations throughout the Wallum Heath Management Area to estimate current Eastern Ground Parrot population numbers within that area. The most recent report indicates that the Eastern Ground Parrot breeding season in 2019 was not as successful as the previous year's season. A number of monitoring methods were employed, with results varying between methods. The report indicated that the 2019 breeding season was less successful and could have been attributed to the exceptionally dry and unusually hot period from July to October 2019. Over a five-year monitoring period, the Ground Parrot population has increased overall.

The construction of the Acid Frog Ponds commenced in mid-November 2020, and was completed in early December 2020. Activity then moved on to planting of the ponds with appropriate plant species. This work is dependent on good weather as rainfall in excess of 100mm in a week triggers acid frog breeding, and the site must be vacated. It is anticipated that the work will be completed by March 2021.

(f) Obstacle Limitation Surface

Compliance with CASA regulations for the Runway 13/31 Obstacle Limitation Surface was achieved prior to opening in June 2020. Ground based vegetation debris management and ecological condition monitoring works were completed through July to September to ensure compliance with *Environment Protection and Biodiversity Conservation Act* and Marine Plants permit conditions. Council's Natural Assets and Property sections have been engaged to undertake a Bushland Operational Assessment and to establish Regeneration Plans if warranted. Work is underway on a draft agreement for Sunshine Coast Airport Pty Ltd to access the area for ongoing vegetation trimming works in the future.

(g) Conservation Corridor

The conservation corridor has been established with initial planting and is now in a maintenance period under the control of the contractor. Prior to this the entire corridor underwent significant works for the removal of all weeds as well as undesirable species of trees. The conservation corridor has been drill seeded and a significant irrigation system installed. Following completion of this phase by the contractor, specific plantings of taller species in selected locations will be undertaken.

The shed wall on which the wave mural was painted was reinforced to stand alone and the remainder of the farm sheds removed. Unfortunately, the mural was defaced with graffiti soon after this work had been completed. The mural was covered immediately to minimize notoriety and remains so. Costs associated with rectifying the damage are being sourced.

(h) Installation of Western Anemometer

All works associated with the anemometer at the western end of the new runway are complete. The operation and maintenance of the anemometer now rests with Sunshine Coast Airport.

(i) ARFFS Rapid Response Route

The design and construction of the end state Aviation Rescue Fire Fighting Services access road has been completed and the route was verified as compliant. The validation of the response time using the end state route was carried out on 23 September 2020. It is now fully operational.

(j) Twin Peaks Obstacle Light

The obstacle light at Twin Peaks Rd, Bli Bli was completed in August 2020. The obstacle light has been operating since that time. Shortly after operation commenced, the contractor identified and rectified a fault in the reporting system related to a faulty SIM card. The fault has now been resolved and the obstacle light is functioning as designed.

Environmental Obligations in accordance with the Coordinator-General's Evaluation Report, will be handed over to the Sunshine Coast Airport to monitor and maintain. A handover manual has been provided to the aerodrome operator detailing the obligations required to be maintained.

Project Works Program

The Contractor's program for Phase 4 was completed in mid-November 2020 and Phase 5 was completed in late November 2020.

The Contractor commenced scaling down resources on the site in October, reflecting the fact that the scope and complexity of remaining works had decreased significantly.

The Contractor ensured sufficient resources were available to support the efficient delivery of critical path activities as part of their risk mitigation response to the COVID-19 pandemic.

State Government Approvals

All Environmental Approvals associated with the Project have been obtained and all monitoring and reporting requirements have been met. A project update was provided to the Coordinator-General.

A status update on compliance with the various conditions included by the by the Coordinator-General in his Evaluation Report of the Environmental Impact Statement is being prepared.

Legal

External legal opinion has been sought in relation to Council's contractual exposure to the effects of the COVID-19 pandemic – in particular, the Government mandated travel and isolation restrictions.

External legal opinion has also been sought in relation to the following issues:

- The potential to lodge insurance claims for the impacts of per- and polyfluoroalkyl substances (PFAS) contamination
- Environmental management obligations associated with 8 Lots on the SCA site and
- Delivery of the agreed infrastructure under the Sunshine Coast Airport Expansion Project Runway Construction Framework Deed.

Council subsequently engaged external legal advisers to assess the likelihood of success of a claim against the Project Construction Insurance for that portion of the costs associated with inundation of the site and the resultant delays and management of the PFAS contamination. These advisers have reported that they believe that such a claim has reasonable prospects, and a formal claim is being completed for submission.

The construction of the project is subject to the procurement requirements of the *Local Government Act 2009* and the *Local Government Regulation 2012*.

Policy

- Sunshine Coast Airport Master Plan 2007
- Regional Economic Development Strategy 2013-2033.

Risk

The risk and opportunities register, which includes the mitigation strategies for each identified risk, has been continuously reviewed and updated. The higher order risks are summarized below:

- Impacts associated with PFAS management (environmental, financial & program), particularly in relation to the movement of soil on site.

All other risks have been closed or identified as low.

Previous Council Resolution**Ordinary Meeting 20 August 2020 (OM20/87)**

That Council receive and note the report titled "Sunshine Coast Airport Expansion Project (SCAEP) Update".

Related Documentation

- Sunshine Coast Airport Expansion Project Environmental Impact Statement (EIS).
- Sunshine Coast Airport Expansion Project Additional Information to the Environmental Impact Statement (AEIS).
- Project Management Plan. A detailed Project Management Plan was prepared for the Project. The Project Plan was reviewed and amended, as required, as the Project progressed through different stages.

Critical Dates

Construction work on the major portion of the new runway (2450 m) was completed and certified on 10 June 2020 and handed over to the Sunshine Coast Airport on 12 June 2020. The first flight took place on 14 June 2020.

The Design and Construct Contractor officially provided a notification of Completion of Construction Works for Separable Portion 3 (SP3) on 25 November 2020. Practical Completion for an amended scope of works under Separable Portion 3 was issued on 14 December 2020.

Prior to the issuance of Practical Completion for SP3, the concrete apron works were transferred into a new Separable Portion (Separable Portion 4), to allow sufficient time for Sunshine Coast Airport to obtain peer review advice on minor defects that had been identified. Separable Portion 4 has now been re-inspected and final Practical Completion for the Work is expected to be issued in January 2021.

Implementation

Delivery of the Sunshine Coast Airport Expansion Project continues in accordance with various approvals obtained to date.

8.7 COMMERCIAL USE OF COMMUNITY LAND - HIGH USE ACTIVITY

File No:	F2020/63404
Author:	Team Leader Operations Community Land Permits Customer Engagement & Planning Services Group
Appendices:	App A - Commercial High Use - Proposed amendment for approved activities and locations219
Attachments:	Att 1 - Commercial High Use - Amended approved locations and activities and vacancies (tracked changes)229
	Att 2 - Community Land and Complementary Commercial Activity Policy239
	Att 3 - Location and activity stakeholder feedback summary - Maroochy Surf School247

PURPOSE

The purpose of this report is to seek Council endorsement for a change to an existing area of operation for a high-use / high-impact permit for activity 8.4 (Appendix A).

EXECUTIVE SUMMARY

Sunshine Coast Council has a high-use / high-impact permit process (high-use process) which is used to offer commercial opportunities at key locations across the region on Council owned or controlled land. This process is managed in accordance with the relevant legislation and Council's *Community Land and Complementary Commercial Activity Policy* (the Policy) (Attachment 2).

Maroochy Surf School were awarded the current permit for activity 8.4 (Attachment 1) during the 2019 assessment process, the current permit is due to expire on 30 June 2022. Council has received a request from the Maroochy Surf School to extend their allowable area of operation. The Policy outlines that such a request requires the approval of Council.

The permit is currently operating between beach access 143 and 146, and Maroochy Surf School has requested the extension to operate their permit between beach access 143 and 150. The increase in the allowable area of operation has been requested to:

- ensure the safe operation of the business and minimise impacts to customers in changing surf and weather conditions and
- minimise overlap with Sunshine Coast Surf Lifesaving activities which also occur regularly in the area.

The nature of the operation will not change, the amendment to the permit will allow the business to set-up on different areas of the beach between the 2 accesses as required.

The extension to the operating area has been reviewed by stakeholders (Attachment 3) and Community Land Permits have received no objection to the proposed extension, as such officers are seeking Council's approval to extend the allowable area of operation this will include:

- amending the current permit to amend the operating area for activity 8.4 (Appendix A) to beach access 143 to 150 and
- amending the current activity and location in the list of approved locations and activities for the high-use process to allow future applicants to operate in this same area (Appendix A).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Commercial Use of Community Land - High Use Activity”
- (b) endorse the amendment to permit CUH19/00026 to allow operation between beach access 143 and 150 and
- (c) endorse the amendment to the 2019-2022 Approved Locations and Activities (Appendix A).

FINANCE AND RESOURCING

The implementation of the high-use process is funded from the Customer Engagement and Planning Service Group core budget 2020/2021.

There will be no change to the current fee structure for the permit holder.

The permit holder will not incur any fee for the amendment to the permit as the current Fees and Charges does not include a fees or charge for amendments to high-use / high-impact permits.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: We serve our community by providing this great service

Operational Activity: S23 - Public health: protecting public health by managing declared pests, controlling mosquitoes and administering environmental health regulations.

CONSULTATION**Councillor Consultation**

Stakeholder feedback was sought in December 2020 in relation to the proposed extension to the area of operation for Maroochy Surf School. All feedback obtained through the consultation has been included in the Stakeholder Feedback Summary (Attachment 3).

On balance the proposal was supported with no additional conditions to be included in the current permit.

Internal Consultation

Internal stakeholder consultation has been undertaken in December 2020 in relation to the proposed extension to the area of operation for Maroochy Surf School. In line with the normal internal consultation practices the following Council groups and branches have been consulted during this process:

- Built Infrastructure, Parks & Gardens
- Built Infrastructure, Traffic and Transport
- Business Performance, People & Culture
- Business Performance, Property Management
- Customer Engagement & Planning Services, Customer Response
- Customer Engagement & Planning Services, Development Services
- Customer Engagement & Planning Services, Waste & Resource Management

- Economic & Community Development, Economic Development
- Economic & Community Development, Sport & Community Venues
- Liveability & Natural Assets, Project Delivery
- Liveability & Natural Assets, Environmental Operations.

All feedback obtained through the consultation has been included in the Stakeholder Feedback Summary (Attachment 3). On balance the proposal was supported with no additional conditions to be included in the current permit.

External Consultation

External stakeholder consultation has been undertaken in relation to the proposed activity and location being included in the High-use / high-impact application process. The following Council groups and branches have been consulted during this process:

- Surf Life Saving Queensland (Sunshine Coast) - no feedback was received
- Maroochy Surf Lifesaving Club – the club provided support for the proposal.

Community Engagement

There has been no community engagement undertaken as part of this report. Maroochy Surf School has successfully been awarded a High-use / high-impact permit since 2013 at various locations and Council has no current record of a complaint or concern in relation to the activity at this location.

PROPOSAL

Sunshine Coast Council has a high-use process that allows Council to provide commercial opportunities at key locations across the region to complement the community's use of Council's owned or controlled land. This process currently includes 32 opportunities across seven (7) divisional areas (Attachment 1) with activities including surf schools, refreshment vans, beach equipment hire, kayak tours and parachute landings.

As outlined in the Policy (Attachment 2), Council is committed to ensuring that commercial activities approved under Council's Local Laws:

- comply with Council's obligations under the *Land Act 1994*, *Local Government Act 2009*, relevant Council Local Laws and other agencies requirements
- give priority to community use
- align with Council's vision and strategic direction
- benefit the community and
- have a limited impact to the primary users of the land, the environment and Council's assets

The existing activities and locations were identified as part of the initial community consultation in 2011 and have been amended as interest has changed or new opportunities have been identified. As per the Policy any proposals for new activities or amendments that are outside the adopted list of activities and location require a Council resolution. This process ensures that the impact of high-use/high-impact permits on open space is fully considered and assessed by Council to meet the community's expectations and the principles of the Policy.

Maroochy Surf School were awarded their current permit in 2019 to operate between beach access 143 and 146 and have been awarded this permit in previous assessment rounds allowing them to operate at this location since 2013. As outlined in the current permit conditions Maroochy Surf School is obligated to work with community members and other community groups wishing to use the beach to ensure the primary purpose of the area is

maintained. The proposed amendment to the current area of operation has been requested to manage the safe operation of the activity and due to changing surf and weather conditions and the Sunshine Coast Surf Lifesaving activities occurring regularly in this location. Weather and surf conditions play a major role for both the permit holder and Sunshine Coast Surf Lifesaving, both operators need to identify the most appropriate location within the stretch of beach to ensure the safety of their clients and competitors and broadening the permit area allows for better collaboration and cooperation between the users.

The amended area of operation and activity has been assessed in consultation with stakeholders and supports the issuing an amendment of the permit for Maroochy Surf School allowing them to operate between beach access 143 and 150 (see Map 1). Council officers recommend the extended operating area for activity 8.4 be reviewed as part of the next high-use process in 2022 to confirm the activity and location continues to complement the area.

Should the amendment of the area of operation be supported by Council, the current permit will be updated to reflect the change in the area of operation from beach access 143 to 150. The permit would retain the existing expiry date of 30 June 2022. Council would also amend the list of approved locations and activities (Appendix A).



Map 1 - Permit area

■ Current

■ Extension

Legal

Council manages land that falls into 4 categories:

1. freehold land owned by Council
2. reserves under the control or management of Council as Trustee under the *Land Act 1994* (the Act)
3. roadways (formed and unformed) other than State controlled roads (*Local Government Act 2009* and *Transport Operations (Road Use Management) Act 1995*)
4. pathways, footpaths, bathing reserves and foreshores (*Sunshine Coast Regional Council Local Laws (Local Laws)*).

The holding of the land determines the legal framework that applies. Local Laws can apply to Council freehold land and roads, foreshores and bathing reserves. The Act applies to reserves under the Act that Council holds as trustee.

Council awards permits for high-use / high-impact activities under its *Community Land and Complementary Commercial Activity Policy*. The local law permits are issued on the basis that there are no exclusive use or ongoing rights to the land as under the Act this is not permissible under a permit arrangement.

As the proposed location falls under both the State legislation and Local Laws, being a bathing reserve, the following legislative elements have been considered in preparing the permit conditions for the application pack (Attachment 3) and subsequent approval for a successful applicant.

Local Laws

For activities approved to take place of freehold land, pathways, footpaths, bathing reserves, foreshores and roads the provisions set out in the *Local Laws* will apply. The applicable *Local Laws* include:

- *Local Law No. 1 (Administration) 2011* and *Subordinate Local Law No. 1 (Administration) 2016*
- *Local Law No. 3 (Community Health and Environmental Management) 2011*, and *Local Law No. 3 (Community Health and Environment Management) 2011*
- *Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011* and *Subordinate 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011*
- *Local Law No. 5 (Parking) 2011* and *Subordinate Local Law No. 5 (Parking) 2011*
- *Local Law No. 6 (Bathing Reserves) 2011* and *Subordinate Local Law No. 6 (Bathing Reserves) 2011*

Land Act 1994

As trustee, Council is required to adhere to the provisions set out in the Act regarding trustee permits and therefore must comply with the following conditions in accordance with *section 60 (Trustee Permits)* and *section 61 (Conditions on trustee leases and trustee permits)* of the Act:

1. a trustee may issue a trustee permit for the use of all or part of trust land
2. a trustee permit must not be inconsistent with the community purpose of the trust land and the requirements prescribed under a regulation
3. if a trustee permit is for more than 1 year, the trustee must lodge a copy of the permit for registration in the appropriate register
4. a trustee permit must not be for more than 3 years

5. it is a condition of every trustee permit that the permittee manages the permit so that the land may be used for the purpose for which it was reserved or granted in trust without undue interruption or obstruction.

Land Regulation 2009

As trustee, Council is required to adhere to the provisions set out in the *Land Regulation 2009* (the *Regulations*) regarding Trustee Permits and therefore must comply with the following conditions in accordance with *section 13 (Requirements for trustee permits – Act, s60)* of the *Regulations*:

1. the trustee permit must state that the Minister of the trustee must give the permittee 28 days' notice of the Minister's or the trustee's intention to cancel the permit
2. may not be issued for a part of the trust land that is subject to a trustee lease
3. must not allow the construction of structural improvements
4. may allow the modification or use of structural improvements existing when the permit is issued
5. if there is a management plan for the trust land under section 48 of the Act – must be consistent with the management plan
6. must state that it is a condition of the permit that the permittee holds the permit do that the trust land may be used for the community purpose for which is was reserved or granted in trust without undue interruption or obstruction
7. must state the permittee's permitted use of the land
8. must not give a right to renew the permit or to be given a more secure tenure over the trust land
9. must not allow the permittee to transfer, sublet or mortgage the permittee's right to use the trust land.

Policy

The *Community Land and Complementary Commercial Activity Policy* (Attachment 2) articulates Council's position on commercial activities in Council's owned or controlled open spaces. The policy balances the needs of the community with the demand for commercial activity.

The policy requires Council to endorse the high-use / high-impact locations and activities, as such amendments are required to be brought to Council for consideration.

Risk

Possible risks associated with the inclusion of the activity and location in the high-use / high-impact process and the application process and mitigation strategies include the following:

Risk	Mitigation
Other High-use / high-impact permit holders requesting similar amendments to areas of operation	<p>The Local Law requires Council to assess requests for a change to a permit issued under the Local Law.</p> <p>Council will continue to utilise the existing process, outlined in this report, for any proposed amendments to permit operations to ensure a fair and consistent process for all applicants.</p>

Risk	Mitigation
The amendment to extent the area of operation for Maroochy Surf School is not supported by Council	Maroochy Surf School can continue to operate in the approved area of operation between beach access 143 and 146 under the current high-use / high-impact permit. Maroochy Surf School can apply for a one of Regulated Activity Permit to operate the business in an alternate location when conflicts arise with Sunshine Coast Surf Lifesaving activities. The permit application will be subject to current application fees and stakeholder feedback.
Maroochy Surf School is dissatisfied with the outcome and decision.	Ensure open and transparent communication is provided to Maroochy Surf School explaining the decision. An amendment can be reviewed for the 2022-2025 permit period.

Previous Council Resolution

Ordinary Meeting, 28 February 2019 (OM19/22)

That Council:

- (a) receive and note the report titled "Commercial Use of Community Land application process"
- (b) endorse the implementation of a further expression of interest process for the awarding of three year permits for the period 1 July 2019 to 30 June 2022
- (c) endorse the proposed locations and activities to be included in the 2019-2022 High-use / high-impact commercial use of community land application process, as outlined in the Proposed locations and Activities (Appendix A)
- (d) note the fees and charges for the 2019-2022 High-use / high-impact commercial use of community land application process will be as per Council's adopted 2018/2019 fees and charges
- (e) endorse the proposed fees and charges, including the annual rental fees, proposed discounts, pro-rata arrangements and payment options for all new permits issued from 1 July 2019 to 30 June 2022, as outlined in Proposed Fees and Charges (Appendix B)
- (f) endorse the proposed application process for any vacant high-use / high-impact commercial permit locations following the awarding of permits in June 2019 and
- (g) endorse the proposed application process for any new requests for high-use / high-impact commercial activities on Council-controlled land.

Ordinary Meeting, 18 May 2017 (OM17/80)

That Council:

- (a) receive and note the report titled "Community Land and Complementary Commercial Activity Policy Review"
- (b) adopt the Community Land and Complementary Commercial Activity Policy (Appendix A) and
- (c) endorse the proposed implementation plan contained in the Implementation section of this report.

Ordinary Meeting, 10 December 2015 (OM15/243)

That Council:

- (a) receive and note the report titled "Commercial Use of Community Land"*
- (b) endorse the proposal to award permits to the recommended applicants for approved locations and activities as detailed in Appendix A and*
- (c) note that the Chief Executive Officer will make Appendix A publicly available.*

Related Documentation

Related documentation to this report is as follows:

- Sunshine Coast Regional Council Local Laws
- Sunshine Coast Community Land and Complementary Commercial Activity Policy
- *Land Act 1994*
- *Land Regulation 2009*
- *Local Government Act 2009*
- Sunshine Coast Environment and Liveability Strategy 2017
- Regional Economic Development Strategy 2013-2033

Critical Dates

There are no critical dates for this report.

The outcome of Council's decision will be provided to the permit holder in writing within 7 days of the decision being final.

If supported the list of approved activities and locations (Appendix A) will be published on Council's website within 7 days of the decision.

Maroochy Surf School can apply for a one-off Regulated Activity Permit to operate the business in an alternate location when conflicts arise with Sunshine Coast Surf Lifesaving activities. The permit application will be subject to current application fees and stakeholder feedback.

Implementation

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

Instruct the delegated officer to update the current permit to reflect the change in the area of operation from beach access 143 to 150. To retain the existing expiry date of 30 June 2022 on the permit and amend the list of approved locations and activities (Appendix A).

8.8 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR COMMERCIAL LEASE A IN LOT 2 ON CP862576**File No:** F2020/75329**Author:** Senior Property Officer
Business Performance Group**Attachments:** Att 1 - Lot 2 CP862576 Locality Plan.....255
Att 2 - Lease A SP170969 in Lot 2 CP862576 Aerial Map257

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 commercial lease agreement over the Cotton Tree Aquatic Centre with the existing tenant of the land, being Sport In Action (Sunshine Coast) Pty Ltd located at 40 Cotton Tree Parade, Maroochydore.

EXECUTIVE SUMMARY

In September 2001, Council entered into a commercial lease agreement with Sport In Action (Sunshine Coast) Pty Ltd over part of State Reserve land legally described as Lot 2 CP862576, located at 40 Cotton Tree Parade, Maroochydore as shown on **Attachment 1 – Lot 2 CP862576 Locality Plan & Attachment 2 – Lease A SP170969 in Lot 2 CP862576 Aerial Map**. Sport In Action (Sunshine Coast) Pty Ltd approached Council with the desire to extend the term of their lease agreement, which is due to expire on 31 August 2021, to allow it to recover from losses sustained due to COVID-19. Council's Sport and Community Venues Branch, have an interest in extending the current lease term for a period of 10 months only, which will take the expiry date of the Lease to 30 June 2022. This will support the existing Lessee's recovery and will also align the lease expiry date with the expiration date of the Caloundra Aquatic Centre lease. The new lease agreement will be on the same terms and conditions as the current lease.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled "Exception Under Local Government Regulation 2012 for Commercial Lease A in Lot 2 on CP862576"
- (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) at Lot 2 CP862576, 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
- (c) resolve to enter into a lease arrangement, for a term of ten (10) months, with the existing tenant, Sports in Action (Sunshine Coast) Pty Ltd.

FINANCE AND RESOURCING

The annual rental of the proposed new lease agreement will be in accordance with the current rental of \$150 exclusive of GST per annum. Council's operational budgets are developed in line with conditions noted within executed lease documents. There will be no additional operational budget request in the 2021/22 financial year as a result of this request.

All administration expenditure associated with this dealing, including legal and Titles Office registration fees, totals approximately \$1,500.00 including GST and will be borne by the existing tenant, being Sport In Action (Sunshine Coast) Pty Ltd.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S22 - 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 J Natoli – Division 4 Councillor
- Councillor R Baberowski – Community Portfolio Councillor
- Councillor D Law – Community Portfolio Councillor

Internal Consultation

- Strategic Planning
- Transport & Infrastructure Planning
- Transport Infrastructure Management
- Project Delivery
- Civil Asset Management
- Environmental Operations
- Strategic Property
- Customer Response
- Sports & Community Venues
- Community Planning & Development
- Waste & Resource Management
- Economic Development
- Design & Place Making Services
- Property Management
- Parks & Gardens
- Business & Innovation

External Consultation

Council's Sports and Community Venues Branch have liaised with Sport In Action (Sunshine Coast) Pty Ltd, being the existing tenant, in relation to this report.

Community Engagement

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

PROPOSAL

In September 2001, Council entered into a commercial lease agreement with Sport In Action (Sunshine Coast) Pty Ltd over part of State Reserve land legally described as Lot 2 CP862576, located at 40 Cotton Tree Parade, Maroochydore as shown on **Attachment 1 – Lot 2 CP862576 Locality Plan & Attachment 2 – Lease A SP170969 in Lot 2 CP862576 Aerial Map**. Sport In Action (Sunshine Coast) Pty Ltd approached Council with the desire to extend the term of their lease agreement, which is due to expire on 31 August 2021, to allow it to recover from losses sustained due to COVID-19. Council's Sport and Community Venues Branch, have an interest in extending the current lease term for a period of 10 months only, which will take the expiry date of the Lease to 30 June 2022, to not only support the existing Lessee's recovery, but to also align the lease expiry date with the expiration date of the Caloundra Aquatic Centre lease. The new lease agreement will be on the same terms and conditions as the current lease, with the exception of the term and the removal of the Holding Over clause.



Figure 1. 'Lot 2 CP862576 Locality Plan'

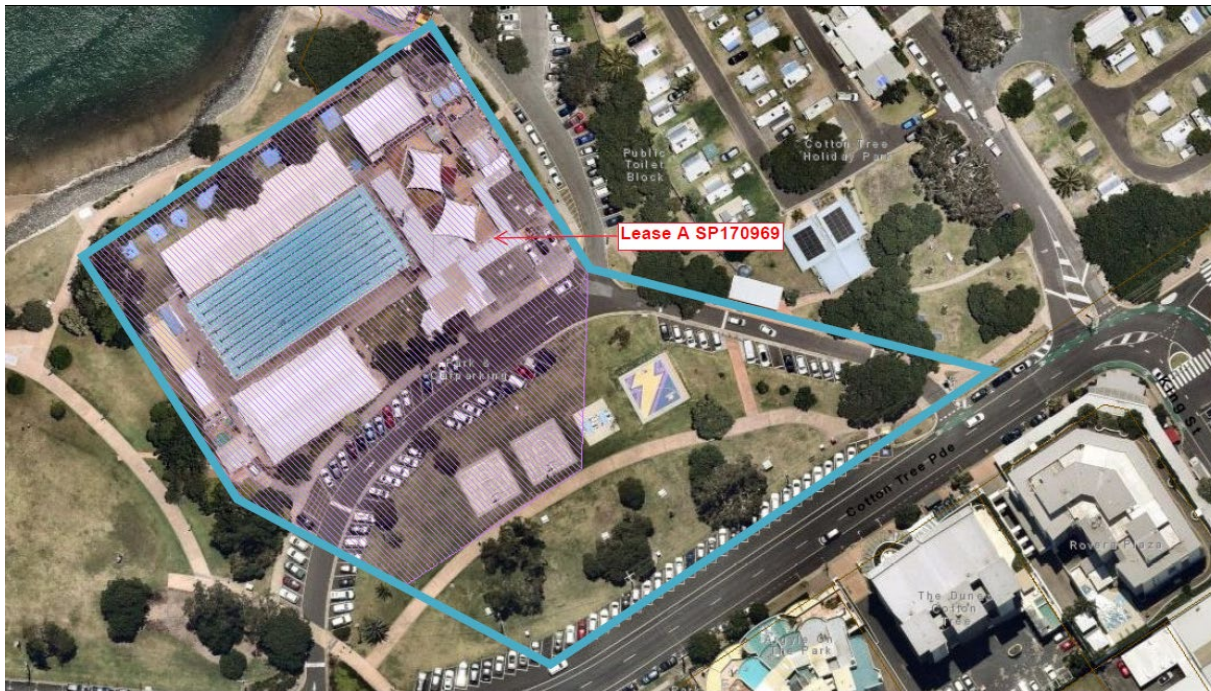


Figure 2. 'Lease A SP170969 in Lot 2 CP862576 Aerial Map'

Aligning the lease expiry dates for both the Cotton Tree and Caloundra Aquatic Centres will allow a competitive tender process across two major district aquatic centres which will be attractive to the market without duplication of effort for prospective tenderers or Council.

Legal

Council's Legal Services branch have been consulted in relation to this report.

Policy

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

Risk

If Council does not extend the new Lease, other commercial entities in the market who are aware of the current expiration date of the Lease, would be preparing themselves for tender submissions. Delaying the tender process is a low level risk due to the short term extension of the Lease by only 10 months.

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 existing tenant is wanting to enter into the new lease agreement as soon as possible to provide surety to their staff and business modelling.

Implementation

Should Council resolve that exception to dispose of an interest in land under the provisions of *Local Government Regulation 2012* Section 236(1)(c)(iii) applies and the lease be granted to Sport In Action (Sunshine Coast) Pty Ltd for a further term of 10 months, the lease documentation will be prepared by Council's Legal Services , executed by Council's Delegated officer and registered at the Titles Office.

8.9 COMPULSORY ACQUISITION OF LAND - NORTH MALENY**File No:** F2020/55500**Author:** Senior Property Officer
Business Performance Group**Attachments:** Att 1 - Lot 2 SP246639 Locality Map265
Att 2 - Lot 2 SP246639 Land Acquisition Plan.....267
Att 3 - Confidential Attachment - *Confidential***PURPOSE**

The purpose of this report is to seek Council's approval to compulsorily acquire under the *Acquisition of Land Act 1967*, part of land legally described as Lot 2 SP246639 for road purposes to facilitate the Obi Lane, North Maleny sealed road widening project.

EXECUTIVE SUMMARY

The section of Obi Lane, North Maleny proposed to be upgraded is a narrow seal with gravel shoulders, which are deteriorating and require upgrading due to increased traffic volumes. Council has undertaken designs to upgrade this section of Obi Lane, North Maleny as part of Council's 'Sealed Road Network Sub-Program'.

The detailed design for the Obi Lane, North Maleny sealed road widening project identifies that it is necessary to acquire approximately 149m² of land abutting the western boundary from Lot 2 SP246639 to accommodate the road alignment, including road drainage and batter treatments to improve visibility and safety.

Initial contact was made with the land owners in September 2020 and ongoing negotiations between Council and the land owners continue in an attempt to finalise the acquisition of part of Lot 2 SP246639.

The Obi Lane, North Maleny sealed road widening project is currently scheduled for construction during Financial Year 2021/2022. Should negotiations fail and given the proposed timing for commencement of construction works, it is essential that a Notice of Intention to Resume the required land be served on the registered land owners and any other party with an interest in the land.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Compulsory Acquisition of Land - North Maleny"
- (b) delegate authority to the Chief Executive Officer to negotiate and finalise the acquisition of approximately 149m² of Lot 2 SP246639 for road purposes
- (c) delegate authority to the Chief Executive Officer to commence the process under the *Acquisition of Land Act 1967* to acquire approximately 149m² of Lot 2 SP246639 for road purposes if it is not possible to achieve a negotiated settlement on terms satisfactory to the Chief Executive Officer
- (d) if no objections are received, delegate authority to the Chief Executive Officer to make application to the Minister for Resources to take the land under section 9 of the *Acquisition of Land Act 1967* and
- (e) delegate authority to the Chief Executive Officer to settle the claims for compensation if the land is compulsorily acquired.

FINANCE AND RESOURCING

The total costs associated with the acquisition of approximately 149m² of Lot 2 SP246639 as outlined in **Attachment 3 – Confidential Attachment** and include the value of the land as determined by an independent valuer, legal fees, valuation & survey plan preparation fees and Titles Office registration fees. These funds are available from the capital works budget for the Obi Lane, North Maleny sealed road widening project which is funded for construction in Financial Year 2021/2022. The design of the Obi Lane, North Maleny sealed road widening project is the most economical and viable option for Council.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S22 - 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 C Dickson – Portfolio Councillor
- Councillor W Johnston – Divisional Councillor

Internal Consultation

- Project Officer, Civil Projects – Project Delivery
- Coordinator, Civil Projects – Project Delivery
- Manager, Project Delivery – Project Delivery
- Group Executive – Liveability & Natural Assets
- Project Officer, Engineering Design Services – Design & Placemaking Services

- Coordinator, Engineering Design Services – Design & Placemaking Services
- Senior Technical Engineer, Transport Infrastructure Management
- Transport Capital Works Manager, Transport Infrastructure Management
- Solicitor – Legal Services.

External Consultation

Initial contact was made with the land owners in September 2020 and ongoing negotiations between Council and the land owners continue in an attempt to finalise the acquisition of part of Lot 2 SP246639.

Community Engagement

No formal community engagement has been undertaken in relation to the proposed land acquisition.

PROPOSAL

The section of Obi Lane, North Maleny proposed to be upgraded is a narrow seal with gravel shoulders, which are deteriorating and require upgrading due to increased traffic volumes. Council has undertaken designs to upgrade this section of Obi Lane, North Maleny as part of Council's 'Sealed Road Network Sub-Program'.

As shown on **Figures 1 & 2** and **Attachment 1 – Lot 2 SP246639 Locality Map** and **Attachment 2 – Lot 2 SP246639 Land Acquisition Plan**, Council requires approximately 149m² of land from Lot 2 SP246639 in order to facilitate the Obi Lane, North Maleny sealed road widening project. The detailed design for the Obi Lane, North Maleny sealed road widening project identifies that it is necessary to acquire this portion of land abutting the western boundary from Lot 2 SP246639 to accommodate the road alignment, including road drainage and batter treatments to improve visibility and safety.

That part of Lot 2 SP246639 impacted by the proposed road realignment is adjacent to a curved alignment and the sealed surface and formation is narrow. Widening the seal on both sides of the existing road is achievable, however, to maintain the required road width, additional seal and formation is required on the western verge including additional width to accommodate a grass verge for pedestrian use. The road infrastructure also includes table drains and an extension of road culverts on the western side of Obi Lane, requiring additional road reservation width. Furthermore, additional land needs to be acquired to ensure that:

- Energex poles can be relocated to suit the revised geometry and formation to ensure that they remain outside of the safe clear zone; and
- Energex assets and overhead lines are retained within the road reserve.

A larger radius and wider formation addresses speed and safety requirements, however, results in the road infrastructure being located within private property. Relocating the road to the east to avoid the western acquisition of privately owned land affects vegetation on the eastern verge. In addition, reconstruction of table drains and a number of private driveways would likely require additional land acquisitions on the eastern side of Obi Lane. It should also be noted that Telstra infrastructure also exists on the eastern verge which would be impacted. The proposed alignment currently does not require land to be acquired from the eastern boundary of Obi Lane.

The proposed alignment requiring the western land acquisition (i.e. part of Lot 2 SP246639) has been deemed the most appropriate and feasible option. The area identified for acquisition will provide sufficient land for the required road alignment, including road drainage and batter treatments to improve visibility and safety.

Initial contact was made with the land owners in September 2020 and ongoing negotiations between Council and the land owners continue in an attempt to finalise the acquisition of part of Lot 2 SP246639.

The Obi Lane, North Maleny sealed road widening project is currently planned for construction during Financial Year 2021/2022. Should negotiations fail and given the proposed timing for commencement of construction works, it is essential that a 'Notice of Intention to Resume' the required land be served on the registered land owners and any other party with an interest in the land.



Figure 1. Lot 2 SP246639 Locality Map

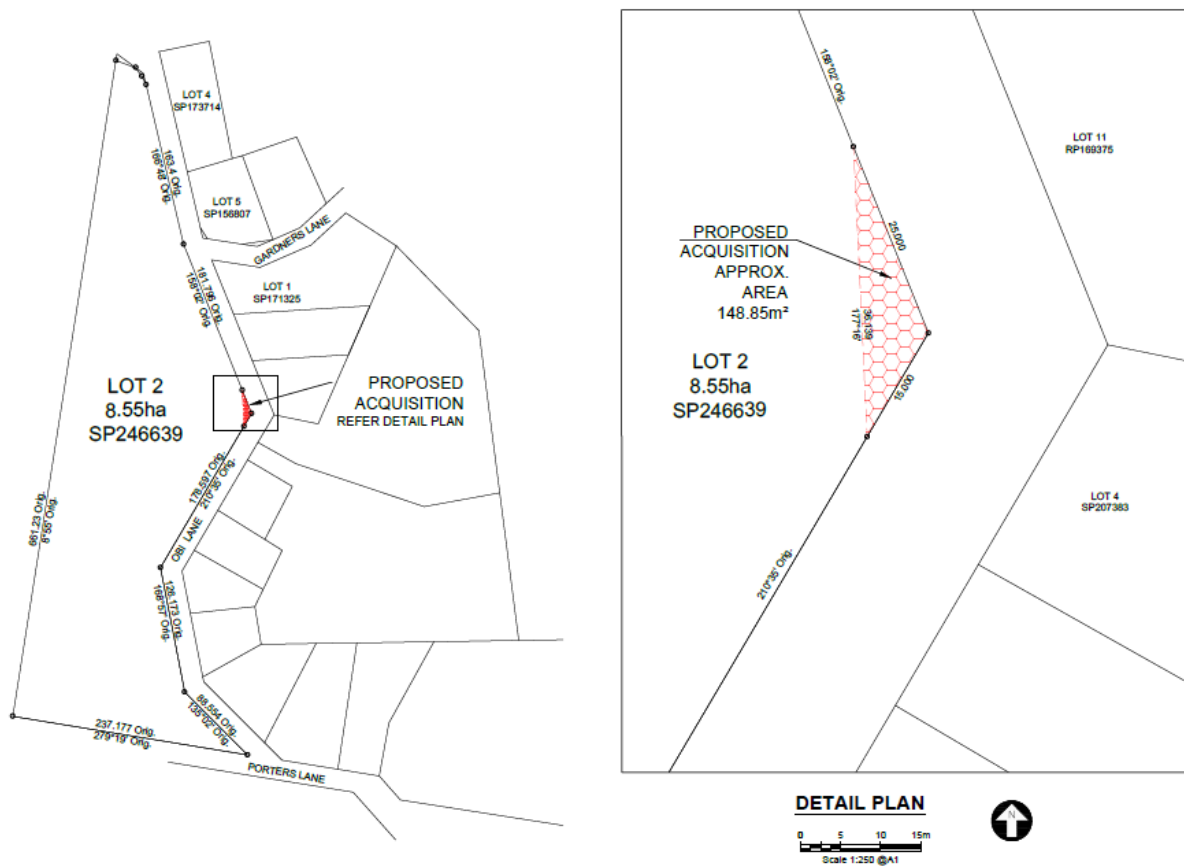


Figure 2. Lot 2 SP246639 Land Acquisition Plan

Legal

Council’s Legal Services have been consulted in relation to this proposal. Should Council resolve to pursue the compulsory land acquisition process, Legal Services will be engaged to ensure the Notice of Intention to Resume is compliant with the *Acquisition of Land Act 1967*.

Policy

There is no policy relevant to this report.

Risk

There is a risk that the compulsory acquisition process could take up to 12 months to finalise, which would delay the Obi Lane, North Maleny sealed road widening project. If the subject land is not acquired, the outcomes intended from the Obi Lane, North Maleny sealed road widening project outcomes would likely be compromised.

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

Council’s Forward Capital Works Program identifies that this project would commence construction in Financial Year 2021/2022. Given the length of time that could be involved in

pursuing the compulsory acquisition process (if required) an early decision is required for Council.

Implementation

Should Council resolve to proceed with the compulsory acquisition of the land, the Property Management Branch will undertake the land acquisition in accordance with the *Acquisition of Land Act 1967* and settle the final claim for compensation.

8.10 RESUMPTION OF LAND MOOLOOLABA

File No:	Council meetings
Author:	Principal Property Officer Office of the CEO
Attachments:	Att 1 - Staging Map.....277 Att 2 - Summary, ownership and tenant details - Confidential

PURPOSE

The purpose of this report is to seek Council approval to compulsorily acquire a number of properties, either in whole or in part, in Mooloolaba for the purpose of securing the land required for Stage 4 of the Mooloolaba Transport Corridor Upgrade Project.

EXECUTIVE SUMMARY

As part of the major transport infrastructure investment, Council is upgrading Brisbane Road and Walan Street, Mooloolaba to four traffic lanes. The project is referred to as the Mooloolaba Transport Corridor Upgrade (MTCU). In addition to improving traffic flow, this important project will enhance the southern entrance into Mooloolaba and create a corridor that is integrated and inviting for pedestrians, cyclists, motorists and public transport users.

To minimise inconvenience to the community, the transport corridor is being constructed in stages over a period of four years (2019-2023). **Refer Attachment 1 for Staging Map.** Council has already acquired affected properties associated with stages 1a, 1b, 2 and 3. Stage 1a was completed in October 2019 and is part of the broader project. It included the extension of Naroo Court through to Muraban Street, Mooloolaba. Stage 1b, which started in February 2020, is expected to be completed by early 2021, weather and site conditions permitting. Stages 2 and 3 will commence construction in mid-2021.

Stage 4 of the road upgrade is scheduled to commence in early 2023. It includes upgrading Brisbane Road to four lanes from near Bindaree Crescent (North) to Culbara Street, tying in to Tuckers Bridge. Demolition of the buildings in the stage are required to be completed by mid-late 2022 in order to commence service relocations. The properties affected by this stage are strata-titled commercial lots that include a range of retail and office uses.

Negotiations with property owners are ongoing and Council Officers will continue to try and acquire the land by negotiation. However, to avoid any project delays it is recommended that Council run a compulsory acquisition process in parallel in case compulsory acquisition is necessary as the resumption process will take a minimum of 6-12 months. This process is comparable to other acquisition processes that have occurred for other road and infrastructure projects.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Resumption of Land Mooloolaba"; and
- (b) delegate authority to the Chief Executive Officer to commence the process under the *Acquisition of Land Act 1967* to acquire the following land for road purposes
 - (i) Lots 0, 1, 2, 3, 4, 5, 6, 7 on BUP9874 situated at 21 Bindaree Crescent, Mooloolaba for road purposes and purpose incidental to the purpose of a road
 - (ii) Lots 0, 1, 2, 3, 4 on BUP103360 situated at 103 Brisbane Road, Mooloolaba for road purposes and purpose incidental to the purpose of a road
 - (iii) Lots 0, 1, 2, 3, 4, 5, on BUP10166 situated 101 Brisbane Road, Mooloolaba for road purposes and purpose incidental to the purpose of a road
- (c) delegate authority to the Chief Executive Officer to make an application to the Minister for Resources to take the land under section 9 of the *Acquisition of Land Act 1967*, provided that no objections are received and
- (d) delegate authority to the Chief Executive Officer to settle the claims for compensation if the land is compulsorily acquired.

FINANCE AND RESOURCING

The costs associated with the compensation settlements for the proposed acquisitions, including relocation costs, legal fees and title registrations, will be funded by the Local Government Infrastructure Plan Budget and has already been budgeted for over the next three years in the Capital Works Program, up to 2022/23.

CORPORATE PLAN

Corporate Plan Goal: *A healthy environment*
Outcome: We serve our community by providing this great service
Operational Activity: S15 - Sustainable growth and network planning: providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.

CONSULTATION**Councillor Consultation**

- Councillor for Division 4 (Councillor J Natoli) has been briefed on this matter.
- The Community (transport) Portfolio Councillors (Councillor R Baberowski and Councillor D Law) have been advised in regards to this matter.

Internal Consultation

- Project Officer, Urban Projects, Project Delivery Branch
- Senior Management Accountant, Business Performance Branch
- Manager, Transport and Infrastructure Planning
- Coordinator Transport Network, Transport and Infrastructure Planning Branch
- Director, Major Projects and Strategic Property

External Consultation

Extensive consultation by Council occurred during the original Mooloolaba Integrated Land Use and Transport Assessment Study. The final report for the Mooloolaba Integrated Land Use and Transport Assessment Study was prepared by GHD in association with Briggs & Mortar, Geoff Walker & Associates and Knight Frank.

In 2003, as a result of the Mooloolaba Integrated Land Use and Transport Assessment Study, directly affected property owners were contacted and notations added to the affected properties to recognise Council's interest.

Meetings have been held with affected property owners to advise of Council's requirements and to commence negotiations.

Clayton Utz, solicitors for Council, have been consulted for this stage of acquisitions.

Community Engagement

Affected property owners have previously been contacted and property notations have been added to inform current and prospective property owners. These notations are evident on a rates search.

In addition to these actions by Council, during 2007/2008 as part of the CoastConnect project, DTMR also undertook consultation in Mooloolaba focused on Brisbane Road and Walan Street. The shortlisted CoastConnect options relied upon upgrades to the Brisbane Road/Walan Street intersection.

At its Ordinary Meeting of 2 February 2011, Council adopted an updated concept plan for the transport corridor and the endorsed concept layout was made public as an attachment to the agenda report.

The draft Sunshine Coast Planning Scheme, which was subject to public consultation in late 2012, specified the land requirements for the provision of the transport corridor and is included in the final Sunshine Coast Planning Scheme 2014.

Now that the project has commenced, Council continues to keep the community informed about its progress via the project website which includes details about the staging and timing of construction work. In addition to this, when key milestones on the project are met, project newsletters are mailed to all owners, residents and businesses within the 4557 postcode.

PROPOSAL

As part of a major transport infrastructure investment, Council is upgrading Brisbane Road, (south of Hancock and Walan Streets) and Walan Street Mooloolaba to four traffic lanes. In addition to improving traffic flow, the MTCU will enhance the southern entrance into Mooloolaba and create a corridor that is integrated and inviting for pedestrians, cyclists, motorists and public transport users.

The requirement to acquire this corridor was identified in the Sunshine Coast Planning Scheme 2014 (as seen in Figure 1 below). The corridor stems from a number of studies confirming the need to upgrade sections of Brisbane Road and Walan Street to cater for current and future multi-modal transport capacity into and through Mooloolaba.

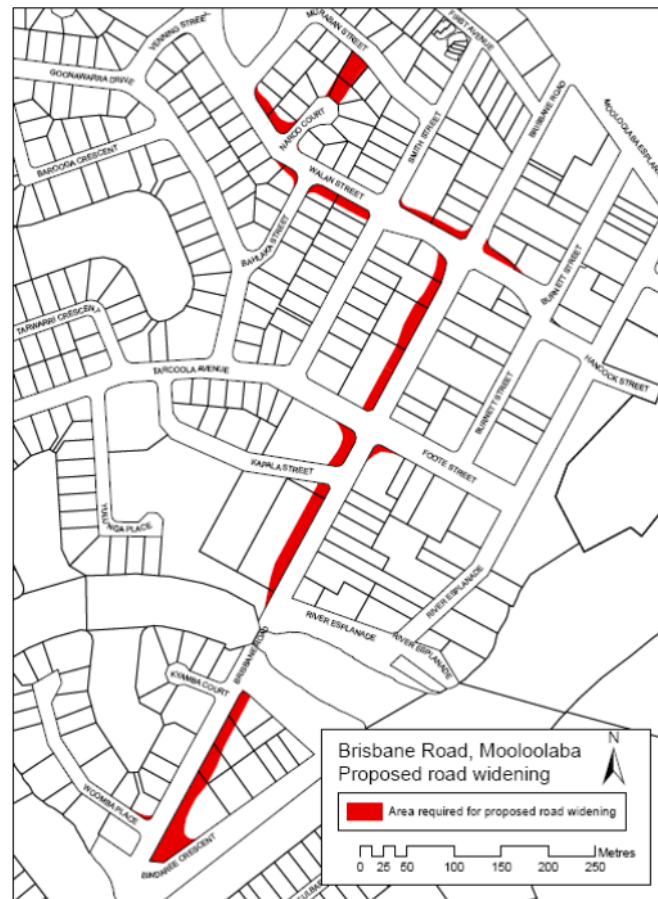


Figure 1 – 7.2.20b Brisbane Road Upgrade

The project as a whole has been the subject of a series of Council resolutions. Council has already acquired affected properties associated with stages 1a, 1b, 2 and 3. **Refer Attachment 1 – Staging Map.** Stage 1a was completed in October 2019 and is part of the broader project. It included the extension of Naroo Court through to Muraban Street, Mooloolaba. Stage 1b, the widening of Walan Street, started in February 2020, is expected to be completed by early 2021, weather permitting. Stages 2 and 3 will commence construction in mid-2021.

Stage 4 is the final stage and includes the widening of Brisbane Road from near Bindaree Crescent to Culbarra Street, to four traffic lanes. Stage 4 is scheduled to commence in early 2023, however, demolition of the buildings in this stage are required to be completed by mid-late 2022 in order to commence service relocations.

Since June 2020, Council officers have been meeting with the affected property owners to commence negotiations. Negotiations are still ongoing and Council officers will continue to attempt to acquire the land by negotiation. However, to avoid any project delays it is recommended that Council run a compulsory acquisition process in parallel, in case compulsory acquisition is necessary. The resumption process will take a minimum of 6-12 months. This report therefore, seeks the resolution of Council to compulsorily acquire a number of properties associated with the last stage of the upgrade, should that mechanism be required.



Figure 2 – Current Property Ownership.

Legal

Section 24 of the *Human Rights Act 2019* (HRA) protects the rights of all people to own property and provides the person must not be arbitrarily deprived of their property.

Section 5 of the *Acquisition of Land Act 1967* provides a power to acquire land and interests in land by compulsory acquisition. However, this power can only be used for specific purposes and the acquisition is governed by the processes in the Act, which includes the payment of compensation. Therefore, the exercise of the power to acquire land or an interest in land is not arbitrary and not incompatible with the HRA.

Policy

The *Sunshine Coast Planning Scheme 2014* identifies the strategic transport corridor through Mooloolaba and highlights the properties likely to be impacted in establishing the required corridor.

This report is in line with and supports the adopted *Integrated Transport Strategy* as follows:

Our goals, vision and objectives

5.4 Delivering our priority transport

Objective 1: Connected and Integrated - An integrated transport system that connects people and places, supports future growth and serves the economy.

Objective 2: Smart and Sustainable - A transport system that provides increased travel choice and mobility across the region and is adaptable to emerging technologies and new business models.

Objective 3: Safe and Efficient - People and goods enjoy safe, reliable and convenient travel within an efficient transport system.

Risk

Should the recommendations of this report not be endorsed:

- Council may not be able to secure all properties required to facilitate stage 4 of the MTCU
- the ability to undertake Stage 4 works of the upgrade will likely be prevented if all properties are not acquired and
- significant time delays may occur which will have community and financial implications.

Previous Council Resolution

Ordinary Meeting 15 June 2017 (OM17/117)

That Council:

- delegate authority to the Chief Executive Officer to enter negotiations, finalise and execute the acquisition of the identified properties in accordance with the outcome of discussions in the confidential session in relation to Brisbane Road Upgrade Acquisitions*
- failing a negotiated settlement on terms satisfactory to the Chief Executive Officer, delegate authority to the Chief Executive Officer to proceed by a compulsory land acquisition of approximately 890 square metres of land from Lot 3 RP862472 for road purposes in accordance with the requirements of the Acquisition of Land Act 1967*
- if no objections are received in relation to (b), delegate authority to the Chief Executive Officer to make an application to the Minister for Natural Resources and Mines to take the land under Section 9 of the Acquisition of Land Act 1967*
- delegate authority to the Chief Executive Officer to settle the final claim for compensation*

Ordinary Meeting 15 September 2016 (OM16/174)

That Council delegate authority to the Chief Executive Officer to enter negotiations, finalise and execute the acquisition for the identified properties in accordance with the outcome of discussions in the confidential session, in relation to Mooloolaba Land Requirements.

Related Documentation

- Integrated Transport Strategy and
- Place Making Mooloolaba Master Plan

Critical Dates

Property acquisition required to facilitate Stage 4 of the MTCU needs to be completed by early to mid-2022 in order for the road construction to begin as scheduled in 2023.

Implementation

Should the recommendation be endorsed by Council, it is noted that the Chief Executive Officer will commence the compulsory acquisition process of the affected properties in accordance with the *Acquisition of Land Act 1967*.

8.11 MAROOCHYDORE CITY CENTRE - ALTERATION TO GOVERNANCE ARRANGEMENTS

File No: Council meetings
Author: Director – Major Projects and Strategic Property
Office of the CEO

PURPOSE

The purpose of this report is to seek Council's endorsement to an alteration to the current governance arrangements associated with the Maroochydore City Centre (MCC) project as a consequence of Council entering into the Maroochydore City Centre Development Agreement (MCCDA).

EXECUTIVE SUMMARY

On 18 November 2020, Council authorised (SM20/20) the Chief Executive Officer to finalise and execute the proposed MCCDA and associated agreements.

Council was advised at the time that the MCCDA provided for the establishment of specific governance arrangements to reflect the change in the delivery model and the changes in the role and responsibilities, of both Council and SunCentral Maroochydore Pty Ltd (SunCentral) - given the role that Walker Maroochydore Developments Pty Ltd (Walker) would now assume in the MCC project.

As a consequence, the current MCC Shareholder Representative Group (which was established by Council on 11 December 2014 (OM14/181)) will now be replaced with a MCC Strategic Review Group (SRG).

The new SRG (which has been established under the MCCDA approved by Council on 18 November 2020) is the forum for Council, SunCentral and Walker to review and discuss progress of projects, matters relating to the Rolling Development Plan and other agreements and review the performance of each party with regard to their respective obligations and rights under the MCCDA. The SRG must meet at least twice yearly.

Essentially, the new SRG will assume the majority of the oversight functions that currently reside with the Shareholder Representative Group. Accordingly, it is proposed to conclude the operation of the Shareholder Representative Group.

This change does not diminish Council's oversight of the MCC project itself or the performance of its controlled entity, SunCentral. Nor does it inhibit the existing authorities which Council holds as the landowner. Council is not the planning authority for the MCC given the site is a Priority Development Area (PDA) declared under the *Economic Development Act 2012*. The establishment of the new SRG in no way inhibits or alters the current planning responsibilities for the MCC, which continue to reside with Economic Development Queensland.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Maroochydore City Centre - Alteration to Governance Arrangements"
- (b) note the formation of the Maroochydore City Centre Strategic Review Group as established under the Maroochydore City Centre Development Agreement
- (c) approve the appointment of Council's representatives on the Maroochydore City Centre Strategic Review Group as being the Mayor (as Region Shaping Projects, Regional Advocacy and Intergovernmental Relations Portfolio Councillor), the Chief Executive Officer and one other senior executive nominated by the Chief Executive Officer and
- (d) dissolve the Maroochydore City Centre Shareholder Representative Group.

FINANCE AND RESOURCING

The proposals outlined in this report do not generate an additional cost impost for Council. Council's oversight of the Maroochydore City Centre project is currently funded from the operating budget for the Office of the Mayor and Chief Executive Officer.

CORPORATE PLAN

Corporate Plan Goal: *A smart economy*
Outcome: 3.2 - New capital investment in the region
Operational Activity: 3.2.1 - Progress the Maroochydore City Centre project to achieve a high density city centre and to deliver an identifiable city heart for the wider Sunshine Coast.

CONSULTATION**Councillor Consultation**

All Councillor's were advised of the establishment and formation of the SRG as part of the consideration of the MCCDA on 18 November 2020.

- Councillor M Jamieson and Division 4 Councillor J Natoli have been consulted on this report.

Internal Consultation

- Chief Executive Officer
- Acting Group Executive Business Performance
- Chief of Staff
- Chief Strategy Officer
- Chief Financial Officer
- Project Accountant
- Solicitor, Legal Services

External Consultation

- SunCentral Maroochydore Pty Ltd

- Walker Corporation Pty Ltd

PROPOSAL

Background

Following a comprehensive procurement and negotiation process, on 18 November 2020, Council authorised (SM20/20) the Chief Executive Officer to finalise and execute the proposed MCCDA and associated agreements.

The MCCDA appoints Walker as the developer of the Land owned by Council in the MCC PDA. Under the MCCDA, Walker has exclusive rights to develop and market most of the remaining Council owned land in the MCC PDA. This new Development Partner Model (as opposed to the former Land Delivery Model which had been in place since 2015) will progressively deliver both the land and built form for the MCC over the next 15-20 years.

Council was advised in November 2020 that the MCCDA provided for the establishment of specific governance arrangements to reflect the change in the delivery model and the changes in the role and responsibilities, of both Council and SunCentral - given the role that Walker will now assume in the MCC project.

As a consequence, the current MCC Shareholder Representative Group (which was established by Council on 11 December 2014 (OM14/181)) will now be replaced with a MCC Strategic Review Group (SRG).

Strategic Review Group

The new SRG (which has been established under the MCCDA approved by Council on 18 November 2020) is the forum for Council, SunCentral and Walker to review and discuss progress of projects, matters relating to the Rolling Development Plan and other agreements and review the performance of each party with regard to their respective obligations and rights under the MCCDA. The SRG must meet at least twice yearly.

The SRG comprises up to three representatives from each of the parties, with the members proposed to be as follows:

Sunshine Coast Council

Portfolio Councillor – Region Shaping Projects (Chair)

Chief Executive Officer - Shareholder Representative

One other senior executive nominated by the Chief Executive Officer – which is proposed to be the Director, Major Projects and Strategic Property (as the Council officer responsible for the oversight of the MCC project)

Walker Maroochydore Developments Pty Limited

Director, Property Development

Director, Major Projects & CEO Walker Asia

SunCentral Maroochydore Pty Ltd

Board Chairman

Board Member

Chief Executive Officer

Essentially, the new SRG will assume the majority of the oversight functions that currently reside with the Shareholder Representative Group. Accordingly, it is proposed to conclude the operation of the Shareholder Representative Group.

This change does not diminish Council's oversight of either the MCC project itself or the performance of its controlled entity, SunCentral. Nor does it inhibit the existing authorities which Council holds as the landowner and which continue as provided under the MCCDA.

It is important to note that Council is not the planning authority for the MCC and has not held this responsibility since 19 July 2013, when the site was declared a Priority Development Area (PDA) under the *Economic Development Act 2012*. The establishment of the new SRG in no way inhibits or alters the current planning responsibilities for the MCC, which continue to reside with Economic Development Queensland.

Legal

The existing MCC Shareholder Representative Group was established by Council Resolution on 11 December 2014. Accordingly, it is considered any proposal to dissolve the Shareholder Representative Group should be determined by Council.

Council's Legal Services Branch has also been consulted as part of this Report.

Policy

There are no proposals in this report that conflict with current endorsed Council policies.

Risk

Oversight of the MCC project via sound and robust governance structures and reporting requirements will continue under the terms of the MCCDA as a key risk management strategy that would ordinarily be undertaken for a project of this nature.

Previous Council Resolution

Special Meeting 18 November 2020 (SM20/20)

That Council:

- (a) *formally accept the terms of the proposed Maroochydore City Centre Development Agreement and associated agreements*
- (b) *delegate authority to the Chief Executive Officer to finalise and execute the proposed Maroochydore City Centre Development Agreement, and associated agreements*
- (c) *request the Chief Executive Officer to advise Council of the execution of documents and to prepare the necessary communications material prior to any formal announcement being agreed and scheduled between the parties and*
- (d) *authorise the Chief Executive Officer to publicly release appropriate details relating to the Maroochydore City Centre Development Agreement and associated agreements, subject to the agreement to the release of those details by the other parties to the Agreement.*

Ordinary Meeting 25 June 2020 (OM20/57)

That Council:

- (a) *receive and note the report titled "**Councillor Appointments to Committees and Boards**"*
- (b) *approve the following nominations to the Standing Committees of the Council of Mayors South East Queensland –*

<i>Standing Committee</i>	<i>Councillor Member</i>	<i>Councillor Alternate Member</i>
<i>Economic Development Committee</i>	<i>Councillor J O'Pray</i>	<i>Councillor T Landsberg</i>
<i>Waste Working Group</i>	<i>Councillor C Dickson</i>	<i>Councillor W Johnston</i>

- (c) *approve the appointment of Councillor J O'Pray and Councillor T Landsberg as the Council representatives on the Sunshine Coast Events Board*
- (d) *approve an amendment to clause 3.1 (c) (ii) of the Charter for the Sunshine Coast Events Board to provide that both Portfolio Councillors for Economy shall be members of that Board*
- (e) *approve the appointment of Councillor R Baberowski as the nominated delegate from the elected Council to be a member of the Sunshine Coast Arts Advisory Board*
- (f) *approve the appointment of Councillor R Baberowski as the nominated delegate from the elected Council to be a member of the Sunshine Coast Arts Foundation*
- (g) *endorse the appointment of a Councillor to be considered as a Director of the Sunshine Coast Events Centre Pty Ltd and authorise the Chief Executive Officer to finalise the nomination in consultation with the Mayor*
- (h) *approve the membership of the SunCentral Maroochydore Pty Ltd Shareholder Representative Group be amended to consist of Councillor M Jamieson (as Chair), Councillor E Hungerford, Councillor J Natoli, Councillor J O'Pray and Council staff*
- (i) *approve an amendment to the Charter for the Sunshine Coast Shareholder Representative Group to provide that the Mayor, as Region Shaping Projects, Regional Advocacy and Intergovernmental Relations Portfolio Councillor, both Outstanding Organisation Portfolio Councillors, one Economy Portfolio Councillor, and Divisional Councillor shall be the members of that Group, and delegate authority to the Chief Executive Officer to further amend the Charter as required*
- (j) *approve the membership of the Sunshine Coast Airport Expansion Project: Project Control Group be amended to consist of Councillor J O'Pray (as Chair), Councillor E Hungerford, Councillor T Landsberg and Council staff*
- (k) *approve an amendment to the Charter for the Sunshine Coast Airport Expansion Project: Project Control Group to provide that one Outstanding Organisation Portfolio Councillor, one Economy Portfolio Councillor, and the Divisional Councillor shall be the members of that Group, and delegate authority to the Chief Executive Officer to further amend the Charter as required, and*
- (l) *authorise the Chief Executive Officer to advise staff, the community and the relevant organisations, boards and committees of the matters outlined above (as appropriate).*

Special Meeting 22 June 2020 (SM20/14)

That Council:

- (a) *authorise the Chief Executive Officer to advise SunCentral Maroochydore Pty Ltd to proceed with the negotiation of agreed commercial terms in relation to a current procurement process associated with the Maroochydore City Centre project and*
- (b) *request the Chief Executive Officer to provide a regular progress report to Council on the matters which are the subject of this report.*

Ordinary Meeting 12 December 2019 (OM19/199)

That Council:

- (a) *receive and note the report titled "Maroochydore City Centre update"*
- (b) *adopt the Risk Appetite Statement (Appendix A)*
- (c) *formally advise SunCentral Maroochydore Pty Ltd that the proposal submitted by the proponent for the multi-deck public car park be declined*
- (d) *proceed with the planning for a Council delivered multi-deck public car park in the financial year 2023/24*
- (e) *request SunCentral Maroochydore Pty Ltd to:*
 - (i) *proceed with delivery of an interim 'at grade' car park on undeveloped Lots 11 and 12 (also known as Lots L1 & L2 and Lots K1 & K2)*
 - (ii) *proceed with delivery of temporary construction worker parking on part Lot 201 on SP305312 (also known as Lots J1 & J2)*
 - (iii) *decline the Expression of Interest proposal for a multi-deck public car park on Lot 110 on SP305312 (Also known as Lot H2)*
 - (iv) *provide an analysis of other Lots and options to achieve a higher number of car parks on the current earmarked Lots, or provide alternative suitable options*
 - (v) *include Council's commitment to deliver a public multi-deck car park by 30 June 2024 in future land sales and leasing contract special conditions*
- (f) *request the Mayor write to the Minister for Economic Development Queensland seeking a boundary change to enable the land adjacent to Precinct 4 of the Maroochydore City Centre PDA Development Scheme to be included in the Maroochydore City Centre PDA (Appendix B) and*
- (g) *authorise the Chief Executive Officer to provide the Minister for Economic Development Queensland such material as would assist in undertaking the boundary change process under the Economic Development Act 2012.*

Special Meeting 22 August 2019 (SM19/16)

That Council note the discussions held in confidential session in relation to Maroochydore City Centre update.

Special Meeting 23 May 2019 (SM19/11)

That Council note the discussions held in confidential session in relation to Maroochydore City Centre update.

Special Meeting 23 May 2019 (SM19/10)

That Council receive and note the report titled "Maroochydore City Centre - CEO Update".

Special Meeting 28 February 2019 (SM19/5)

That Council authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to the Maroochydore City Centre Priority Development Area Risk Management Update.

Special Meeting 28 February 2019 (SM19/4)

That Council:

- (a) *note the discussions held in confidential session in relation to Maroochydore City Centre and*
- (b) *authorise the Chief Executive Officer to proceed as discussed in confidential session in relation to Maroochydore City Centre Project – Land Disposal Plan 2.*

Special Meeting 8 June 2017 (SM17/29)

That Council delegate authority to the Chief Executive Officer to progress actions identified as per confidential discussions in relation to the provision of Multi-Deck Car Park Buildings.

Ordinary Meeting 11 December 2014 (OM14/181)

That Council:

- (a) *receive and note the report titled “**Company Establishment for Maroochydore City Centre Development**”*
- (b) *authorise the Chief Executive Officer to establish a Corporations Law company generally in accordance with the draft Constitution (Appendix A) and draft Statement of Corporate Intent (Appendix B)*
- (c) *authorise the Chief Executive Officer to set the remuneration for the Chairman and board of directors based on independent advice and after consultation with the Mayor, Regional Projects Portfolio Councillor and Divisional Councillor along with officers as determined by the Chief Executive Officer*
- (d) *authorise the Chief Executive Officer to commence the recruitment of a Chairman and board of directors, including interim arrangements, and prepare a report to a future Council meeting in relation to the final appointments*
- (e) *establish a Shareholder Representative Group consisting of Mayor, Regional Projects Portfolio Councillor and Divisional Councillor along with officers as determined by the Chief Executive Officer and*
- (f) *note the existing delegation to the Chief Executive Officer to act as Council’s shareholder representative and that in relation to this company that he will consult with the Shareholder Representative Group prior to exercising that delegation.*

Related Documentation

- Maroochydore City Centre Development Agreement (MCCDA)

Critical Dates

Under the MCCDA, the first SRG Meeting was to be held within three (3) months of the signing of the MCCDA, being on or before 18 February 2021. Given the Christmas/New Year break, there has been a slight delay to the timing of this meeting however, it is intended to be held as soon as possible after adoption of this report. SunCentral and Walker have both been advised of the delay.

Implementation

Should Council agree to the recommendations in this report, the Chief Executive Officer will advise:

- SunCentral and Walker of Council’s representatives on the Strategic Review Group (SRG) and
- Council’s Audit Committee that the Shareholder Representative Group has been dissolved as part of her next report to that Committee.

8.12 AUDIT COMMITTEE MEETING 21 JANUARY 2021

File No:	Council Meetings
Author:	Manager Audit and Assurance Office of the CEO
Appendices:	App A - Audit Committee Minutes 21 January 2021293
	App B - Audit Committee Charter315
	App C - Internal Audit Charter319

PURPOSE

To provide Council with information on matters reviewed at the Audit Committee Meeting held on the 21 January 2021 (*Section 211 Local Government Regulation 2012*) and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

EXECUTIVE SUMMARY

The Audit Committee is a mandatory Advisory Committee of Council established in accordance with Section 105 of the *Local Government Act 2009*. The Committee is comprised of Mr Peter Dowling (External Chair), Mr Len Scanlan (External Member), Mr Pat McCallum (External Member), Mitchell Petrie (External Member), Councillor J Natoli and Councillor E Hungerford.

The Audit Committee agenda was distributed electronically to all Councillors on 14 January 2021 with agenda reports categorised as Office of the CEO, External Audit, Audit and Assurance, and Governance Reporting.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “**Audit Committee Meeting 21 January 2021**” and
- (b) endorse the **Audit Committee Minutes 21 January 2021 (Appendix A)**, **Audit Committee Charter (Appendix B)** and **Internal Audit Charter (Appendix C)**.

FINANCE AND RESOURCING

There are no finance and resourcing issues associated with this report.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: We serve our community by providing this great service
Operational Activity: S29 - Governance: providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

CONSULTATION

Councillor Consultation

Councillor members of Audit Committee were present at Audit Committee meeting when Minutes were confirmed.

Internal Consultation

- Chief Executive Officer, Group Executives and Chief Strategy Officer were present at Audit Committee meeting when Minutes were confirmed.
- Coordinator Financial Accounting
- Manager Corporate Governance
- Head of People and Culture

External Consultation

External members of the Audit Committee were present at Audit Committee meeting when Minutes were confirmed.

PROPOSAL

The Audit Committee is a mandatory Advisory Committee which meets four times each year and is established in accordance with *Section 105 Local Government Act 2009*. The Committee has no delegated authority and is a source of independent advice to Council and to the Chief Executive Officer.

The Committee is comprised of Mr Peter Dowling (External Chair), Mr Len Scanlan (External Member), Mr Pat McCallum (External Member), Mitchell Petrie (External Member), Councillor J Natoli and Councillor E Hungerford. The overall objective of the Audit Committee is to assist the Council and the Chief Executive to discharge their duties, in particular:

- Corporate Governance and responsibilities in relation to the organisation's financial reporting, internal control structure, risk management systems and the external and internal audit functions
- maintain an independent and objective forum promoting transparency, accountability and an ethical culture throughout Council
- maintain by scheduling regular meetings, open lines of communications with Council, Executive Management, External Audit and Internal Audit, to exchange information and views
- oversee and appraise the quality and efficiency of audits conducted by both the Internal and External Audit functions and
- ensure both the Internal and External Audit functions are independent and effective.

In accordance with *Section 211 of the Local Government Regulation 2012*, the Audit Committee must provide Council with a written report about the matters reviewed at the Audit Committee Meeting and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

The matters reviewed at the 21 January 2021 Audit Committee Meeting are recorded per agenda sequence below:

4.1 Office of the CEO

4.1.1 Chief Executive Officer's Update

The Chief Executive Officer was pleased to provide her first update to the Audit Committee. The report covers financial performance and operational plan activity.

The exceptional response to Emergency Management was discussed.

4.1.2 Asset Information Systems Risk Update

The purpose of this report is to provide a progress report on the implementation of the Confirm Asset Information System, including an update on the risks identified and described in the September and October 2020 Audit Committee reports.

Clarification on the CONFIRM system project risks, system implementation progress and budget were discussed. Further report on the status of strategic asset management and the CONFIRM system implementation is to be presented at the May Audit Committee meeting.

4.2 External Audit

4.2.1 Planning for the 2020/21 Financial Statements Audit Process

Queensland Audit Office (QAO) conducted their 2020/21 Planning Audit during November/December 2020 and have issued their 2021 External Audit Plan for Audit Committee review and Chief Executive Officer sign-off.

Along with deliverables included in the Plan, the Audit Committee requested an update at the next meeting (May 2021) on Council's self-assessment of its financial statement preparation maturity using the model provided by QAO.

4.2.2 Finalisation of Council's 2019/20 Financial Statement Process

The Queensland Audit Office (QAO) has carried out its audit of Council's financial statements, including Council's controlled entities, for the year ended 30 June 2020, and has issued an unmodified audit opinion.

4.3 Audit and Assurance

4.3.1 KPMG Fraud and Corruption Risk Assessment - Payroll

Provide the Audit Committee with the KPMG report on the Payroll - Fraud and Corruption Risk Assessment in accordance with the endorsed 2020 – 2021 Internal Audit Work Plan. The review determined that sound prevention and detection controls have been implemented with some further improvement opportunities identified.

Not all suggested actions were accepted to be implemented with management responses failing to provide sufficient detail around the reasons for non-acceptance. The committee sought management's overall confidence with regard to operations being within acceptable risk tolerance levels.

4.3.2 Commercial Leases Administered by the Land Management Unit

The review assessed commercial lease management practices and the accuracy and completeness of associated revenue. Opportunities were identified to ensure all revenue due is received on time and activities are efficient and effective.

Management supported improvement opportunities including greater focus on key performance indicators. A review and approach to resolving outstanding debts was due March 2021.

4.3.3 Payment Request Process

The Payment Request process was reviewed to provide assurance that the processes were operating in an effective and efficient manner. The operating framework is considered to be sound with some low level risk improvement opportunities identified.

4.3.4 Audit and Assurance Status Report

As at January 2021, the 2020/21 Internal Audit Work Plan is on schedule.

The committee noted the opportunity to improve commentary on the progress to mitigate risk exposures across all items recorded in the listed actions report. It was suggested that management talk to each overdue action at the May Audit Committee meeting.

4.3.5 Audit Committee Effectiveness Review

The practices of Council's Audit Committee were assessed against the Queensland Audit Office Report 2: 2020 - 21 "Effectiveness of Audit Committees in State Government Entities", September 2020.

Council's Audit Committee practices demonstrate significant conformance to the Queensland Audit Office guidance. However, the Queensland Audit Office has also scheduled a review of Local Government Audit Committees in 2021 – 2022 which will provide a more relevant benchmark.

4.3.6 Audit Committee and Internal Audit Charter

Best practice guidelines from Queensland Treasury and other professional bodies advocate that Audit Committees conduct reviews of their performance and effectiveness.

An annual review of the Audit Committee and the Internal Audit Charters is undertaken to ensure legislative compliance and best practice is incorporated where applicable. There are no proposed amendments to either Charter.

4.4 Governance Reporting

6.4.1 Work Health and Safety Report

The purpose of this report is to provide the Audit Committee with an update on health and safety matters at Sunshine Coast Council.

The committee noted the improved reporting and benefits of improving the approach to pre-employment medicals, benchmarking to other Councils and Local Government Workcare data. Targets to be reflected in annual safety management plan.

The Chief Executive Officer noted that Council safety reporting system (Cintellate) was actively used and actions monitored, a focus on mental health intention, Lead Indicators and Lost Time Injury reporting.

4.4.2 Governance and Risk Report

This report presents an update to the Audit Committee on governance and risk activities undertaken by the Corporate Governance Branch since the September 2020 Audit Committee Meeting.

The committee was provided an overview of the insurance claims process, annual testing of Council's Business Continuity Plans and it was confirmed that monitoring of Professional Engineers compliance with the *Professional Engineers Act 2002* was undertaken.

Legal

Compliance with the *Local Government Act 2009* and *Local Government Regulation 2012*.

Risk

Specific risks have been detailed in the various agenda reports.

Previous Council Resolution

Audit Committee Charter was endorsed at the Council Ordinary Meeting 20 February 2020.

Ordinary Meeting 20 February 2020 (OM20/31)

That Council:

- (a) receive and note the report titled "**Audit Committee Meeting 28 January 2020**" and
- (b) endorse the Audit Committee Minutes 28 January 2020 (Appendix A), Audit Committee Charter (Appendix B) and Internal Audit Charter (Appendix C).

Ordinary Meeting 12 November 2020 (OM20/124)

That Council:

- (a) receive and note the report titled "**Audit Committee Meeting 6 October 2020**" and
- (b) endorse the Audit Committee Minutes 6 October 2020 (Appendix A).

Related Documentation

Audit Committee Agenda was distributed electronically to all Councillors on 14 January 2021.

Implementation

Implementation of the Audit Committee resolutions, internal and external audit recommendations are monitored by the Audit Committee.

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

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 25 March 2021.

13 MEETING CLOSURE