

Agenda

Ordinary Meeting

Thursday, 25 July 2019

commencing at 9:00am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Special Meeting (2019/20 Budget Adoption) held on 20 June 2019 and the Ordinary Meeting held on 20 June 2019 be received and confirmed.

5 INFORMING OF PERSONAL INTERESTS**5.1 MATERIAL PERSONAL INTEREST**

Pursuant to Section 175C of the *Local Government Act 2009*, a Councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees must –

- (a) inform the meeting of the Councillor's material personal interest in the matter and
- (b) leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

5.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST

Pursuant to Section 175E of the *Local Government Act 2009*, a Councillor who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government, or any of its committees, must inform the meeting about the councillor's personal interest the matter.

The other Councillors must then decide

- (a) whether the Councillor has a real conflict of interest or perceived conflict of interest in the matter and
- (b) if they decide the Councillor has a real conflict of interest or perceived conflict of interest in the matter
 - (i) whether the Councillor must leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on, or
 - (ii) that the Councillor may participate in the meeting in relation to the matter, including by voting on the matter.

6 MAYORAL MINUTE**7 PRESENTATIONS / COUNCILLOR REPORTS**

8 REPORTS DIRECT TO COUNCIL**8.1 SUNSHINE COAST MASS TRANSIT PROJECT UPDATE**

File No:	Council Meetings
Authors:	Project Manager Liveability & Natural Assets Group Project Manager Liveability & Natural Assets Group
Appendices:	App A - Strategic Business Case 5/190
Attachments:	Att 1 - Infrastructure Australia Stage 1 Template 171/190

PURPOSE

To advise Council of the findings of the Strategic Business Case for Sunshine Coast Mass Transit and to note the transmission of the Strategic Business Case to relevant Queensland and Australian Government agencies as part of their funding approval processes.

EXECUTIVE SUMMARY

The Sunshine Coast Mass Transit Project aims to provide the backbone of the future integrated public transport system for the Sunshine Coast Region. This will help manage congestion and support the approach to accommodating population growth to ensure the achievement of Council's vision of a sustainable region - healthy smart and creative - is facilitated by appropriate infrastructure investment.

The Sunshine Coast Mass Transit Business Case is being prepared in accordance with Building Queensland's Business Case Development Framework which includes three levels of business case:

- Strategic Business Case
- Preliminary Business Case
- Detailed Business Case.

The Strategic Business Case is now completed (**Appendix A**) and is ready to be transmitted to relevant Queensland and Australian Government agencies to obtain feedback that will guide future stages of business case work. Preparation for the second phase - the Preliminary Business Case - is underway.

The Strategic Business Case found the Sunshine Coast Region faces significant growth management challenges borne of projected sustained increases in population growth and economic activity including:

- growing levels of road congestion on key arterial roads
- an accelerating trend towards urban expansion on the Sunshine Coast in response to major growth in housing demand
- a high level of dependency on private motor vehicle transport
- the need for continuing activity to broaden the local industry base to support continued high levels of employment self-containment.

The problems identified in the Strategic Business Case can be addressed by meeting three key service needs:

- A major improvement to mass transit to provide an integrated network connecting the major activity centres and residential areas and, in the future, linking it to Brisbane.

This will reduce congestion growth, and maintain valuable road space for freight and commercial traffic.

- A coordinated strategy to accelerate urban consolidation and infill, with a focus on the Sunshine Coast Urban Corridor between Maroochydore and Caloundra to provide a settlement pattern that can reduce car dependency and manage the amount of travel required in the community.
- An ongoing program to boost and connect local employment opportunities in areas close to mass transit, to allow a greater number of residents to live closer to their places of employment and provide easier accessibility to significant economic nodes.

The concept for the mass transit system is based on a technology that offers a high quality service capable of attracting a significant proportion of passengers out of cars. The mass transit technology must also have a demonstrated capability to act as a catalytic investment that will engage developers and the broader community in an urban transformation process. One important aim of that urban transformation process would be to ensure a significant proportion of new quality housing choices are located in the mass transit catchment.

The Strategic Business Case has determined that the recommended priorities for investment in a new mass transit system (as illustrated in Figure 1 below) should be in the following order:

1. **The coastal northern sector of the Sunshine Coast Urban Corridor between Maroochydore and Kawana.** Investing here as a priority provides the strongest basis for achieving the key policy goals of supporting urban consolidation and employment growth, and managing congestion. Since it contains the major employment and business growth centres of the region, this area provides the greatest opportunity to build a connected, lifestyle community with diverse housing and employment choices, all linked by local mass transit.
2. **The growth corridor between Kawana and Beerwah which includes the inland southern sector of the preserved mass transit corridor known as “CAMCOS”.** This southern sector of CAMCOS contains significant planned residential and employment growth. Mass transit investment here will link this growth area to Kawana and Maroochydore and also link to the North Coast railway at Beerwah for service to Brisbane. This southern sector of the CAMCOS corridor should represent a high priority for mass transit investment once connectivity between Maroochydore and Kawana is achieved.
3. **The coastal southern sector of the Sunshine Coast Urban Corridor from Kawana to Caloundra.** This sector provides integrated land use and transport opportunities, and connections from Caloundra to the regional rail services to Brisbane. This is an important area for ongoing urban transformation that should be progressed as soon as possible after completion of the priorities described in points (1) and (2) above.
4. **The central inland sector of the preserved CAMCOS corridor.** This sector offers the opportunity to provide a direct rapid transit connection between Maroochydore and the major urban growth communities on the southern perimeter of the Sunshine Coast region, as well connecting the Maroochydore City Centre to the State capital. The option of this connection should therefore be kept open as a longer term priority.
5. **The northern sector of CAMCOS from Maroochydore to the Sunshine Coast Airport.** Development of mass transit here would connect the growing Sunshine Coast Airport to its local southern catchment, through the Maroochydore City Centre. This will support interstate and overseas air connections to underpin the region’s ongoing development success. Initially this connection can be provided by a dedicated limited stops bus service to Maroochydore similar to the TransLink 777 service that operates on the Gold Coast. A dedicated fixed track mass transit connection would be a long term priority.

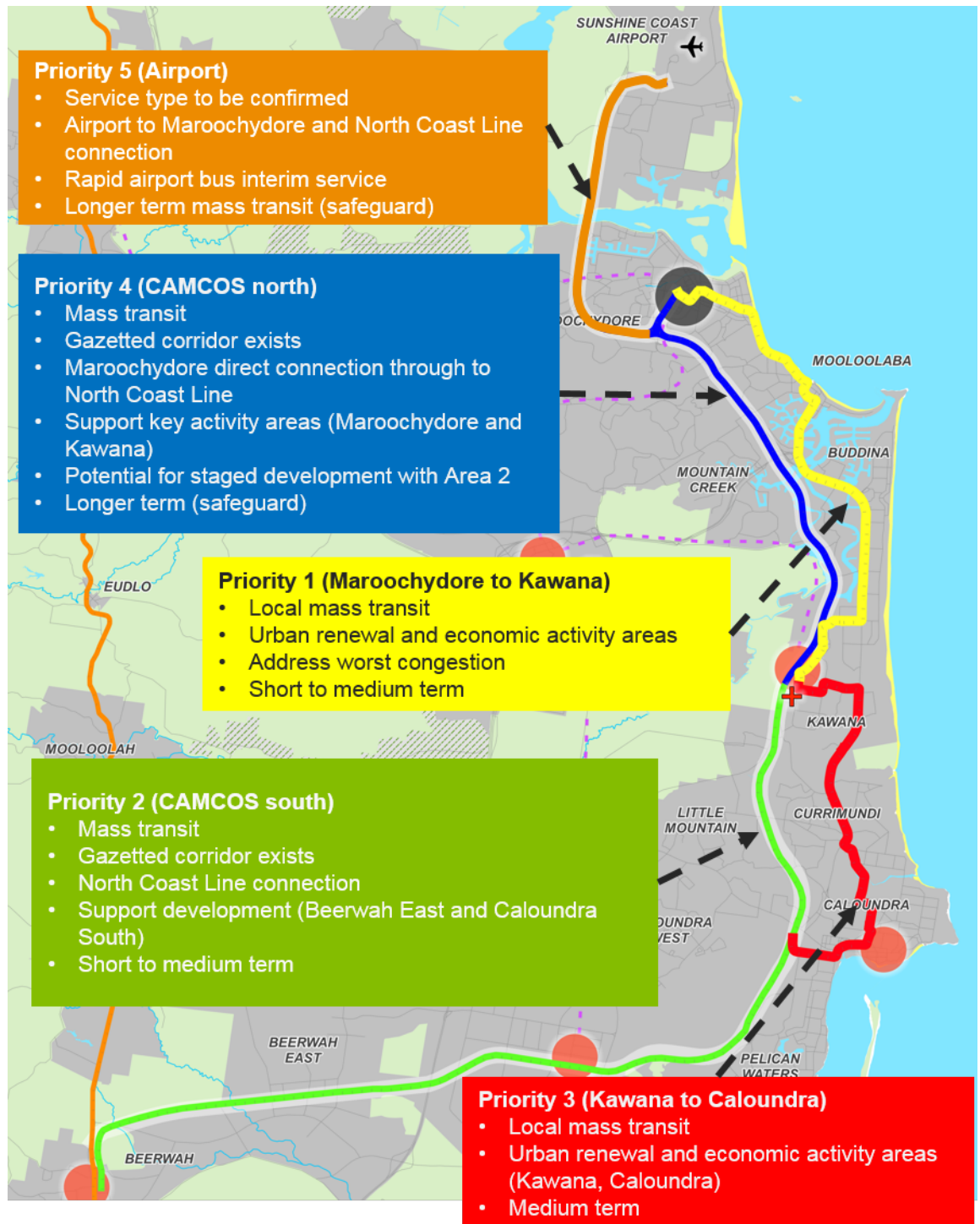


Figure 1: Investigation areas for new mass transit system

The next phase of business case work is to produce the Preliminary Business Case in accordance with Building Queensland’s Business Case Development Framework. This is being led by Council and the work program is well established.

The Preliminary Business Case aims to transition the concept documented in the Strategic Business Case through an options generation and assessment process, culminating in a preferred option for analysis and detailed resolution in the subsequent and final phase – the Detailed Business Case.

On 8 May 2019 a joint announcement was made by the Premier and Minister for Trade, the Hon Anastacia Palaszczuk and the Minister for Transport and Main Roads, the Hon Mark

Bailey, advising “a contribution of up to \$7.5 million by the State Government would be matched by Council to help develop a detailed business case for the first stage of an integrated urban public transport solution for the Sunshine Coast, including pricing options for light rail”.

Provision has been made in the Queensland Government budget for the Detailed Business Case to be funded over the next two years.

OFFICER RECOMMENDATION

That Council

- (a) receive and note the report titled “Sunshine Coast Mass Transit Project Update”
- (b) endorse the Strategic Business Case for Sunshine Coast Mass Transit at Appendix A, for the purpose of facilitating further consideration by relevant State and Federal Government agencies
- (c) refer the Strategic Business Case for Sunshine Coast Mass Transit and in the form of a completed “Infrastructure Australia Stage 1 Template” to Infrastructure Australia for its consideration and inclusion in the Infrastructure Priority List, and advise Infrastructure Australia of the intention to complete a Preliminary Business Case
- (d) refer the Strategic Business Case for the Sunshine Coast Mass Transit to Building Queensland for its consideration and inclusion in the Infrastructure Pipeline, and advise Building Queensland of an intention to complete a Preliminary Business Case
- (e) refer the Strategic Business Case for the Sunshine Coast Mass Transit to other relevant government agencies including Transport and Main Roads and Queensland Treasury, and advise the agencies an intention to complete a Preliminary Business Case
- (f) update the project website to provide access to the Strategic Business Case and a summary of the Strategic Business Case.

FINANCE AND RESOURCING

The preparation of the Strategic Business Case has been funded through the Transport Levy allocation from the 2018/2019 budget process. Similar funding has been approved for the 2019/2020 budget for the preparation of the Preliminary Business Case, with a total of \$2.41million allocated for this work.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 1.4 - People and places are connected

Operational Activity: 1.4.1 - Progress the Sunshine Coast Mass Transit project business case and engineering design in partnership with key stakeholders.

CONSULTATION

Councillor Consultation

A Sunshine Coast Mass Transit Cross Group Working Team has been established to steer the Sunshine Coast Mass Transit Project.

The Working Group is comprised of:

- Mayor
- Deputy Mayor
- Portfolio Councillor – Transport, the Arts and Heritage
- Portfolio Councillor – Planning and Development
- Portfolio Councillor – Place Development and Design
- Division 4 Councillor
- Division 8 Councillor.

The Cross Group Working Team has convened four times. At the meeting on 19 June 2019 the Group recommended the findings of the Strategic Business Case be presented to Council for endorsement.

Internal Consultation

Also present on the Sunshine Coast Mass Transit Cross Group Working Team are:

- Chief Executive Officer
- Group Executive Liveability and Natural Assets
- Group Executive Built Infrastructure
- Chief Strategy Officer
- Group Executive Customer Engagement and Planning Services
- Manager Transport Infrastructure Policy
- Regional Director North Coast and Wide Bay/ Burnett, Queensland Transport and Main Roads (Observer).

External Consultation

A Business Case Reference Group has been established to guide, provide input to and monitor the preparation of the business cases to maximise the value of the Council's investment in the business case process.

Participants in this reference group include:

- Infrastructure Australia
- Department of State Development, Manufacturing, Infrastructure and Planning
- Building Queensland
- Queensland Treasury
- Department of Transport and Main Roads.

Community Engagement

Although there has been no community engagement during the preparation of the Strategic Business Case, the content of the business case has built on significant previous community consultation undertaken by Council in relation to transport policy and, in particular, mass transit proposals in 2012, 2014 and 2018, as outlined below.

2012 – The Line in the Sand Report

The Line in the Sand process included a broadly representative community taskforce, supported by expert advisers from Council. It canvassed six technology options for a mass transit system as a game changer for the Sunshine Coast. An online consultation hub,

launched in January 2012, attracted more than 2,900 visits and 228 people took part in the poll on the hub. The proposal for light rail on the Sunshine Coast was supported by 82 per cent of those who completed the poll.

2014 – Sunshine Coast Light Rail – route options

In November 2014. More than 700 people had their say on light rail route options proposed for Maroochydore, Mooloolaba, Kawana and Caloundra. The vast majority (87 per cent) supported Council's investigations into light rail and their feedback contributed to the selection of route options for further study.

2018 – Draft Integrated Transport Strategy

Council undertook market research and community consultation between November 2017 and July 2018 to help shape the *Integrated Transport Strategy* which was adopted by Council in late 2018. Key findings from the market research and community consultation relevant to the Sunshine Coast Mass Transit Project Strategic Business Case include:

- There is concern with unplanned growth and the potential for negative impacts of adding more cars to the current road network.
- The majority of people haven't used public transport in the past 12 months.
- The main reasons people prefer car travel over public transport include the comfort and convenience of car travel, and concerns about poor public transport accessibility, low service frequency and lengthy journey times.
- People would be more likely to use public transport if journey times were more competitive with the car, frequencies increased and accessibility to destinations improved.
- 77 per cent of surveyed residents support investment in light rail to help manage the growth impacts and maintain lifestyle.
- Despite high car use, 77 per cent of surveyed residents are supportive of Council seeking behavioural change to bring about a reduction in private vehicle trips. To achieve the necessary behaviour change, people are willing to consider using public transport to travel to and from work, shopping and recreational activities, utilising active transport to and from work, and taking advantage of car share and smart mobility options.
- Residents identified more parking, better public transport and increased road capacity as key to improving transport on the Sunshine Coast, followed by better walking and cycling facilities, more smart mobility options and more dense urban areas.
- The top five travel choice options considered most beneficial by the community are:
 1. public transport
 2. walking
 3. online travel planning tools
 4. on-demand passenger transport
 5. cycling
- A key transport outcome desired by the community is public transport that provides:
 - increased public transport services and frequency
 - light rail and faster heavy rail connections
 - cheaper public transport
 - increased public transport mode share

- 81% agree on the need to reduce our reliance on cars and support an increase in public transport mode share
- 97% support Council's continuing advocacy for investment in transport.

Further comprehensive community consultation will be part of the Detailed Business Case phase.

Release of the Strategic Business Case

Although it is intended to publicly release the Strategic Business Case, the document follows the Building Queensland business case template and is therefore quite technical in its format and content.

Accordingly, it is also proposed to release a summary of the Strategic Business Case via the project website to convey the business case findings and recommendations in a more readily understandable manner.

PROPOSAL

Background

The Sunshine Coast Regional Council area is already one of the largest population centres in Queensland, and the 10th largest in Australia. Its population of 320,000 in 2019 is projected to grow to 386,960 in 2026, and to reach 518,000 in 2041 – a 62 per cent increase in just 22 years. By 2050, there could be over 600,000 people in the Sunshine Coast Regional Council area.

Although it is an emerging major city, the Sunshine Coast presently has a public transport system suited to a regional town. This will not cope with forecast population growth. If a very high proportion of trips continue to be made in small private vehicles, there is a risk of spiraling congestion and loss of urban amenity as the region grows.

To address this issue, the Sunshine Coast Mass Transit Project aims to provide the backbone of the future integrated public transport system for the Sunshine Coast Region. This will help manage congestion and enable a high proportion of dwelling growth to occur in the established urban footprint and support access to key destinations and employment nodes.

Business Case Process and Phasing

Building Queensland's Business Case Development Framework (BCDF) aims to enhance the way infrastructure proposals are developed and assessed in order to achieve improved infrastructure outcomes in Queensland. The BCDF includes:

- Strategic Business Case
- Preliminary Business Case
- Detailed Business Case.

The preparation of business cases under the BCDF allows for consideration of the project in the Queensland Infrastructure Pipeline. This identifies Queensland Government infrastructure proposals that are unfunded for delivery with a minimum capital cost of \$50 million. It is an important step in the project being considered for future capital funding from the Queensland Government.

The Strategic Business Case is now completed and preparation of the Preliminary Business Case is underway.

Strategic Business Case

The Strategic Business Case (SBC) process utilises a logical framework of:

- Identifying service needs (the problems to be addressed)

- Defining the benefits sought and project objectives
- Outlining strategic responses, current and potential initiatives
- Providing a recommended approach for the Preliminary Business Case Phase.

The growth equation identified by the SBC is a strong driver of transport demand, which in turn leads to an investment response from government. The table 1 below shows the growth forecasts.

Table 1. Growth forecasts summarised from the Strategic Business Case

Sunshine Coast Regional Snapshot			
Key demographics	2016	2041	Growth
Population	303,600	518,000	214,400 (approximately 70%)
Employment	118,000	195,000	77,000 (approximately 65%)
Dwellings	126,000	213,000	87,000 (approximately 65%)
Economic statistics			
<i>ShapingSEQ</i> infill target	<ul style="list-style-type: none"> • 63% (approximately 54,000 dwellings) 		
Gross Regional Product	<ul style="list-style-type: none"> • \$15.74 billion in 2017-18, equating to approximately 5% of Queensland's economy 		
Gross Regional Product growth	<ul style="list-style-type: none"> • 4.2% per annum over past 15 years (Queensland annual average was 2.9%) 		
Major employment sectors	<ul style="list-style-type: none"> • Health care and social assistance • Construction • Education and training • Retail • Accommodation and food services 		
Major employment centres	<ul style="list-style-type: none"> • Maroochydore • Kawana • Caloundra 		

The problems and service needs faced by a rapidly growing region like the Sunshine Coast are not difficult to understand. There is currently a very high rate of car use, and this, combined with projected 70 per cent growth over 25 years, will inevitably lead to increased congestion and a car dominated urban environment. This would in turn reduce the livability of urban places and impact on peoples' lifestyles. The current lack of a high quality mass transit alternative indicates there is little likelihood of avoiding these problems.

A further contributing factor is the tendency in most parts of south east Queensland for the majority of new urban development to occur through urban expansion, or so-called *greenfield* development.

Under current development models, urban expansion will tend to create low density communities that result in more and longer trips, and that can support only a limited public transport service. Without a balance of some urban growth occurring in the existing urban footprint, this urban expansion could perpetuate the current very high mode share held by the private car. Recognising this risk, the Queensland Government's SEQ Regional Plan, *Shaping SEQ*, sets a target for at least 63 per cent of new dwellings in Sunshine Coast Council area created over the period 2016 to 2041, to be achieved through urban consolidation.

Under the *Shaping SEQ* plan, the vast majority of that urban consolidation in the Sunshine Coast region is to occur in the coastal urban corridor from Maroochydore to Caloundra,

which is termed the *Sunshine Coast Urban Corridor* for the purposes of the business case process.

Key findings and recommendations of the Strategic Business Case

The Strategic Business Case identifies a very strong need for the future transport system to be able to focus on local trips, to and from places within the Sunshine Coast. These local trips comprise over 90 per cent of all trips in the region. Census data also shows that of Sunshine Coast residents who have a job, some 78 per cent work in the region while only 5 per cent commute to the City of Brisbane. This suggests a response based on a local mass transit network in the coastal urban corridor connecting to a regional system for longer trips to Brisbane would best address the needs of the Sunshine Coast.

The Strategic Business Case evaluates a long list of capital and non-capital actions to address these problems. It concludes that some of the growth management challenges can be addressed by meeting three key service needs:

- A major improvement to mass transit to provide an integrated network connecting the major activity centres and residential areas and, in the future, linking it to Brisbane. This will reduce congestion growth and maintain valuable road space for freight and commercial traffic.
- A coordinated strategy to accelerate urban consolidation and infill, with a focus on the mass transit catchment and in particular, the Sunshine Coast Urban Corridor between Maroochydore and Caloundra to provide a settlement pattern that can reduce car dependency and manage the amount of travel required in the community.
- An ongoing program to boost and connect local employment opportunities in areas close to mass transit, to allow a greater number of residents to live closer to their places of employment and provide easier accessibility to significant economic nodes.

The concept for the mass transit system is based on a technology that offers a high quality service capable of attracting a significant proportion of passengers out of cars. The mass transit technology must also have a demonstrated capability to act as a catalytic investment that will engage developers and the broader community in an urban transformation process that results in a significant proportion of new quality housing choices being located within the mass transit catchment.

The Strategic Business Case has determined the recommended priorities for investment in a new mass transit system should be in the following order:

1. **The coastal northern sector of the Sunshine Coast Urban Corridor between Maroochydore and Kawana.** Investing here as a priority provides the strongest basis for achieving the key policy goals of supporting urban consolidation and employment growth, and managing congestion. Since it contains the major employment and business growth centres of the region, this area provides the greatest opportunity to build a connected, lifestyle community with diverse housing and employment choices, all linked by local mass transit.
2. **The growth corridor between Kawana and Beerwah which includes the inland southern sector of the preserved mass transit corridor known as “CAMCOS”.** This southern sector of CAMCOS contains significant planned residential and employment growth. Mass transit investment here will link this growth area to Kawana and Maroochydore and also link to the North Coast railway at Beerwah for service to Brisbane. This southern sector of the CAMCOS corridor should represent a high priority for mass transit investment once connectivity between Maroochydore and Kawana is achieved.
3. **The coastal southern sector of the Sunshine Coast Urban Corridor from Kawana to Caloundra.** This sector provides integrated land use and transport opportunities, and connections from Caloundra to the regional rail services to Brisbane. This is an

important area for ongoing urban transformation that should be progressed as soon as possible after completion of the priorities described in points (1) and (2) above.

4. **The central inland sector of the preserved CAMCOS corridor.** This sector offers the opportunity to provide a direct rapid transit connection between Maroochydore and the major urban growth communities on the southern perimeter of the Sunshine Coast region, as well as connecting the Maroochydore City Centre to the State capital. The option of this connection should therefore be kept open as a longer-term priority.
5. **The northern sector of CAMCOS from Maroochydore to the Sunshine Coast Airport.** Development of mass transit here would connect the growing Sunshine Coast Airport to its local southern catchment, through the Maroochydore City Centre. This will support interstate and overseas air connections to underpin the region's economic development and community connectivity. Initially this connection can be provided by a dedicated limited stops bus service to Maroochydore similar to the TransLink 777 service that operates on the Gold Coast. A dedicated fixed track mass transit connection would be a long-term priority.

The recommended mass transit technology will be determined in the subsequent Preliminary and Detailed Business Case phases. The Strategic Business Case points to a strong case for light rail as the technology that appears to have the greatest capacity to attract people out of cars and offer the investment certainty that will be essential to supporting an urban transformation program in the catchment of the mass transit system. Other options, including combinations of different transport technologies, will be fully evaluated in the Preliminary Business Case phase.

Next steps in the business case for Sunshine Coast Mass Transit

The next phase of business case work is to complete the Preliminary Business Case under Building Queensland's Business Case Development framework. This work is being led by Council and the work program is well established. A first draft of the Preliminary Business Case will be presented to the project's steering committee in November 2019.

The Preliminary Business Case aims to transition the concept documented in the draft Strategic Business Case through an "options generation and assessment process", culminating in a preferred option for analysis and detailed design in the Detailed Business Case.

The final phase is the Detailed Business Case, which aims to recommend a reference project based on evidence that the desired benefits will be realised and the project can be delivered for the estimated cost. The Detailed Business Case will provide the basis for the decision to invest, and the determination of the procurement process for the delivery of the recommended reference project. Since the Queensland Government must lead the actual procurement and delivery of the Mass Transit project, it is vital for the Government to be a partner in the preparation of the Detailed Business Case.

On 8 May 2019 a joint announcement was made by the Premier and Minister for Trade, the Hon Anastacia Palaszczuk and the Minister for Transport and Main Roads, the Hon Mark Bailey, advising "a contribution of up to \$7.5 million by the State Government would be matched by Council to help develop a detailed business case for the first stage of an integrated urban public transport solution for the Coast, including pricing options for light rail".

The joint announcement confirmed the Queensland Government would partner with Sunshine Coast Council to prepare the public transport plan's business case, and that the Queensland's Government involvement in the project will be led by the Department of Transport and Main Roads, with the support of other state agencies such as Building Queensland. That work will be completed by the end of 2021.

Provision has been made in the State budget for the Detailed Business Case to be funded over the next two years.

Legal

There are no legal implications arising from this report as this is the strategic stage of the business case process.

Policy

This report is consistent with Council's policy directions as articulated in the Corporate Plan, Sunshine Coast Regional Economic Development Strategy 2013-2033, Sunshine Coast Environment and Liveability Strategy 2017, Sunshine Coast Integrated Transport Strategy and the Sunshine Coast Planning Scheme 2014.

Risk

There are two primary categories of risk to be managed for a major investment project:

- process risks
- project risks.

Process risks are risks that affect the process of advancing the project through the current and future phases. Process risks do not necessarily have a direct impact on the cost to deliver the infrastructure project. However, process risks may have significant time, reputation and management cost impacts.

A **process risk register** was produced for the Strategic Business Case and this register will be reviewed and updated in subsequent business case phases. It includes risk ratings and mitigation strategies. The key process risks that will continue to be managed include:

- timing and funding conflicts with other related projects
- lack of political alignment between the three levels of government
- the project narrative for a new mass transit system for the region is not compelling enough to secure funding
- the status/listing of the Sunshine Coast Mass Transit Project on Building Queensland and/or Infrastructure Australia's pipeline reports and infrastructure priority lists is not obtained.

Project risks are risks that could affect the outcomes of the project and have a range of potential impacts including time, cost, quality, health and safety, reputation and environment. The understanding of the project risks will change as the project proceeds and the assessment of project risks will need to be regularly reviewed and updated to reflect the current status of the project. At this first phase of the business case process, no preferred project has been confirmed, and project risks are only broadly identified. These mostly relate to construction risks, including unexpected service relocation costs and engineering scope increases. These risks will be addressed during subsequent design phases associated with the Preliminary and Detailed Business Cases.

Previous Council Resolution**Ordinary meeting 23 April 2015 (OM15/59)**

That Council:

- authorise the Chief Executive Officer to proceed in accordance with the direction given in confidential session*
- confirm the recommended light rail route corridor with which to proceed to more detailed feasibility and business case studies*

- (c) *confirm support for progressing the establishment of a high frequency branded forerunner bus in conjunction with the State Government*
- (d) *authorise the Chief Executive Officer to write to the Minister for Transport outlining the findings of the Sunshine Coast Light Rail Route Options Consultation Report and the recommended route and seeking their support for progressing with more detailed feasibility and business case studies and*
- (e) *authorise the Chief Executive Officer following completion of (d) above to release the findings on the Sunshine Coast Light Rail Route Options Consultation Report.*

Related Documentation

Sunshine Coast Light Rail: Shaping Our Future (SCC, 2014)

Sunshine Coast Light Rail: A Line in the Sand (Sunshine Coast Light Rail Taskforce, 2012)

Critical Dates

The timing recommended by the SBC for future stages is shown in the table below.

Table 1. Timelines for Sunshine Coast Mass transit

Project Phase	Dates
Strategic Business Case	Final draft completed
Preliminary Business Case	2019 - 2020
Detailed Business Case	2020 - 2021
Investment Decision and Procurement	By end 2023 (indicative)
Delivery	By end 2026 (indicative)

Implementation

Should the recommendations be accepted by Council, the Chief Executive Officer will proceed to engage with relevant Federal and State Government agencies to facilitate progression of subsequent phases of the project.

8.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES TO ESTABLISH A FUNERAL PARLOUR AND FUNCTION FACILITY AT 57 MOUNTAIN VIEW ROAD, BALD KNOB

File No:	MCU18/0189
Author:	Development Planner Customer Engagement & Planning Services Group
Appendices:	App A - Conditions of Approval27
Attachments:	Att 1 - Proposal Plans43 Att 2 - Detailed Assessment Report57

Link to Development.i:

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MCU18/0189>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Mrs CS Arnett Tte & Mr MN Arnett Tte
Owner:	Mrs CS Arnett Tte & Mr MN Arnett Tte
Consultant:	Adams & Sparkes Town Planning
Proposal	Development Permit for a Material Change of Use of Premises to establish a Funeral Parlour and Function Facility
Properly Made Date:	18/07/2018
Information Request Date:	10/08/2018
Information Response Received Date:	19/12/2018
Number of Submissions	A total of 161 submissions were received - 147 properly made submissions objecting to the proposal
PROPERTY DETAILS	
Division:	1
Property Address:	57 Mountain View Rd BALD KNOB
RP Description:	Lot 2 RP 179110
Land Area:	14.483ha
Existing Use of Land:	2 x Dwelling houses
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (29 June 2018)
SEQRP Designation:	Regional Landscape and Rural Production Area
Strategic Plan Designation:	Rural Enterprise and Landscape Area
Planning Area / Locality:	Not Applicable
Planning Precinct / Zone:	Rural Zone
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek Council's determination of an application for a Development Permit for Material Change of Use of Premises to establish a Funeral Parlour and Function Facility at 57 Mountain View Rd Bald Knob.

The application is before Council due to the level of public interest.

EXECUTIVE SUMMARY

The proposal involves establishing a Funeral Parlour and Function Facility on the site.

The Funeral Parlour component is proposed to be limited to hosting funeral ceremonies and memorials and does not incorporate a mortuary, crematorium or the like.

The proposal incorporates the establishment of a new 150 seat chapel building on the premises and would convert the upper level of the existing dwelling house into a function room.

It is proposed that funeral ceremonies would cater for a maximum number of 150 guests and functions would cater for a maximum of 100 guests.

Funerals are proposed to be held twice daily between the hours of 9:00am to 5:30pm. It is requested that one function be allowed per day, which would not occur on the same day as funerals, between the hours of 9:00am to 5:30pm.

Subject to reasonable and relevant conditions, the proposal sufficiently complies with the assessment benchmarks contained within the planning scheme and has demonstrated that the proposal would not unduly impact on the amenity of the surrounding sensitive land uses.

The application is therefore recommended for approval.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Development Application for Material Change of Use of Premises to Establish a Funeral Parlour and Function Facility at 57 Mountain View Road, Bald Knob" and
- (b) APPROVE application No. MCU18/0189 for a Development Permit for Material Change of Use of Premises to Establish a Funeral Parlour and Function Facility subject to reasonable and relevant conditions (Appendix A)

FINANCE AND RESOURCING

In the event of an approval, infrastructure charges would be applicable to the proposed development.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.4 - Service quality assessed by our performance and value to customers

Operational Activity: 4.4.2 - Deliver Planning and Development Services to ensure statutory requirements are met to achieve positive customer experiences and maintain strong industry engagement.

CONSULTATION

Councillor Consultation

The Divisional Councillor, R Baberowski, was consulted during the application process and a joint site inspection was undertaken with the Councillor and the assessment team.

Internal Consultation

The application was forwarded to the following internal Council specialists and their assessment forms part of this report:

- Principal Engineer, Engineering and Construction, Engineering and Environment Assessment
- Landscape and Ecology Officer, Engineering and Environment Assessment
- Environmental Health Officer, Engineering and Environmental Assessment
- Urban Designer, Planning Assessment

External Consultation

The application was referred to SEQwater for third party advice because the site is located within the Somerset water resource catchment area. A response was received on 12 April 2019 recommending conditions to be placed on any development approval.

Community Engagement

This impact assessment development application was subject to a public notification period of 15 business days between 15 January 2019 and 6 February 2019 in accordance with the requirements of the *Planning Act 2016*. A total of 161 submissions were received, of which 147 were determined to be 'properly made' in accordance with the *Planning Act 2016* objecting to the development.

A summary of the issues raised by submitters together with a response is provided in the Detailed Assessment Report (Attachment 2).

PROPOSAL

The application seeks approval for a Development Permit for Material Change of Use of Premises to Establish a Funeral Parlour and Function Facility.

The proposal would primarily operate as a Funeral Parlour and in addition a Function Facility to allow for weddings and corporate events.

The Funeral Parlour component is proposed to be limited to hosting funeral ceremonies and memorials only and does not incorporate a mortuary, crematorium or the like.

It is proposed that funeral ceremonies would cater for a maximum number of 150 guests and functions would cater for a maximum of 100 guests.

Funerals are proposed to be held twice daily between the hours of 9:00am to 5:30pm. It is requested that 1 function be allowed per day, which would not occur on the same day as funerals, between the hours of 9:00am to 5:30pm

There are two dwellings existing on the premises. The dwelling located adjacent to the northern escarpment would remain solely as an onsite dwelling for residential purposes. There is an existing dwelling located centrally within the site. The upper level of this dwelling is intended to be converted into a function room. The proposal incorporates the establishment of a new 150 seat chapel, which is proposed to be constructed to the east of the dwelling containing a function room.

Access is proposed to be achieved directly from Mountain View Drive via an existing driveway that is centrally located along the site's frontage to Mountain View Road. The driveway bends to the west and traverses down a slope away from the frontage in a westerly direction. A 39 bay car park and a bus bay is provided in the northwest portion of the site. An additional car parking area consisting of 2 Persons with Disabilities spaces a standard bay and 2 service vehicle spaces is provided adjacent to the reception/function facility building.

The site layout and design of the development is illustrated in the figures below:



Figure 1 – Site Layout

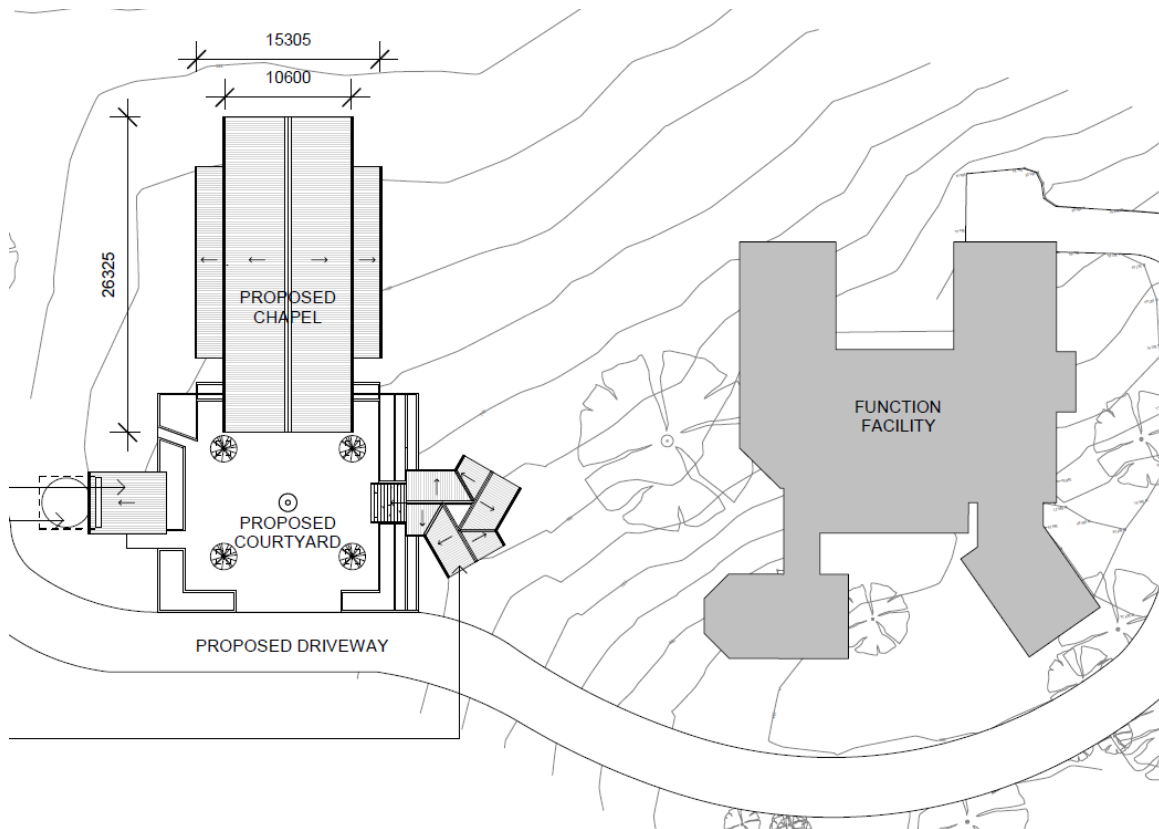


Figure 2 – Site Plan Illustrating Proposed New Chapel Building

The application has been assessed against the *Sunshine Coast Planning Scheme 2014* including the Strategic Framework and most applicable codes and it was found that it could be conditioned to comply. The pertinent issues arising out of assessment against the codes are discussed below:

Land Uses

A Funeral Parlour is identified as an 'inconsistent use' and a Function Facility is identified as a 'potentially consistent' use within the Rural Zone in accordance with Table 6.2.19.2.1 of the *Rural zone code*.

Overall outcome (2)(v)(iii) of the *Rural zone code* allows for potentially consistent uses to occur within the Rural Zone where it has been determined that the use is appropriate having regard to such matters as its location, nature, scale and intensity. As detailed in the sections that follow, the proposed Function Facility component of the use is of an appropriate nature, scale and intensity having consideration to the site and its context.

While the Funeral Parlour component of the use is identified as an 'inconsistent use', it is not considered to be in conflict with any of the assessment benchmarks contained within the planning scheme. The proposed operations of the Funeral Parlour, which intends to offer funeral ceremonies and memorials only, is compatible with the nature and operation of a Function Facility. The proposed Funeral Parlour would not introduce any potential impacts that would be different or additional to the impacts caused by a functions occurring on the site. In fact, the potential impacts relating to a Funeral Parlour, which offers funeral ceremonies and memorials only, would be less than those caused by a Function Facility which may include weddings and corporate events which have the potential to generate significantly more noise than a funeral ceremony.

Amenity / Noise

A primary concern is the potential impacts that it may have on the amenity of nearby residents by way of noise.

The applicant submitted a Noise Assessment Report, prepared by RoadPro Acoustics, to address potential noise impacts generated by the development. The report considered potential noise impacts generated by air conditioners, refrigeration plants, vehicle noise (car parks and driveways), guest noise and amplified music. The report concluded that:

"all sources achieve the nominated criteria for the proposed hours of operation.

An exceedance of the criterion for refrigeration plant is expected momentarily as vehicles travel along the driveway, however this would be an exceptionally conservative application of the criterion, and is not expected to induce an adverse reaction."

It was determined by RoadPro Acoustics that the site is suitable for the proposed use from an acoustic perspective during daytime.

The closest sensitive land uses to the proposed development are detailed in Figure 3 below:



Figure 3 – Site and surrounding sensitive land uses

The application was referred to Council's Environmental Health Specialist for assessment. Council's Environmental Health Specialist is satisfied with the methodology contained within the Noise Assessment Report and is generally satisfied with the conclusions and recommendations. Council's Environmental Health Specialist has advised that the report adequately demonstrates that the proposed development would comply with the provisions and nominated noise criteria contained within the *Nuisance code, Planning scheme policy for the nuisance code, Environmental Protection Act 1994 and Environmental Protection (Noise) Policy 2008*, with acoustic mitigation measures in place. It has been advised that the development would avoid causing significant effects on rural amenity of the area through adverse noise generation.

It has been adequately demonstrated that the noise associated with vehicles using the driveway and car park and guests gathering in outdoor spaces would be negligible and would not unduly impact on the acoustic amenity of the area.

Conditions have been recommended which require the buildings to be acoustically designed and constructed such that activities occurring within the buildings would be inaudible at any noise sensitive receiver.

Furthermore, conditions have been recommended to limit the use to either one funeral or function being permitted to occur each day and that activities are not permitted to occur on Sundays, unless followed by a public holiday. It is considered that these limitations would further reduce the potential for nearby sensitive land uses to be exposed to noise.

Visual Amenity

The proposed development would incorporate the establishment of a new chapel building, carpark and sealed driveway areas. The chapel building and ancillary buildings would be located 30 metres to the southeast of the existing 'function facility' building and have a total gross floor area of 248m² and a maximum height of 8.5m above the ground level. The carpark is proposed to be situated in the eastern corner of the site, on a gently sloping portion of the site below the northern escarpment.

There are a number of surrounding properties located to the north and west along the escarpment that overlook the premises. It is considered in the assessment of this application

that 39, 73 and 81 Mountain View Road would have the potential to be most affected from a visual perspective by development occurring on the premises. The new chapel building, existing function building as well as car parking areas and driveways would be visible from these three adjoining properties.

The new chapel building is considered to be of a bulk, scale and form that would reasonably be expected to be constructed with establishment of farm sheds or barns associated with a rural use of the on the property. Conditions have been recommended which require vegetated screening to be established around the chapel and function facility building which soften the appearance of their built form and allow these to blend with the scenic amenity of the area.

In relation to the car parking and driveway areas visible from the adjoining properties, it is considered that reasonable and relevant conditions can be imposed to adequately screen and soften the driveway and car parking areas which would include:

- a 10 metre dense screening buffer along the western boundary of the site, between the carpark and the boundary
- shade trees planted at 8 metre spacing's along all driveway areas to create a tree-lined avenue
- 1 tree every 4 car parking spaces to the carpark to provide shade and canopy screening to the carpark and
- the buildings to incorporate a non-reflective and subdued colour palette.

Driveway Access

Access to the development is proposed to be achieved via the site's existing access to Mountain View Road situated centrally along the site's frontage.

The site's intersection with Mountain View would be widened to a 6 metre sealed pavement width for a length of 14 metres to support two way traffic entering and leaving the site.

In order to minimise any earthworks and loss of vegetation on the escarpment, the driveway would be reduced to a 3.5 metre wide single lane width where it descends the escarpment. A traffic light system is proposed to be used to manage the use of the single lane section of the driveway located within the site. Priority would be given to vehicles entering the site to avoid causing any impacts on the external road network.

The application was referred to Council's Engineering Specialist for assessment. Council's Engineering Specialist has advised that the existing driveway location is appropriate and conditions can be imposed to ensure the entry is upgraded to a suitably sealed standard. Council's Engineering Specialist is satisfied that the proposed traffic light system to manage the single lane portion of the driveway will be an appropriate mechanism to ensure that the use would not cause any impacts on the external road network.

Native Vegetation Areas

The vegetation located on the escarpment adjacent to the frontage of the site is identified to be a Native Vegetation Area under the Biodiversity, Waterways and Wetlands Overlay Map. The proposal maintains the use of an existing driveway and the necessary improvements have been designed to avoid any clearing of native vegetation on the escarpment.

Conditions have been recommended which would require that no loss of native vegetation is to occur on the escarpment, unless otherwise agreed in writing by Council. Conditions have been recommended which require vegetation covenants to be established over the escarpments to secure the ongoing protection of the vegetation.

Steep or Unstable Land

The predominant portion of the site is identified to contain moderate to very high landslip hazard areas as identified by the Landslide Hazard and Steep Land Overlay Map. The front and rear portions of the site are identified to be of the highest risk, where the steep slopes also occur.

The applicant submitted a Geotechnical Report, prepared by Engineering and Building Investigation Services, to address the steep or unstable land constraints occurring over the property.

The report and investigation considered all relevant geotechnical issues pertaining to the development, including access, topography, geotechnical conditions, the dwelling extensions and the new chapel building. The report concluded that the development can be appropriately designed and constructed to ensure that they would not adversely affect the site stability and that it would present a very low risk of instability. Reasonable and relevant conditions can be imposed, which would require the development to be carried out in accordance with the recommendations of the report.

Legal

There are no legal implications relevant to this report.

Policy

The application has been assessed against the Sunshine Coast Planning Scheme 2014 and all relevant Council policies.

Risk

This matter can be appealed to the Planning and Environment Court by the applicant or a submitter. Council will proceed with any required actions arising from any legal action.

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

A copy of the proposed architectural drawings are provided as **Attachment 1** to this report.

A copy of the officers' full and detailed assessment report is included as **Attachment 2** to this report. The detailed assessment report contains all the specific assessment details under the planning scheme considered in Council's assessment of this application.

Critical Dates

Council's decision for the application was due on 2 April 2019. Given a decision has not been made by this date, the applicant may elect to take a deemed refusal of the application.

Implementation

Council officers will communicate the outcome of Council's resolution to the applicant and submitters as appropriate.

8.3 2019 SPORTS FIELD MAINTENANCE FUNDING PROGRAM

File No:	Council Meetings
Author:	Team Leader Community Connections Economic & Community Development Group
Appendices:	App A - 2019 Sports Field Maintenance Funding Program Recommendations81

PURPOSE

This report seeks Council consideration and endorsement of recommendations for the 2019 Sports Field Maintenance Funding Program (Appendix A).

EXECUTIVE SUMMARY

The inaugural Sports Field Maintenance Funding Program and supporting guidelines were endorsed by Council at its Ordinary Meeting of 2 February 2011. The funding program commenced in the 2011/2012 financial year providing funding for up to three years to successful applicants.

On 20 June 2013, Council adopted the *Community Grants Policy* under which the Sports Field Maintenance Funding Program guidelines are administered.

The aim of this program is to contribute to maintenance costs incurred by, and provide expert advice to, organisations maintaining turf surfaces to competition standard.

The program is jointly managed by the Economic and Community Development and Built Infrastructure Groups and is premised on the following four elements:

- The sports field maintenance undertaken ensures fields are at competition standard
- The costs are attributed per field, per annum and based on the type of sport played
- Council's contribution is a percentage of the full contractor rate
- The program is not applicable to specialised, exclusive and/or restricted access sports.

Pivotal to the program is the availability of a dedicated Council staff member, Parks Community Sports Officer (Parks and Gardens), to provide support to sporting organisations by providing expert advice on maintaining their sports field to competition standard.

There is one Sports Field Maintenance Funding Program round per year and the 2019 round is the third of the current three year cycle. The program has existing commitments to 45 sporting organisations that were awarded multiple years of funding in the 2017 and 2018 rounds.

Applications for the 2019 Sports Field Maintenance Funding Program round closed on 27 May with two organisations applying to enter the program.

This report recommends a total of \$31,424 in funding to two sporting organisations to 30 June 2020 to contribute toward the cost of maintaining fields:

1. Baringa Football Club Inc. to receive funding of \$9,986 for a period of 12 months based on the club taking responsibility for field maintenance from 1 July 2019.
2. North Shore Multisport Association Inc. to receive funding of \$21,438 for a period of eight months (calculated pro rata) based on primary responsibility for field maintenance transferring to the club from 1 November 2019.

Details of this recommendation are provided in Appendix A.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “2019 Sports Field Maintenance Funding Program” and
- (b) endorse the 2019 Sports Field Maintenance Funding Program Recommendations (Appendix A).

FINANCE AND RESOURCING

Funding of sporting organisations through the Sports Field Maintenance Funding Program is based on a formula which considers field type, number of fields and period of responsibility and is allocated (subject to budget) for one, two or three year funding periods.

There are existing commitments totalling \$629,776 to 45 sporting organisations that were awarded multiple years of funding in the 2017 and 2018 rounds. It was determined that a maximum of one year of funding will be allocated in the 2019 round to bring the new allocations into line with existing Sports Field Maintenance Funding Program agreements which end on 30 June 2020.

The Council-adopted Sports Field Maintenance budget for 2019/20 provides a total of \$662,008 in funding to sporting organisations. This budget amount is sufficient to provide:

- \$31,424 recommended in this report for two sporting organisations joining the program in this round (Appendix A)
- \$629,776 which will be distributed to organisations already committed under multi-year agreements from 2017 and 2018 rounds.

The budget implications for 2019/20 are detailed in Table 1 below.

Budget Implications	2019/2020
2019/2020 round – 1 st year	\$31,424
2018/2019 round – 2 nd year	\$44,840
2017/2018 round – 3 rd year	\$584,936
Total	\$661,200

Table 1. Budget Implications

As 2019/20 is the final year of the current three year funding cycle, there are no implications for future budgets.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 1.2 - Resilient and engaged communities

Operational Activity: 1.2.2 - Continue to ensure the manner in which Council distributes grant monies to community and not-for-profit organisations supports Council’s vision for the region.

CONSULTATION

Portfolio Councillor Consultation

- Councillor J O’Pray - Portfolio Councillor for Tourism, Events and Sport
- Councillor J McKay - Portfolio Councillor for Community and Environment

Internal Consultation

Consultation has been undertaken with relevant internal stakeholders across various groups and branches of Council including:

Built Infrastructure

- Parks Community Sports Field Officer, Parks and Gardens

Business Performance

- Property Officer, Land Management Team, Property Management

Economic and Community Development

- Team Leader Sports Planning and Development, Sport and Community Venues
- Senior Project Officer, Community Connections, Community Planning and Development
- Team Leader Community Connections, Community Planning and Development

External Consultation

Consultation with representatives from partner sporting organisations is undertaken on a regular basis by both the Parks Community Sports Field Officer and relevant Sport and Recreation Officers to ensure compliance with and support for their funding agreements.

Community Engagement

No external community engagement was undertaken in relation to this report.

PROPOSAL

The inaugural Sports Field Maintenance Funding Program and supporting guidelines were endorsed by Council at its Ordinary Meeting of 2 February 2011. The funding program commenced in the 2011/2012 financial year, providing funding for up to three years.

On 20 June 2013, Council adopted the *Community Grants Policy* under which the Sports Field Maintenance Funding Program guidelines are administered.

The aim of the program is to contribute to maintenance costs and provide expert advice to organisations to assist in maintaining turf surfaces to competition standard.

Funding through the Sports Field Maintenance Funding Program is based on a formula which considers field type, number of fields and period of responsibility.

The program is jointly managed by the Economic and Community Development and Built Infrastructure Groups and is premised on the following four elements:

- Sports fields are maintained to competition standard
- Costs are attributed per field, per annum and based on the sport played
- Council's contribution to the maintenance costs is a percentage of the full contractor rate
- The program is not applicable to specialised, exclusive and/or restricted access sports. Examples of these activities include lawn bowls, tennis, croquet, archery and pony clubs.

Pivotal to the program is the availability of a dedicated Council officer, the Parks Community Sports Officer (Parks and Gardens) to support the partner sporting organisations by providing expert advice on maintaining their sports field to competition standard.

A thorough review of the Sports Field Maintenance Funding Program undertaken during 2016 confirmed that the program is achieving its aim of providing consistent, equitable and

appropriate support for sports field maintenance across the Sunshine Coast Local Government Area.

There is one Sports Field Maintenance Funding Program round per year. The program has existing commitments to 45 sporting organisations that were awarded multiple years of funding in the 2017 and 2018 rounds. It was determined that a maximum of one year of funding will be allocated in the 2019 round to bring the new allocations into line with existing Sports Field Maintenance Funding Program agreements which end at 30 June 2020.

2019 Sports Field Maintenance Funding Program

Promotion and support

The 2019 Sports Field Maintenance Funding Program round opened on 29 April 2019 and closed on 27 May 2019. The program was promoted through direct contact with organisations identified as potentially eligible for funding as well as on Council's website.

Applications

Council received Sports Field Maintenance Funding Program applications from the Baringa Football Club Inc. and the North Shore Multisport Association Inc.

Assessment

The assessment of applications for this funding program required clarification of tenure, type of sport played on the field/s, number of fields and period of maintenance responsibility. An assessment panel made up of Council officers with relevant expertise met to review the applications and determine an outcome. Assessment panel membership is detailed in the Internal Consultation section of this report.

Recommendation

Funding for a period of 12 months is recommended for the Baringa Football Club Inc. based on the club taking responsibility for field maintenance from 1 July 2019.

Funding is also recommended for the North Shore Multisport Association Inc. with the amount calculated pro rata for the eight months from 1 November 2019, the date that primary responsibility for field maintenance is to be transferred to this club. Council's Parks Operations and Arboriculture Unit will undertake maintenance and renovation works on fields at the North Shore Multi-Sports Complex until 31 October 2019.

Total funding of \$31,424 is recommended for endorsement by Council and is detailed in Appendix A.

Legal

The act of providing funding does not, of itself, raise issues of legal liability for Council. Rather it is the conduct of the funding recipient in carrying out what may be considered a local government type activity on local government owned or controlled land that will have some legal liability exposure issues for Council.

This will be mitigated, as best as is possible, by having the successful funding applicants enter into Agreements that clearly articulate the relationship between the parties and obligate them to be incorporated bodies with adequate risk management plans, levels of insurance, training, reporting and financial controls.

Policy

Delivery of the Sports Field Maintenance Funding Program is governed by the *Community Grants Policy* and supporting guidelines.

Risk

There is minimal financial risk associated with the program in supporting identified eligible organisations to carry out field maintenance, due to the ongoing working relationships between the organisations and dedicated Council officers. This relationship is supported by individually tailored funding agreements.

Previous Council Resolutions**Ordinary Meeting 19 July 2018 (OM18/117)**

That Council:

- (a) *receive and note the report titled “2018 Sports Field Maintenance Funding Program” and*
- (b) *endorse the 2018 Sports Field Maintenance Funding Program Recommendations (Appendix A).*

Ordinary Meeting 20 June 2013 (OM13/109)

That Council:

- (a) *receive and note the report titled “Community Grants Policy”*
- (b) *adopt the Community Grants Policy (Appendix A)*
- (c) *note the Community Grants Guidelines (Appendix B) as amended by (f) below to implement the Community Grants Policy*
- (d) *adopt the Mayoral and Councillor Discretionary Funding Policy as amended (Appendix C)*
- (e) *note the Mayoral and Councillor Discretionary Funding Program Guidelines (Appendix D) and*
- (f) *amend the grants guidelines to include a clause that stipulates that each program is subject to annual budget allocations.*

Ordinary Meeting 2 February 2011 (OM11/12)

That Council:

- (a) *receive and note the report titled “Sports Field Maintenance Funding Program”*
- (b) *adopt a 70% Council funding contribution of the full contractor rate to maintain fields noting potential funding sources and refer funding to 2011/12 budget process*
- (c) *adopt the Sports Field Maintenance Funding Program Policy (Appendix A) and note Guidelines (Appendix B) and*
- (d) *request the Chief Executive Officer to review the Sports Field Maintenance Funding Program one year after adoption and provide a progress report back to Council.*

Related Documentation

Funding arrangements with individual organisations include individual agreements which must demonstrate field maintenance plans. These plans are formulated in consultation with the Parks Community Sports Field Officer.

There are also a number of related policies and governing legislation that guide and inform the management and delivery of the Sports Field Maintenance Funding Program. These include:

- Community Grants Policy (2013)
- Local Government Act (2009)
- Local Government Regulation (2012)

- Sport and Active Recreation Plan 2011-2026
- Sports Field Maintenance Funding Program Guidelines
- *Statutory Bodies Financial Arrangements Act (1982)*
- Sunshine Coast Social Strategy (2015)

Critical Dates

All current Sports Field Maintenance Funding Program agreements will end at 30 June 2020. An interim review of the program will be undertaken prior to the completion of this three year cycle to ensure the program is continuing to achieve its aims. It is anticipated that a new round of the Sports Field Maintenance Funding Program will open in April 2020.

Implementation

Upon Council endorsement of the recommendations in this report, the applicants will be notified of the recommended funding amount, funding conditions including reporting and acquittal requirements and any conditions to be met prior to funding being processed.

The recipients will also develop a maintenance agreement in consultation with Council's Parks Community Sports Field Officer, clarifying expectations in relation to the maintenance of the sports fields.

Funding will be distributed once the transfer of responsibility is confirmed and the online agreement is submitted to Council. All recipients will be required to display Council supplied signage acknowledging Council's support for field maintenance.

Details of the successful partner organisations will be posted on Council's website.

8.4 MOTION FOR THE 123RD LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE

File No:	Council Meetings
Author:	Coordinator Councillor Governance Office of the CEO
Attachments:	Att 1 - Motion - Partnership with Power Utilities in delivering Underground Power87

PURPOSE

This report proposes a motion for consideration at the Local Government Association of Queensland's (LGAQ's) 123rd Annual Conference.

EXECUTIVE SUMMARY

The 123rd Local Government Association of Queensland Annual Conference is to be held in Cairns from 14 to 16 October 2019. Under the Local Government Association of Queensland Conference rules, all motions must be endorsed by the submitting Council and received by the Local Government Association of Queensland by 5 August 2019.

Following a call for motions to Councillors and senior management, one motion that requests that, in specific circumstances, Local Governments partner with power utilities in delivering underground power, is presented for Council's consideration.

The aim of the motion is to engage with peak power utilities' industry body to negotiate and attract support for a 50% contribution to providing undergrounding power in urban areas where capital works require the relocation of existing above ground services and where mutual benefits are derived to both parties.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Motion for the 123rd Local Government Association of Queensland Annual Conference" and
- (b) endorse the following motion titled "Partnership with Power Utilities in delivering Underground Power" for forwarding to the Local Government Association of Queensland for inclusion in the 123rd Annual Conference agenda –

That the Local Government Association of Queensland lobbies the peak power utilities' industry body to jointly fund undergrounding power where the change to existing overhead power supplies is required as part of a local government's urban upgrade capital works program, and is called up in the local government's planning scheme.

FINANCE AND RESOURCING

There are no finance or resourcing impacts to result from this report.

CORPORATE PLAN

Corporate Plan Goal:	<i>An outstanding organisation</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S26 - Elected Council - providing community leadership, democratic representation, advocacy and decision-making.

CONSULTATION

Councillor Consultation

The call for motions was sent to all Councillors, no motions were initiated from elected members.

Internal Consultation

The call for motions was sent to senior management, this motion is initiated by the Built Infrastructure Group.

External Consultation

Consultation with external parties has not been undertaken in relation to this report.

Community Engagement

Two recent discussions with senior Energex staff failed to gain any level of support for a joint approach to funding and delivery of undergrounding power.

PROPOSAL

The 2019 Local Government Association of Queensland Annual Conference will be held in Cairns between 14 and 16 October 2019. Any motions to be submitted to the Conference must first be endorsed by the submitting Council with all motions due by Monday, 5 August 2019.

The details of the motion (Attachment 1) outlines the background which supports this proposal.

In the past, underground power was subsidised by power utilities where Councils were undertaking capital works in urban areas. Annual budgets of Energex set a limit on accessing such funding. Mutual benefits were achieved for both power utilities and local governments through relocation of electrical assets, including the below items:

Power Utilities

- Assets located away from the external environment, particularly storms which are forecast to become more severe over time.
- Assets removed from the damaging effect of straying vehicles.
- Removes the need for timber poles, subject to limited life cycles and prone to attack by white ants.
- Greater certainty for continuity of electricity supply to customers with the above risks removed.
- Cheaper maintenance costs overall for the power reticulation system.
- In providing a brand new asset, a nett depreciation benefit is provided, which in turn enhances a utility's financial position.

Local Government

- Greatly improved urban aesthetics and amenity in highly constrained public realms.
- Provision of a safer environment for all forms of traffic.
- Greater certainty for continuity of electricity supply.

Previous joint funding efforts were directed to genuine urban improvement outcomes, respecting the limited funding capacity of the utility provider. Such an approach is promoted to contain the calls on the utility providers' budgets to an affordable level. It is likely that an agreed set of guidelines would need to be developed to manage the financial implications.

Major state owned enterprises have a responsibility to invest in renewals of assets. The investment in undergrounding power can link to the responsibility to fund depreciation of assets.

It is believed that there is now an opportunity to have this issue brought within the policy and advocacy platform of the Local Government Association of Queensland through the adoption of this Annual Conference motion. The full motion states:

That the Local Government Association of Queensland lobbies the peak power utilities' industry body to jointly fund undergrounding power where the change to existing overhead power supplies is required as a part of a local government's urban upgrade capital works program, and is called up in the local government's Planning Scheme.

Legal

There are no legal implications relevant to this report.

Policy

There are no current policy implications associated with this report.

Risk

There are no risks for Council associated with the preparation of this report.

Previous Council Resolution

There are no previous Council resolutions relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

This report must be considered by Council at the July 2019 Ordinary Meeting in order to allow for the motion to be received by the Local Government Association of Queensland prior to the 5 August deadline.

Implementation

If resolved by Council, the motion will be forwarded to the Local Government Association of Queensland for inclusion in the conference motions.

8.5 JUNE 2019 INTERIM FINANCIAL PERFORMANCE REPORT

File No:	Financial Reports
Author:	Coordinator Financial Services Business Performance Group
Attachments:	Att 1 - June 2019 Interim Financial Performance Report99

PURPOSE

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

EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 30 June 2019 in terms of the operating result and delivery of the capital program.

The operating result at 30 June 2019 shows a favourable variance of \$6.8 million compared to the budgeted position. The variation is mainly attributable to higher than expected revenue as shown in the table below. Further detail is provided in the proposal section of this report.

Operating Performance**Table 1: Operating Result as at 30 June 2019**

	Current Budget \$000	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Total Operating Revenue	446,648	446,648	451,965	5,317	1.2%
Total Operating Expenses	435,323	435,323	433,809	(1,514)	-0.3%
Operating Result	11,325	11,325	18,156	6,831	60.3%

Achievement of the full year budgeted operating result will allow Council to meet its debt repayments and capital expenditure commitments.

As at 30 June 2019, \$319.7 million (88.9%) of Council's \$359.4 million 2018/19 Capital Works Program was financially expended.

The core Council Capital Program has progressed 96.3% of budget, an actual spend of \$164.9 million.

Council's closing cash balance at 30 June 2019 of \$271.9 million is \$70.7 million higher than budget. This is due to lower capital and operating expenditure compared to budget and higher operating revenue.

Council's investment portfolio remains within the guidelines established under the Investment Policy.

OFFICER RECOMMENDATION

That Council receive and note the report titled "June 2019 Interim Financial Performance Report".

FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending 30 June 2019 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 Councilor Consultation

Consultation has been undertaken with the Portfolio Councillor, Councillor T Dwyer.

Internal Consultation

This report has been written in conjunction with advice from:

- Group Executive Business Performance
- Chief Financial Officer
- Coordinator Financial Services

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

This monthly financial performance report provides Council with a summary of performance against budget as at 30 June 2019 in terms of the operating result and delivery of the capital program.

The operating result at 30 June 2019 shows a favorable variance of \$6.8 million compared to the budgeted position.

Operating Revenue

Year to date revenue as at 30 June 2019 of \$451.9 million shows a favorable variance of \$5.3 million.

Table 2: Substantial Revenue variances as at 30 June 2019

	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Interest Received from Investments	8,768	7,294	(1,474)	-16.8%
Operating Grants and Subsidies	8,176	14,939	6,763	82.7%
Other Revenue	23,997	25,888	1,890	7.9%

Interest Received from Investments

Council's cash available for investment throughout the year has decreased compared to the expected budget. Interest rates available for term deposits have reduced significantly during the 2018/19 financial year. This has resulted in a decline in interest received.

Operating Grants and Subsidies

Council has received an early payment of the 2019/20 Federal Assistant Grant to the value of \$6.2 million in June 2019.

Other Revenue

Council's waste facilities have realised \$746,000 of revenue from the State Government container deposit scheme. Council has also received an additional \$876,000 of revenue for revegetation offset purposes.

Council has recognised land sales to the value of \$10.4 million for Maroochydore City Centre with an additional two lots being realised in June 2019.

Operating Expenses

Year to date expenditure as at 30 June 2019 of \$433.8 million shows a variance under budget of \$1.5 million.

Table 3: Substantial Expenditure variances as at 30 June 2019

	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Depreciation Expense	75,355	82,421	7,066	9.4%
Materials and Services	174,028	167,136	(6,892)	-4.0%
Recurrent Capital Expenditure	12,257	10,184	(2,073)	-16.9%
Employee Costs	140,389	142,205	1,816	1.3%

Depreciation Expense

Final depreciation expense for the year is calculated in June following completion of the asset write on process. This has resulted in a variation of \$7 million above budget, largely due to discovered assets from the implementation of Council's asset management system as well as a review of useful lives for the road network.

Materials and Services

Materials and services are under budget as at 30 June 2019 by \$6.9 million. Operating projects, including levy funds, are underspent against budget by \$4.2 million with the remaining underspend occurring in core expenditure.

\$2.1 million of the favourable variance relates to the delivery of operating projects and is partially offset by higher employee costs and other expenses associated with resourcing projects. Total project expenditure was 78.6% of full year budget as at 30 June 2019.

Built Infrastructure are reporting a favourable variance within materials and services to cater for employee costs in the maintenance delivery areas. The total value of this allowance is \$1.1 million and relates to the Civil Asset Management and Parks and Gardens branches. The disaster management team is currently under budget by \$215,000 due to the fortunate lack of activity throughout the financial year. Council currently also has a \$198,000 favourable variance in electricity expenses for street lighting.

Waste Management within the Customer Engagement and Planning Services Group have experienced underspends to the value of \$680,000, largely due to reduced costs at various

landfill sites. Additional expenditure has been incurred at closed landfill sites throughout the financial year.

The Office of the Mayor and CEO are also reporting underspends mainly in the Corporate Governance Branch including insurance expense, subscriptions and entitlements.

Recurrent Capital Expenditure

\$12.3 million in operating expenditure has been incurred to 30 June 2019 in association with the capital program delivery. This results in a \$2.1 million favourable budget variation, however there is no cash impact as the costs are fully funded as part of the capital program.

Employee Costs

As at 30 June 2019, \$142.2 million has been incurred in employee costs, resulting in an unfavourable variance against full year budget of \$1.7 million or 1.3%. This unfavourable variance relates to utilisation of internal employees to deliver operating and levy funded projects to the value of \$492,000. These costs are offset by underspends in Council's materials and services budget. All operating projects and levy programs align to Council's Operational and Corporate plan and are funded through the annual budget process.

Council budgets a vacancy rate of 3% across the organisation including core maintenance areas. Due to the nature of maintenance delivery and front line services, vacancy rates are becoming increasingly difficult to meet on an employee level. The branches affected by this include Civil Asset Management, Parks and Gardens, Environmental Operations, Sport Venues and Libraries. Underspends have been sought within materials and services to align Council's operating result.

Capital Expenditure

As at 30 June 2019, \$319.7 million (88.9%) of Council's \$359.4 million 2018/19 Capital Works Program was financially expended.

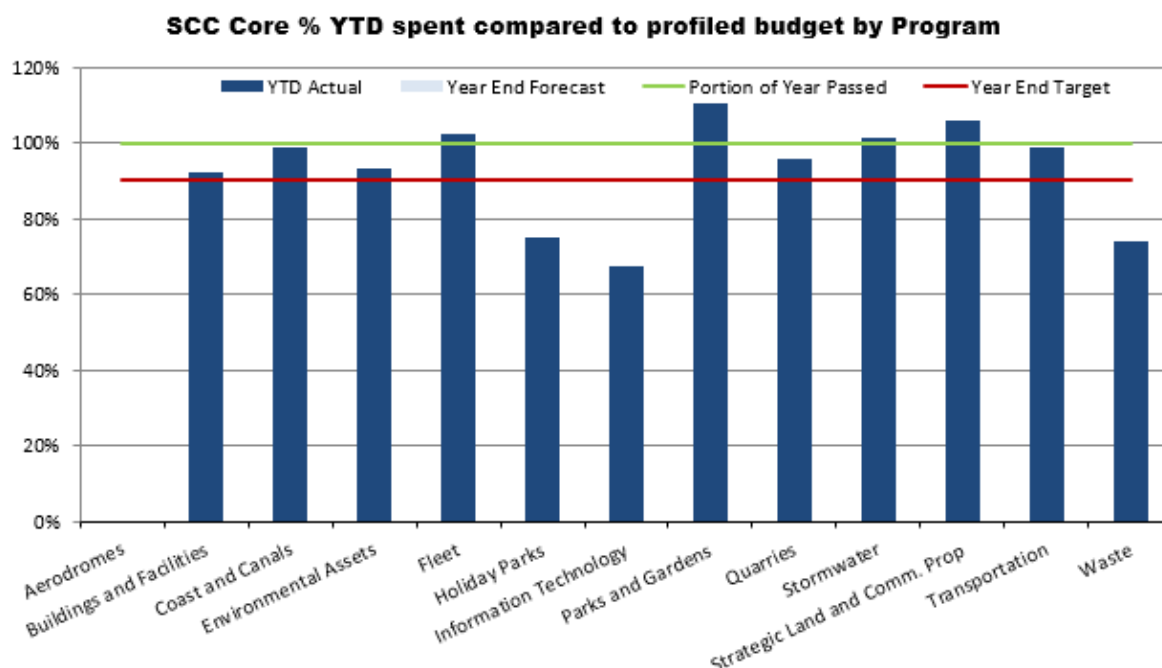
The Core Council Capital Program has progressed 96.3% of budget, an actual spend of \$164.9 million. The Actual YTD includes all works that have been goods receipted and accrued as at 30 June 2019.

Other Capital Works Program has progress to 82.3% of budget, an actual spend of \$154.8 million.

Table 4: Capital Expenditure by Program at 30 June 2019

	Current Budget \$000s	YTD Actual \$000s	% of FY Budget Spent
Capital Works Program			
Aerodromes	0	9	0.0%
Buildings and Facilities	18,442	16,696	90.5%
Coast and Canals	2,314	2,261	97.7%
Environmental Assets	1,296	1,113	85.9%
Fleet	3,000	3,072	102.4%
Holiday Parks	1,875	1,409	75.1%
Information Technology	8,738	5,890	67.4%
Parks and Gardens	17,670	18,845	106.7%
Quarries	486	464	95.6%
Stormwater	9,637	9,765	101.3%
Strategic Land and Commercial Properties	31,770	34,005	107.0%
Transportation	63,382	62,318	98.3%
Waste	12,273	9,104	74.2%
Total SCC Core Capital Program	170,884	164,951	96.3%
Corporate Major Projects	4,333	4,069	93.9%
Divisional Allocations	5,586	3,479	62.3%
Maroochydore City Centre	30,413	24,925	83.4%
Submarine Cable IBN	20,610	10,778	52.3%
Sunshine Coast Airport Runway	127,638	111,538	87.4%
Total Other Capital Program	188,580	154,789	82.3%
TOTAL	359,464	319,741	88.9%

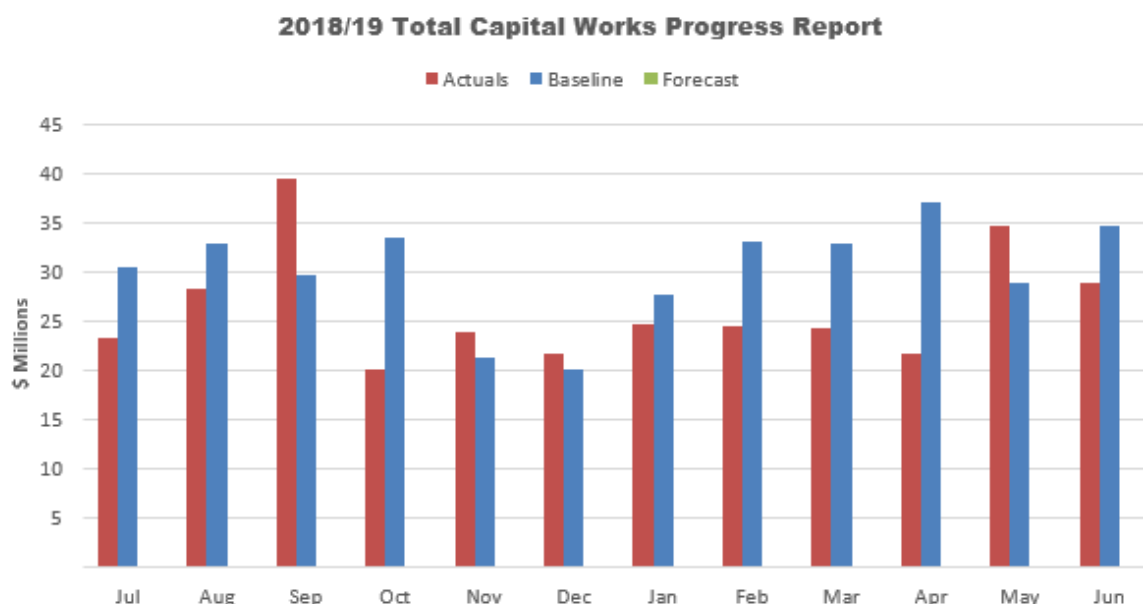
The following graph shows the Core Capital Programs progress to date and year end forecast.



The following program updates are provided in relation to programs reporting lower expenditure to date:

- Holiday Parks – Construction has been finalised for the replacement of the amenities at Cotton Tree Caravan Park. A contractor has been appointed for the refurbishment of the internal road at Dicky Beach Holiday Park with works to progress in July.
- Information Technology – Delays in the implementation of Council’s corporate asset management and human resource systems have caused an underspend for the financial year. Both projects continue to move through the implementation phase and will be finalised in the new financial year.
- Waste – The contract for the AWCS collection centre was awarded in October with construction progressing late into 2019. Construction of the Caloundra Landfill Cell 12 has commenced, with deferrals expected in future financial reporting due to weather delays.

The following graph displays a baseline forecast for the Total Capital Works Program which was captured at the end of September, to include the impacts of Budget Review 1. The graph compares the actual to date and the most recent forecast for the remaining periods, against this baseline. The forecasts are prepared by project managers on each project to reflect their latest estimate of project expenditure up to June 2019.



2018/19 Core Capital Works Progress Report

■ Actuals
 ■ Baseline
 ■ Forecast
 ■ Budget

Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 30 June 2019 Council had \$263.7 million cash (excluding Trust Fund) with an average interest rate of 2.28%, being 0.66% above benchmark. This is compared to the same period last year with \$290.2 million cash (excluding Trust Fund) with an average interest rate of 2.70%, being 0.85% above benchmark.
- The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill Index (BAUBIL) and the Bank Bill Swap Rate (BBSW) for term deposits.

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 2018/19 Investment Policy and
Sunshine Coast Council's 2018/19 Debt Policy.

Risk

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

Previous Council Resolution**Ordinary Meeting 23 May 2019 (OM19/77)**

That Council:

- (a) receive and note the report titled "**April 2019 Financial Performance Report**" and
- (b) adopt Appendix A as tabled, pursuant to section 170A of the *Local Government Act 2009* and sections 169 and 170 of the *Local Government Regulation 2012*, Council's amended budget for 2018/19 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 and the Debt Policy.

Ordinary Meeting 30 April 2019 (OM19/55)

That Council:

- (a) receive and note the report titled "**March 2019 Financial Performance Report**" and
- (b) adopt the amended 2018/19 Budget Financial Statements to include identified operating and capital budget adjustments (Appendix A).

Ordinary Meeting 28 February 2019 (OM19/26)

That Council:

- (a) receive and note the report titled "**Budget Review 2 2018/19**" and
- (b) adopt Appendix A as tabled, pursuant to section 170A of the *Local Government Act 2009* and sections 169 and 170 of the *Local Government Regulation 2012*, Council's amended budget for 2018/19 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 and the Debt Policy.*

Ordinary Meeting 13 September 2018 (OM18/155)

That Council:

- (a) *receive and note the report titled “**Budget Review 1 2018/19**” and*
- (b) *adopt Appendix A as tabled, pursuant to section 170A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, Council’s amended budget for 2018/19 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*
- (c) *note the following documentation applies as adopted 21 June 2018*
 - i. *the Revenue Policy*
 - ii. *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
 - iii. *the Revenue Statement*
 - iv. *the rates and charges to be levied for the 2018/19 financial year and other matters as adopted 21 June 2018.*

Special Meeting Budget 21 June 2018 (SM18/8)

That Council:

- (a) *adopt Appendix A as tabled, pursuant to section 170A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, Council’s budget for 2018/19 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*
 - viii. *the Revenue Policy*

- 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 2018/19 Capital Works Program, endorse the indicative four-year program for the period 2020 to 2023, and note the five-year program for the period 2024 to 2028 and*
- xii. the rates and charges to be levied for the 2018/19 financial year and other matters as detailed below in clauses 3 to 11.*

Related Documentation

2018/19 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.6 BIOSECURITY SURVEILLANCE PROGRAM

File No: F2016/210350
Author: Coordinator Healthy Places
Customer Engagement & Planning Services Group
Appendices: App A - 9 August 2019 to 31 July 2020 Surveillance Program for
Sunshine Coast Council under the Biosecurity Act 2014 113

PURPOSE

This report seeks Council endorsement to conduct a biosecurity surveillance program. The Program is scheduled to commence on 9 August 2019 and end on 31 July 2020 and will be implemented by Council's Vector and Pest Plant Education and Control Team.

EXECUTIVE SUMMARY

A biosecurity surveillance program is proposed to occur from *9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council* (the Program). The Program requires authorisation from Council under section 235 of the *Biosecurity Act 2014* (the Act) to lawfully conduct this work in the management of pest plants (invasive biosecurity matter).

The Program will target pest plants listed in the Act such as groundsel bush, rat's tail grasses, fireweed and salvinia. The *Sunshine Coast Council Local Government Area Biosecurity Plan 2017* prescribes the prioritisation of these species with management options for the five major Sunshine Coast catchments. Work under the Program involves confirming the presence, absence and extent of targeted pest plants. The work also includes monitoring compliance activities and measures that prevent and/or control them.

Council authorisation of the Program gives authorised persons (Council officers) power to enter private property without consent. However, Council officers will always make efforts to locate the landholder and an information leaflet about the Program is sent in the weeks prior to notify residents. Officers provide information and education to assist them with their management options during and post the inspections. Council also offers access to free weed control equipment to assist the landholder to comply. The Program is a necessary step before compliance work under the Act can occur such as issuing a Biosecurity Order.

The 2019/2020 budget allocation provides sufficient finance and resources to undertake the proposed Program. The Program is consistent with Council's *Corporate Plan 2017-2021* goals, and provides an instrument for the implementation of actions specified in the *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Biosecurity Surveillance Program"
- (b) adopt the *9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council* in accordance with section 235 of the *Biosecurity Act 2014*
- (c) authorise the carrying out of *9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council* (Appendix A) in accordance with section 235 of the *Biosecurity Act 2014* and
- (d) note the following details of the *9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council* (which are required to be specified in this authorisation under Section 236 *Biosecurity Act 2014*):

- (i) relates to invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the *Biosecurity Act 2014*
- (ii) purpose is to monitor for compliance with the *Biosecurity Act 2014* and monitor the presence and extent of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the *Biosecurity Act 2014*
- (iii) the period over which the program is carried out is from 9 August 2019 to 31 July 2020
- (iv) is for monitoring compliance with the *Biosecurity Act 2014* and places that will be entered and inspected are privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m²
- (v) is for determining the presence or extent of the spread of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the *Biosecurity Act 2014* and applies to privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m²
- (vi) surveillance in the localities of Balmoral Ridge, Diamond Valley, Mooloolah Valley, Beerwah, Mt Mellum, Bells Creek, Crohamhurst, North Maleny, Mons, Tanawha, Forest Glen, Maroochy River, Bli Bli, Peachester, Montville and Mapleton and
- (vii) Individual properties also previously known to harbour invasive biosecurity matter will be surveyed for ongoing compliance.

FINANCE AND RESOURCING

The 2019/2020 budget allocated to address pest plant issues through the biosecurity surveillance program is \$443,112 allocated as follows:

• Salaries	\$ 291,611
• Materials and services	\$ 66,657
• Vehicles and plant	\$ 59,767
• Internal materials and services	\$ 25,077

This equates to 3.5 x full time equivalent persons allocating their time to this program:

- 2.7 x full time equivalent positions conduct the proactive inspections, management and administration (currently 1500 per year) and
- 0.8 x full time equivalent positions responding reactively to complaints (around 400 customer requests per year) lodged by the community on pest plants.

The 2019/2020 budget allocation is sufficient to undertake the proposed program under the *Biosecurity Act 2014*.

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

- Councillor J McKay – Portfolio Councillor for Community and Environment

Internal Consultation

The following internal stakeholders contributed to the development of this report:

- Vector and Pest Plant Education and Control Team

External Consultation

The following external stakeholders were consulted:

- Principal Biosecurity Officer, Biosecurity Queensland – Maroochy Research Facility
- The Chief Executive Officer of the Department of Agriculture and Fisheries was consulted and provided a response to Council to inform the drafting of the Surveillance Program.

Community Engagement

In 2017 consultation was undertaken with a broad spectrum of community land care groups and external agencies in prescribing the prioritisation of pest plants and management options for the five major Sunshine Coast catchments in the *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*.

PROPOSAL

Biosecurity matter is defined in full in the *Biosecurity Act 2014*, but in brief is a living plant or animal, pathogen, disease, or contaminant. The Program is targeting specific pest plants listed in the Act such as groundsel bush, rat's tail grasses, fireweed and salvinia.

The proposed Program under the *Biosecurity Act 2014* must be authorised by Council to allow the carrying out of the following activities:

- monitoring compliance with the *Biosecurity Act 2014*;
- confirming the presence, absence, and/or the extent of invasive biosecurity matter (pest plants);
- monitoring the effectiveness of measures taken in response to a biosecurity risk;
- monitoring compliance with requirements about prohibited matter or restricted matter (as defined in the Act); and
- monitoring levels of biosecurity matter (pest plants), including a carrier (e.g. feed contaminated with pest plants).

Council authorisation of the Program gives authorised persons (Council officers) power to enter private property without consent. However, Council officers always make efforts to locate the landholder and an information leaflet is sent in the weeks prior to notify residents to prompt a productive pre inspection discussion. Officers provide information and education to assist them with their management options during and post the inspections.

Part of this education process will include assisting the person in understanding their “general biosecurity obligation”, noting that the person who is in control of the property *has an obligation to take all reasonable and practical measures to prevent or minimise the biosecurity risk* (section 23(2)) of the Act.

Council also offers access to free weed control equipment to assist the landholder to comply. The Program is a necessary initial step before compliance work under the Act can occur such as issuing a Biosecurity Order.

The Program will continue work that Council has previously delivered under previous biosecurity surveillance programs. Based on the previous year's data from Council's work in biosecurity surveillance programs:

- 41% of properties proactively inspected through the current program contained pest plants
- 19% of landholders received an advisory notice requesting further control actions
- less than 1% of properties inspected resulted in Council engaging a contractor to enter and clear the property.

Legal

Authorisation of the proposed Program by a resolution of the local government is required in accordance with section 235 *Biosecurity Act 2014*.

Section 236 of the *Biosecurity Act 2014* outlines what must be stated in the program authorisation for a biosecurity program.

The authorisation of the program enlivens a number of specific powers under the Act including section 261 (Power to enter place under biosecurity program), section 262 (Power to enter place to check compliance with biosecurity order) and section 270 (Entry of place under sections 261 and 262).

Policy

Local governments in Queensland have a biosecurity obligation to control invasive biosecurity matter within their local government area in compliance with the *Biosecurity Act 2014* (section 48). The Program contributes to the outcomes of the Sunshine Coast Council Local Government Area Biosecurity Plan 2017.

Risk

With increasing numbers of residents moving to our rural and hinterland areas with limited understanding of rural land management, invasive plants have the potential to present a problem on large and small acreage as well as urban fringe areas. Failure to endorse 9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council may mean:

- that Council is not meeting its obligations under the Act
- lead to the potential loss of agricultural productivity and community amenity
- public land not being managed to community expectations
- risks associated with not controlling pest plants throughout the region are increased
- lead to potential significant longer term environmental damage and the resulting loss or reduction of biodiversity
- that stock and domestic animals are exposed to threats.

Under section 50 of the Act the state government minister responsible for biosecurity may direct by issue of a formal notice to the local government to perform a biosecurity function or obligation. The local government must comply with this notice.

Previous Council Resolution**Ordinary Meeting 14 June 2018 (OM18/81)**

That Council:

- (a) *receive and note the report titled “**Surveillance Program - Biosecurity Act 2014**”*
- (b) *adopt the 1 July 2018 to 30 June 2019 Surveillance Program for Sunshine Coast Council in accordance with section 235 of the Biosecurity Act 2014*
- (c) *authorise the carrying out of the 1 July 2018 to 30 June 2019 Surveillance Program for Sunshine Coast Council (Appendix A) in accordance with section 235 of the Biosecurity Act 2014*
- (d) *note the following details of the 1 July 2018 to 30 June 2019 Surveillance Program for Sunshine Coast Council (which are required to be specified in this authorisation under Section 236 Biosecurity Act 2014):*
 - (i) *relates to invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014*
 - (ii) *purpose is to monitor for compliance with the Biosecurity Act 2014 and monitor the presence and extent of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014*
 - (iii) *the period over which the program is carried out is from 1 July 2018 to 30 June 2019*
 - (iv) *is for monitoring compliance with the Biosecurity Act 2014 and places that will be entered and inspected are privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m²*
 - (v) *is for determining the presence or extent of the spread of invasive biosecurity matter – invasive plants that are prohibited or restricted matter as defined in the Biosecurity Act 2014 and applies to privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m²*
 - (vi) *surveillance in the localities of Doonan, Eumundi, Cooloolabin, Eerwah Vale, Landers Shoot, West Woombye, Kureelipa, Kiamba, Balmoral Ridge, Diamond Valley, Mooloolah Valley, Glasshouse Mountains, Beerwah, Mt Mellum, Bells Creek, Crohamhurst, Reesville, Maleny, North Maleny, Witta, Flaxton, Belli Park, Mons, Tanawha, Forest Glen and*
 - (vii) *Individual properties also previously known to harbour invasive biosecurity matter will be surveyed for ongoing compliance.*

Related Documentation

- *Local Government Act 2009*
- *Biosecurity Act 2014*
- *Sunshine Coast Local Government Area Biosecurity Plan 2017*

Critical Dates

The Program has been scheduled to commence monitoring activities from 9 August 2019 to 31 July 2020. Notice of the Program must be given at least 14 days prior to the commencement of the program. The notification would be raised no later than 26 July 2019.

Implementation

The Program will be available at all Customer Service Centres and will be published on the Council website at least 14 days before commencement. The Program is a necessary initial step before Council can undertake compliance and enforcement work can commence to prevent and control pest plants.

The Program will be implemented by Council's Vector and Pest Plant Education Team in correlation to Council land management schedules from 9 August 2019 to 31 July 2020. This ensures an efficient delivery for maximum benefit to both community and Council's assets. Council has a number of tools to be used in the education, surveillance, compliance and enforcement work including an entry notice and fact sheet that will be supplied to the owner outlining the requirements of the legislation and their options.

A number of resources including pest plant identification booklets, a smartphone application, fact sheets, and public notices will be provided to rural and peri-urban landholders via social media, mail outs and surveys. Information is also available online at Council's website and Biosecurity Queensland's website.

Council's Vector and Pest Plant Control Officers will seek voluntary compliance and collaborate with landholders/land managers wherever possible to facilitate the control of pest plants. The Program will:

- allow the confirmation of the presence of pest plants on a property;
- allow Council to communicate and inform a person about their biosecurity general obligation; and
- assess whether to issue a Biosecurity Order to a person for failure to discharge their general biosecurity obligation (which may require the person to undertake management action – such as prevention or control).

If a landholder/land manager fails to comply, (or the occupier fails to allow the owner to comply) the authorised Program under the *Biosecurity Act 2014* provides for the property to be entered and for Council to undertake the work required (section 263). Costs can be recovered from the person that has failed to comply (section 380).

8.7 BIOSECURITY FERAL ANIMAL PREVENTION AND CONTROL PROGRAM

File No:	F2108/30481
Author:	Coordinator Healthy Places Customer Engagement & Planning Services Group
Appendices:	App A - 9 August 2019 to 31 July 2020 Surveillance Program for Sunshine Coast Council under the Biosecurity Act 2014127

PURPOSE

This report seeks Council endorsement to conduct a feral animal prevention and control program. The Program is scheduled to commence on 9 August 2019 and end on 31 July 2020 and will be implemented by Council's Feral Animal Education and Control Team.

EXECUTIVE SUMMARY

A feral animal prevention and control program is proposed and shall be known as the *9 August 2019 to 31 July 2020 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area* (the Program). The Program requires authorisation from Council under section 235 of the Act to lawfully conduct this work in the management of feral animals (invasive biosecurity matter).

The Program is targeting specific feral animals throughout the Sunshine Coast Council area namely wild dogs (other than a domestic dog), feral pigs, feral goats, feral cats (other than a domestic cat), feral deer, European foxes, European rabbits and Indian Myna Birds.

Work under the Program involves confirming the presence, absence, extent and/or magnitude of certain feral animals and the capture and destruction of them.

Council authorisation of the Program gives authorised persons (Council officers) power to enter private property without consent. However, Council officers will locate the landholder, provide them with information and education and obtain their consent to allow the management of feral animals. Council offers assistance through training, advice and on-ground support to occupiers of properties to assist them with feral animals which includes trapping and baiting programs. There are also several proactive education stalls that are provided by Council on feral animal management at community events throughout the year.

Council officers respond to around 700 requests for service each year (2016/17 684 requests, 2017/18 currently 663 requests on 21/05/2019) regarding feral animals and this Program will support this service. This Program will also support the community led partnerships such as the Community Wild Dog Baiting Programs and operate on both Council owned or controlled lands and private properties.

The 2019/2020 budget allocation provides sufficient finance and resources to undertake the proposed Program. The Program is consistent with the *Corporate Plan 2019-2022* goals, and provides an instrument for the implementation of actions specified in the *Sunshine Coast Local Government Area Biosecurity Plan 2017*.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled “Biosecurity Feral Animal Prevention and Control Program”
- (b) adopt the 9 August 2019 to 31 July 2020 Prevention and Control Program for feral animals under the *Biosecurity Act 2014* for the Sunshine Coast Council area in accordance with section 235 of the *Biosecurity Act 2014* and
- (c) authorise the carrying out of the 9 August 2019 to 31 July 2020 Prevention and Control Program for feral animals under the *Biosecurity Act 2014* for the Sunshine Coast Council area (Appendix A) in accordance with section 235 of the *Biosecurity Act 2014*.

FINANCE AND RESOURCING

The budget allocated to address feral animal issues through the prevention and control program for 2019/2020 is \$1,239,391 allocated as follows:

Salaries	\$729,123
Materials and services	\$370,492
Vehicles and plant	\$102,018
Internal materials and services	\$37,758

This equates to nine full time equivalent persons allocated to this program. The Environment Levy is funding \$550,000 of the Program which includes community action and engagement. The budget allocation is sufficient and on track to undertake the proposed Program under the *Biosecurity Act 2014*.

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**

- Councillor J McKay – Portfolio Councillor for Community and Environment.

Internal Consultation

The following internal stakeholder contributed to the development of this report:

- Team Leader Feral Animal Education and Control.

External Consultation

The following external stakeholder was consulted:

- The Director-General (Chief Executive) of the Department of Agriculture and Fisheries as required by legislation.

Community Engagement

There has been no community engagement undertaken in relation to this report. However Council undertakes a number of proactive education programs including information displays at agricultural shows and other community events throughout the year to inform the community on feral animals and council's programs.

PROPOSAL

Biosecurity matter is defined in full in the *Biosecurity Act 2014*, but in brief is a living plant or animal, pathogen, disease, or contaminant. The Program is targeting specific feral animals, namely wild dogs (other than a domestic dog), feral pigs, feral goats, feral cats (other than a domestic cat), feral deer, European foxes, European rabbits and Indian Myna Birds.

The proposed Program under the *Biosecurity Act 2014* must be authorised by Council to allow the carrying out of the following activities:-

1. Provide information and education to an occupier of a place.
2. Undertake property assessments to determine the travel routes or harbourage areas of the feral animals being targeted in the Program.
3. Collect information from occupiers of properties to inform the Program to maximise its functioning.
4. Establish monitoring cameras, sand pads or other animal detection devices on a property to determine the presence of roaming domestic animals or feral animals.
5. Undertake regular monitoring programs to inform the distribution, habitat use and populations of specific feral animal species within the region.
6. Install traps and or deploy poisons (1080 and strychnine or other scheduled poisons as they become approved by regulatory authorities) in line with regulatory controls including humane destruction.
7. Install warning signage on the property to alert the public to the actions being conducted.
8. Visit the property at varying hours to attend to traps or other devices.
9. Visit the property at varying hours to undertake removal/destruction of feral animals in line with regulatory controls and humane destruction.
10. Undertake the use of firearms for feral animal destruction purposes within the regulatory controls.
11. Engage a veterinarian for animal care or destruction purposes where required.

Council authorisation of the Program gives authorised persons (Council officers) power to enter private property without consent. However, Council officers will locate the landholder, provide them with information and education and obtain their consent to allow the management of feral animals.

Part of this education process will include assisting the person in understanding their "general biosecurity obligation". The person who is in control of the property *has an obligation to take all reasonable and practical measures to prevent or minimise the biosecurity risk* (section 23. (2) Of the Act).

Council also offers access to free training and feral animal control equipment to assist the occupier to comply.

Legal

Authorisation of the proposed Program by a resolution of the local government is required in accordance with section 235 of the Act. Section 236 of the Act outlines what must be stated in the program authorisation for a biosecurity program.

The authorisation of the Program enlivens a number of specific powers under the Act including section 261 (Power to enter place under biosecurity program), section 262 (Power to enter place to check compliance with biosecurity order) and section 270 (Entry of place under sections 261 and 262).

Policy

Local governments in Queensland have a biosecurity obligation to control invasive biosecurity matter within their local government area in compliance with the *Biosecurity Act 2014* (section 48). The Program contributes to the outcomes of the new *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*.

Risk

The activities conducted to address feral animals include a number of risks. In response to the risks the following treatments have been instituted:

1. Council officers collect information and data from local residents and install monitoring cameras to ensure that the trapping programs do not result in the capture of off target species (e.g. domestic animals).
2. Council officers are utilising telemetry cameras and remotely activated traps that alert officers immediately to animal captures which improves humane outcomes.
3. Firearms are stored and licensed in line with Queensland Police/Weapons Licensing requirements and regularly audited.
4. Council's Group Licence Holder and Senior Workplace Health and Safety Officer conduct regular audits of the firearms storage.
5. Firearms officers have successfully completed firearms safety courses, humane destruction courses and have been issued with occupational weapons licenses from Weapons Licensing after endorsement from Council's Chief Executive Officer.
6. All firearms officers attend regular firearms range training.
7. Council is continuing to work with leaders in firearms to ensure that control techniques, including calibre selection and weapon of choice ensures the best humane outcome for the feral animal, and minimising the potential for other risks to present.
8. Council has visited a number of other Councils and State government agencies within Queensland and New South Wales to ensure that the control techniques are best practice.
9. Council has developed and implemented an additional *Firearms Procedure Manual* as an added level of safety and rigour.
10. Council has obtained chemical capture firearms (dart guns) to reduce risks and improve safety.
11. Officers are required to undertake an extensive induction program before approval is granted to become an approved Council firearms officer.
12. All properties where a firearm is to be discharged are site risk assessed, with site risk assessments recorded and approved before undertaking the activity.
13. All authorised officers dispensing 1080 poison and strychnine attend training and must pass exams every two years and are approved by Biosecurity Queensland and Queensland Health.
14. Council's mapping, monitoring and data collection policies and documentation, and communication applied to the community for the baiting programs is best practice and has been recognised by the State government and other Councils as a leader in this field.

15. Council has developed a 1080 poison use document that meets biosecurity requirements.
16. Council is currently reviewing officer tasks and activities and implementing documentation and training to minimise potential for injuries.
17. Council has developed and delivered a manual handling document and training specific to the feral animal officer roles.
18. All officers are issued with personal tracking devices to meet *Work Health and Safety Act 2011* remote worker requirements.
19. Vehicles and equipment have been selected and developed to be fit for purpose and reduce the potential of harm to officers.
20. The Feral Deer Officers have been issued a satellite mobile phone due to significant network coverage issues to ensure they can communicate when the need arises.

Previous Council Resolution

Ordinary Meeting 14 June 2018 (OM18/82)

That Council:

- (a) *receive and note the report titled “Feral Animal Prevention and Control Program”*
- (b) *adopt the 1 July 2018 to 30 June 2019 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area in accordance with section 235 of the Biosecurity Act 2014 and*
- (c) *authorise the carrying out of the 1 July 2018 to 30 June 2019 Prevention and Control Program for feral animals under the Biosecurity Act 2014 for the Sunshine Coast Council area (Appendix A) in accordance with section 235 of the Biosecurity Act 2014.*

Related Documentation

- *Local Government Act 2009*
- *Biosecurity Act 2014*
- *Work Health and Safety Act 2011*
- *Sunshine Coast Council Local Government Area Biosecurity Plan 2017*
- *Sunshine Coast Council Corporate Plan 2019-2022*
- *Sunshine Coast Council Operational Plan 2017-2019*

Critical Dates

The Program has been scheduled to commence prevention and control activities from 9 August 2019 to 31 July 2020. Notice of the Program must be given at least 14 days prior to the commencement of the program. The notification would be raised no later than 26 July 2019.

Implementation

It is recommended that the following directions be given to the Chief Executive Officer:

The Program will be available at all Customer Service Centres and will be published on the Council website at least 14 days before commencement. The Program is a necessary initial step before Council can undertake compliance and enforcement work can commence to prevent and control feral animals.

The Program will be implemented by Council's Feral Animal Education and Control Team in correlation to Council land management schedules. This ensures an efficient delivery for

maximum benefit to both community and Council's assets. Council has a number of tools to be used in the education, surveillance, compliance and enforcement work including an entry notice and fact sheet that will be supplied to the occupier outlining the requirements of the legislation and their options.

A number of resources including educational booklets, a smartphone application, fact sheets and public notices will be provided to occupiers of a property via social media, mail outs and surveys. Information is also available online at Council's website and Biosecurity Queensland's website.

The Program will:-

1. Allow the confirmation of the presence of feral animals on a property.
2. Allow Council to communicate and inform a person about their biosecurity general obligation.
3. Assess whether to issue a Biosecurity Order to a person for failure to discharge their general biosecurity obligation (which may require the person to undertake management action – such as prevention or control).
4. Ensure Sunshine Coast Council is meeting its general biosecurity obligation to manage invasive biosecurity matter – invasive animals that are prohibited or restricted matter in the Sunshine Coast Council local government area, to reduce the impacts on human health, social amenity, the economy or the environment (section 48 of the Act).
5. Assist in capacity building of the occupiers of properties to minimise the impacts from invasive animals – prohibited or restricted matter on pets, animals and livestock or agricultural crops.
6. Determine the extent of invasive animals – prohibited or restricted matter in identified locations.
7. Collect data and undertake research to assist in determining trends in invasive animals – prohibited or restricted matter populations and better understand how to manage these populations whilst reducing their impacts including refining and enhancing current programs and services.
8. Determine the effectiveness of education, community/Council partnerships and on-ground treatment programs
9. Permit the deployment of data collection methods such as sand pads, monitoring cameras and infield infrared site surveys.
10. Permit the deployment of trapping systems, Canid Pest Ejectors, tied and buried 1080 meat baits, manufactured 1080 baits and strychnine providing these deployments are within the regulatory controls.
11. Provision of 1080 manufactured and or meat baits to landholders to use for approved feral animal control programs.
12. Permit the destruction of invasive animals – prohibited or restricted matter subject to meeting regulatory controls including humane destruction under animal welfare legislation.

8.8 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A SEWERAGE EASEMENT WITHIN LOT 17 RP198758

File No:	F2019/37299
Author:	Senior Property Officer Business Performance Group
Attachments:	Att 1 - Lot 17 RP198758 aerial map141 Att 2 - Unitywater sewage pumping station upgrade plan 143 Att 3 - Easement A in Lot 17 RP198758145

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 facilitate the registration of a sewerage Easement over Council owned land held in Trust legally described as Lot 17 RP198758 located at 265-279 Yandina-Coolum Road, Coolum Beach.

EXECUTIVE SUMMARY

There is a requirement for the registration of a sewerage Easement in favour of Unitywater over Council owned land held in Trust legally described as Lot 17 RP198758 located at Yandina-Coolum Road, Coolum Beach – refer **Attachment 1 – Lot 17 RP198758 aerial map**. The purpose of this Easement is to accommodate a newly constructed asset, being a switchboard part of a sewage pumping station as shown on **Attachment 2 – Unitywater sewage pumping station upgrade plan**. The proposed location of the Easement is shown on **Attachment 3 – Easement A in Lot 17 RP198758**.

The *Local Government Regulation 2012* provides that a disposal, other than by tender or auction, may occur if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency, in this instance, Unitywater. Section 236(2) provides that a Local Government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting an Easement, being 12m², to formalise the sewage pump station upgrade at the site on Yandina-Coolum Road in Coolum Beach.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception Under Local Government Regulation 2012 for a Sewerage Easement Within Lot 17 RP198758”**
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest in land at Lot 17 RP198758, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and**
- (c) note that Unitywater is a government agency.**

FINANCE AND RESOURCING

Costs associated with facilitating the Easement can total approximately \$4,500.00 and include Easement plan preparation fees, valuation report preparation fees and registration fees payable to the Titles Office to register the dealing. Property Management Branch commissioned a compensation assessment for the diminished value of the encumbered land. The Valuer assessed compensation for Blight on Title for the creation of the Easement to be nominal, being \$2,750.00 (including GST). All expenditure associated with these dealings, including the Easement plan and valuation report preparation fees, Titles Office registration fees and compensation will be borne by Unitywater.

CORPORATE PLAN

Corporate Plan Goal:	<i>Service excellence</i>
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 S Robinson – Divisional Councillor
- Councillor C Dickson – Planning and Development Portfolio Councillor

Internal Consultation

- Manager, Business and Innovation
- Project Officer, Environmental Operations
- Coordinator Land Management, Property Management Branch
- Senior Building Certifier, Development Services
- Senior Development Planner, Development Services
- Solicitor, Legal Services
- Technical Officer, Parks & Gardens

External Consultation

Council's Property Management Branch has liaised with Unitywater on this matter.

Community Engagement

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

PROPOSAL

There is a requirement for the registration of a sewerage Easement in favour of Unitywater over Council owned land held in Trust legally described as Lot 17 RP198758 located at Yandina-Coolum Road, Coolum Beach – refer **Attachment 1 – Lot 17 RP198758 aerial map**. The purpose of this Easement is to accommodate a newly constructed asset, being a switchboard part of a sewage pumping station as shown on **Attachment 2 – Unitywater sewage pumping station upgrade plan**. The switchboard is proposed to be located on a concrete slab and enclosed by an overhead shelter. The proposed location of the Easement

is shown on **Attachment 3 – Easement A in Lot 17 RP198758**. Unitywater has engaged a private contract to undertake the upgrade works.

The *Local Government Regulation 2012* provides that a disposal, other than by tender or auction, may occur if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency, in this instance, Unitywater. Section 236(2) provides that a Local Government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting an Easement, being 12m², to formalise the sewage pump station upgrade at the site on Yandina-Coolum Road in Coolum Beach. Lot 17 RP198758 is Council owned land held in Trust for Town Planning purposed. The Easement will be registered in accordance with Unitywater's standard terms document for sewage Easements.

Legal

Legal Services has been consulted in relation to this report and will prepare and lodge all documentation to facilitate the registration of the proposed Easement.

Policy

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

Risk

There are no risks relevant to this report.

Previous Council Resolution

There are no previous Council Resolutions relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

There are no critical dates relevant to this report, however, Unitywater have advised Council they would like to finalise the registration of this Easement as soon as possible so that the upgrade works can proceed.

Implementation

Should Council resolve that an exception apply, Unitywater will be invoiced for the land and all related costs. Upon payment of the invoice, Council will execute the easement document and the related survey plan as provided by Unitywater and approved by Council's Delegated officer.

8.9 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR A VOLUMETRIC ELECTRICAL EASEMENT WITHIN LOT 77 RP92943

File No:	F2019/39527
Author:	Senior Property Officer Business Performance Group
Attachments:	Att 1 - Energex substation plans – Submarine Cable Landing Station151
	Att 2 - Lot 77 RP92943 proposed Easement location153
	Att 3 - Easement A SP309971155

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 facilitate the registration of a volumetric electrical Easement over Council Freehold land being 46 Maud Street, Maroochydore legally described as Lot 77 RP92943.

EXECUTIVE SUMMARY

There is a requirement for the registration of a volumetric electrical Easement in favour of Energex Limited over Council Freehold land legally described as Lot 77 RP92943. The purpose of this Easement is to accommodate an Energex substation installation at the Submarine Cable Landing Station site in Maroochydore as shown on **Attachment 1 – Energex substation plans – Submarine Cable Landing Station**. The proposed location of the Easement is shown on **Attachment 2 – Lot 77 RP92943 proposed Easement location** and **Attachment 3 – Easement A SP309971**.

The *Local Government Regulation 2012* provides that a disposal, other than by tender or auction, may occur if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency, in this instance, Energex Limited. Section 236(2) provides that a Local Government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting a volumetric Easement, being approx. 252m³, to formalise the installation of a substation at the Submarine Cable Landing Station site in Maroochydore.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception Under Local Government Regulation 2012 for a Volumetric Electrical Easement Within Lot 77 RP92943”
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest in land at Lot 77 RP92943, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and
- (c) note that Energex is a government agency.

FINANCE AND RESOURCING

Costs associated with facilitating the Easement can total approximately \$4,000.00 and include Easement plan preparation fees and registration fees payable to the Titles Office to register the dealing. The Easement is located entirely within Lot 77 RP92943 for the purpose of supplying electricity to enable the functionality of Council's Submarine Cable Landing Station, therefore compensation for the value of the land encumbered by this Easement is not a consideration. All expenditure associated with these dealings, including the Easement plan preparation fees and Titles Office registration fees will be borne by Council.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S24 - Property management - comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Council's objectives.

CONSULTATION

Councillor Consultation

- Councillor J Connolly – Divisional Councillor
- Councillor C Dickson – Planning and Development Portfolio Councillor

Internal Consultation

- Manager, Business and Innovation
- Senior Property Officer, Property Management Branch
- Senior Technical Officer, Economic & Community Development
- Solicitor, Legal Services

External Consultation

Council's Senior Technical Officer, Economic & Community Development has liaised with Energex on this matter.

Community Engagement

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

PROPOSAL

There is a requirement for the registration of a volumetric electrical Easement in favour of Energex Limited over Council Freehold land legally described as Lot 77 RP92943. The purpose of this Easement is to accommodate an Energex substation installation at the Submarine Cable Landing Station site in Maroochydore as shown on **Attachment 1 – Energex substation plan – Submarine Cable Landing Station**. The proposed location of the Easement is shown on **Attachment 2 – Lot 77 RP92943 proposed Easement location** and **Attachment 3 – Easement A SP309971**.

The *Local Government Regulation 2012* provides that a disposal, other than by tender or auction, may occur if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency, in this instance, Energex Limited. Section 236(2) provides that a Local Government must decide by resolution that an exception may apply.

This report seeks an exception for the purpose of granting a volumetric Easement, being approx. 252m³, to formalise the installation of a substation at the Submarine Cable Landing Station site in Maroochydore.

Property Management Branch have commissioned a survey of the already constructed substation room for the preparation of an Easement plan in order for registration. The Easement will be registered in accordance with Energex's standard terms document for electrical Easements, refer **Attachment 3 – Energex Standard Terms – dealing no. 713599598**.

Legal

Legal Services has been consulted in relation to this report and will prepare and lodge all documentation to facilitate the registration of the proposed Easement.

Policy

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

Risk

There are no risks relevant to this report.

Previous Council Resolution

There are no previous Council Resolutions relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

There are no critical dates relevant to this report, however, Energex will not connect the electricity on-site until the Easement is registered.

Implementation

If Council resolves that an exception to section 236 of the *Local Government Regulation 2012* applies, the Easement document and survey plan will be executed by Council's Delegated Officer and registered at the Titles Office by Legal Services.

8.10 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257 LOCAL GOVERNMENT ACT 2009

File No:	Council meetings
Author:	Manager Corporate Governance Office of the CEO
Appendices:	App A - 2016-73 (v4) Delegation to the Chief Executive Officer 161
Attachments:	Att 1 - Delegation Guiding Principles - Delegations from Council to the CEO181

PURPOSE

In accordance with section 257(5) of the *Local Government Act 2009*, a delegation to the Chief Executive Officer must be reviewed annually by the local government. The purpose of this report is to satisfy the requirements for the annual review.

EXECUTIVE SUMMARY

Council has a range of powers and functions to perform which are conferred under a number of different Acts of Parliament including the *Local Government Act 2009* as well as subordinate legislation and local laws. Council is able to delegate its powers to implement and enforce these responsibilities under section 257 of the *Local Government Act 2009*.

Delegations are the process by which the Council delegates local government powers to the Chief Executive Officer to implement and enforce legislation, standards and obligations. Delegations are necessary to maintain operational effectiveness and to ensure processes are more timely and streamlined.

Recent changes to a number of acts and a review of the Local Government Association of Queensland (LGAQ) local government delegation register provided the opportunity to compare Council's delegation register in line with the annual review requirements of section 257 (5) of the *Local Government Act 2009*. Appendix A to this report highlights the additions to delegation **2016-73 (v4) - Delegation to the Chief Executive Officer**.

A delegation of power is not a devolution of power. The delegated power is still able to be exercised by Council. Under section 257(5) of the *Local Government Act 2009* a delegation to the Chief Executive Officer must be reviewed annually by Council.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Delegation to the Chief Executive Officer - Section 257 Local Government Act 2009"**
- (b) adopt Delegation 2016-73 (v4) Delegation to the Chief Executive Officer (Appendix A) and**
- (c) note that all other existing specific delegations of authority to the Chief Executive Officer are retained.**

FINANCE AND RESOURCING

The activities associated with this report and its recommendation are operational activities covered by the Corporate Governance Branch core budget allocation.

The amended and new delegations of authority will not create any additional resource or financial impacts for Council or the community; however they will provide necessary operational efficiency.

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

Portfolio Councillor Consultation

Councillor E Hungerford has been consulted regarding the annual review and recommendations.

Internal Consultation

Internal consultation occurred with the following officers:

- Manager Corporate Governance
- Coordinator Governance Process and Policy

External Consultation

No external consultation was conducted for the review of delegations.

Community Engagement

No community engagement was required for the preparation of this report as it relates to an internal administrative activity.

BACKGROUND

The **2016-73 Delegation to the Chief Executive Officer** was originally adopted by Council on 16 June 2016 (OM16/98) and provided the Chief Executive Officer with all delegable powers under Local Government Acts listed within Schedule 1 of the delegation. All powers that are not able to be delegated, and must be adopted by Council are provided within Schedule 2 of the delegation and outline the limitations to the powers delegated to the Chief Executive Officer. Council is required to annually review delegations to the Chief Executive Officer in accordance with section 257(5) of the *Local Government Act 2009*.

PROPOSAL

King & Company Solicitors through the LGAQ provides biannual updates of all delegations of authority, including those matters which cannot be delegated and require a resolution of Council. The latest advice provided by LGAQ allowed the opportunity to perform a full comparison with Council's current schedules for the 2016-73 Delegation to the Chief Executive Officer in line with Council's annual review in accordance with section 257(5) of the *Local Government Act 2009*.

Amendments to legislation and limitations to delegated powers have been identified and updated within Appendix A of this report. Additions to the delegation schedule for *2016-73 Delegation to the Chief Executive Officer* are outlined in Table 1 and Table 2 below.

Table 1**Additions to Schedule 1: Acts**

<i>Animal Care and Protection Regulation 2012 (Qld)</i>
<i>Land Access Ombudsman Act 2017 (Qld)</i>
<i>Nature Conservation (Protected Areas Management) Regulation 2017 (Qld)</i>
<i>Plumbing and Drainage Regulation 2019 (Qld)</i>
<i>Public Health Regulation 2018 (Qld)</i>
<i>Transport Operations (Marine Safety) Regulation 2016 (Qld)</i>
<i>Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015</i>
<i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>
<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010</i>
<i>Workers Compensation and Rehabilitation Regulation 2014 (Qld)</i>

Table 2**Additions to Schedule 2: Limitations on delegation of powers**

Plumbing and Drainage Regulation 2019 (Qld)	
Section	Power not subject to delegation
39 – Fast-track work declaration for a local government area	Council may decide, by resolution, to declare permit work of a stated type to be fast-track permit work for its local government area (a fast-track work declaration).
40 - Fast-track opt-out declaration for local government area	Council may decide, by resolution, to declare that it will not deal with any applications relating to permits for work to be carried out in its local government area as fast-track applications (a fast-track opt-out declaration).
71 - Local government declarations about remote areas and eligible work	Council may decide, by resolution to declare part of its local government area to be a remote area because of the area's remoteness from the local government's public office (a remote area declaration).
71 - Local government declarations about remote areas and eligible work	Council may decide, by resolution, to declare particular permit work carried out in a remote area to be eligible work if the local government considers the work is of a type that, even if not inspected, will not be likely to adversely affect public health or safety, or the environment.

Legal

Section 257 (Delegation by the Local Government) of the *Local Government Act 2009* allows, by resolution, a local government to delegate its powers under a local government act to the Mayor, Chief Executive Officer, a standing committee or a joint standing committee. While delegations provide expediency for the local government, a delegation is revocable and does not prevent Council from acting on a matter (in which case the delegate must not act) and does not prevent the Council or Chief Executive Officer from exercising the power.

Section 257 (5) of the *Local Government Act 2009* requires the local government to review all delegations to the Chief Executive Officer annually.

Section 259 (Delegation by the Chief Executive Officer) of the Act allows the Chief Executive Officer of a local government to delegate the Chief Executive Officer's powers (including powers delegated to the Chief Executive Officer by the local government) to another employee of the local government.

Policy

The Chief Executive Officer's delegation (2016-73 (v4.0)) is also supported by the Delegations Guiding Principles Policy (see Attachment 1).

Risk

The delegation amendment has been prepared to mitigate the risk of any gaps in delegated powers and to ensure the Chief Executive Officer has all the powers capable of delegation under local government acts relevant to Sunshine Coast Council. It will ensure the Chief Executive Officer is provided with overall coverage of legislative power (as per schedule 1 of Appendix A) to ensure continued business efficacy over Council activities and business operations.

Previous Council Resolution**Ordinary Meeting 6 December 2018 (OM18/205)**

That Council:

- (a) *receive and note the report titled "Delegation to the Chief Executive Officer – Section 257 Local Government Act 2009"*
- (b) *adopt Delegation 2016-73 (v3) Delegation to the Chief Executive Officer (Appendix A) and*
- (c) *note that all other existing specific delegations of authority to the Chief Executive Officer are retained.*

Related Documentation

There is no related documentation in relation to this report.

Critical Dates

It is important that Council gives consideration to this report as soon as possible to ensure compliance with section 257 of the *Local Government Act 2009*.

Implementation

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

- update Council's delegation register
- link s259 delegations of authority from the Chief Executive Officer to officers.

8.11 CONSOLIDATION OF SUBORDINATE LOCAL LAWS

File No:	Council meetings
Author:	Manager Corporate Governance Office of the CEO
Appendices:	App A - Consolidated Subordinate Local Law No. 1 (Administration) 20165/163 App B - Consolidated Subordinate Local Law No. 2 (Animal Management) 201177/163 App C - Consolidated Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011153/163

PURPOSE

The purpose of this report is to seek a Council resolution to adopt the consolidated versions of Council's *Subordinate Local Law No. 1 (Administration) 2016*, *Subordinate Local Law No. 2 (Animal Management) 2011* and *Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011* that incorporates amendments adopted by Council at its Ordinary Meeting on Tuesday 30 April 2019.

This report does not include any new material not previously considered or adopted by Council and formally published in the Government Gazette as part of the local law making process.

EXECUTIVE SUMMARY

This report presents a consolidated version of Council's *Subordinate Local Law No. 1 (Administration) 2016*, *Subordinate Local Law No. 2 (Animal Management) 2011* and *Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011* incorporating amendments adopted by Council at the Ordinary Meeting on 30 April 2019.

The following amendments were adopted by Council on 30 April 2019:

- a new framework for the management of verge gardens in line with Council's recommendation at the February 2018 Ordinary Meeting
- provisions relating to permissible fires that are aligned with the Sunshine Coast Council Planning Scheme
- further clarity and flexibility with regards to short term placement of real estate signage
- increase of Public Liability for high risk activities for works on a road
- a number of newly established dog off leash areas (DOLA) across the region, and
- some minor changes to existing dog off leash areas.

The remainder of the local laws and subordinate local laws do not require consolidation as there has been no recent amendments made to them.

Consolidated local laws provides stakeholders and the community with a comprehensive and readable suite of local laws. Without consolidation, readers are required to read the original local law and amendment local laws together to ascertain the current lawful position of a particular issue. The concept of a consolidated version of the local law is similar to the process of producing reprints of legislation.

This report does not seek to review any of the provisions currently with the local laws but merely to consolidate the recent amendments made by Council into one comprehensive local law.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Consolidation of Subordinate Local Laws” and
- (b) resolve to adopt consolidated versions of:
 - (i) Subordinate Local Law No. 1 (Administration) 2016 (Appendix A)
 - (ii) Subordinate Local Law No. 2 (Animal Management) 2011 (Appendix B)
 - (iii) Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011 (Appendix C).

FINANCE AND RESOURCING

The cost of drafting the consolidated local laws has been funded through existing budget allocations within the Corporate Governance Branch.

CORPORATE PLAN

Corporate Plan Goal:	<i>Service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S21 - Local amenity and local laws - maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles.

CONSULTATION

This consolidated local law and report, does not include any new material not previously considered or adopted by Council and formally published in the Government Gazette as part of the local law making process.

Councillor Consultation

Councillors were consulted throughout the local law making process regarding proposed amendments prior to being adopted at the Ordinary Meeting on Tuesday 30 April 2019.

Internal Consultation

Internal consultation in relation to the local law amendments has occurred with all appropriate stakeholders. No internal consultation was required as part of the local law consolidation process as it is simply an administrative process.

External Consultation

No external consultation was required as part of the local law consolidation process as it is simply an administrative process.

Community Engagement

Community consultation was undertaken from 1 February 2019 until 3 March 2019 as part of the local law making process for the amendments adopted by Council at the Ordinary Meeting on 30 April 2019. No external consultation was required as part of the local law consolidation process as it is simply an administrative process.

PROPOSAL

Consolidating local laws provides stakeholders and the community with a comprehensive and readable suite of local laws. Without consolidation, readers are required to read the original local law and amendment local laws together to ascertain the current lawful position of a particular issues. The concept of a consolidated version of the local law is similar to the process of producing reprints of legislation or Acts of Parliament.

Consolidation of Council's local laws is purely administrative and only includes amendments to local laws that have previously been adopted by Council and formally published in the Government Gazette as part of the local law making process.

At Council's Ordinary Meeting on 30 April 2019, Council adopted the Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 which amended the following subordinate local laws:

- *Subordinate Local Law No. 1 (Administration) 2016,*
- *Subordinate Local Law No. 2 (Animal Management) 2011*
- *Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011*

This report presents a consolidated version of Council's *Subordinate Local Law No. 1 (Administration) 2016, Subordinate Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011* that incorporates all the amendments that were adopted by Council on 30 April 2019 which included:

- a new framework for the management of verge gardens in line with Council's recommendation at the February 2018 Ordinary Meeting
- provisions relating to permissible fires that are aligned with the Sunshine Coast Council Planning Scheme
- further clarity and flexibility with regards to short term placement of real estate signage
- increase for Public Liability for high risk activities for works on a road
- a number of newly established dog off leash areas (DOLA) across the region and
- some minor changes to existing dog off leash areas.

Table 1 below outlines the amendments to be consolidated into the aforementioned subordinate local laws. These amendments were adopted by Council on Tuesday 30 April 2019, published in the Government Gazette on 10 May 2019 and notified to the Minister on 15 May 2019 in accordance with section 29A of the *Local Government Act 2009*.

Table 1

Amendments to Council's Subordinate Local Laws – 30 April 2019

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 4 Alteration or improvement to local government controlled areas and roads.	An approval must be sought to alter a Council verge. Public Liability for approvals is \$20 million.	Amend – according to Council Resolution OM/18. Reduce \$20 million public liability requirement on approvals down to \$2 million and include a self-assessable criteria for compliant plantings. Replace 'nature strip' with 'road verge'.	Approved by Council OM18/14
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 8 placement of moveable advertising devices	Only one real estate (residential) signage is permitted on a property.	Amend – schedule 8 (Placement of Moveable Advertising Devices) to allow for an additional real estate sign (residential) with display parameters commencing 24 hours prior to, and concluding at the end of day of Open House.	Allows greater flexibility for Real Estate (Residential) signage display times and increases signage to allow for one other sign for an open house showing.
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 8 placement of moveable advertising devices	Maximum of 5 directional signs only permitted on the day of the showing of a residential property being leased, open for inspection, being auctioned.	Allow for the directional signs to be placed 24 hours before the property being open for inspection and removed at the end of the day.	Allows greater flexibility for Real Estate (Residential) signage display times to allow them to be displayed 24 hours prior to showing and removed at the end of the day.
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 18 Carrying out works on a road or interfering with a road or its operation.	Current Public Liability for high risk activities for works on a road is \$5 million.	Amend – schedule 18 (Carrying out works on a road or interfering with a road or its operation) to increase Public Liability from \$5 million to \$20 million.	The current Public Liability is \$2 million for carrying out works on a road and all other high risk activities on public land requires \$20 million. This amendment aligns all high risk requirements on public land with a consistent approach.
Subordinate Local Law No. 1 (Administration) 2016 - Schedule 18 Carrying out works on a road or interfering with a road or its operation.	Grid requirements currently within the local law allow for the placement of electrified grids on public land.	Removal of reference and requirements for electrified grids within the local law.	There are no identified electrical grids on public land and they are deemed a public safety hazard. This is the removal of a legacy requirement.
Subordinate Local Law No. 1 (Administration)	No requirement for a grid to be certified by a	Inclusion of the requirement that on approval a gate and grid must be certified by the	To ensure that gates and grids installed on local government

Subordinate Local Law	Current Status	Proposed Change	Reason for change
2016 - Schedule 18 Carrying out works on a road or interfering with a road or its operation.	Registered Professional Engineer of Queensland (RPEQ)	Registered Professional Engineer of Queensland (RPEQ).	roads are compliant with Registered Professional Engineer of Queensland (RPEQ) requirements.
Subordinate Local Law No. 1 (Administration) 2016 - Schedule 18 Carrying out works on a road or interfering with a road or its operation.	Provisions in the local law relating to the installation of vehicular access (driveways)	Removal of provisions relating to the installation of vehicular access to premises.	Vehicular access (driveways) are approved under the planning scheme and operational works permits.
Subordinate Local Law No. 2 (Animal Management) 2011	New dog off leash areas not identified in the Local Laws.	Amend – schedule 6 (dog off leash areas) to include maps for: <ul style="list-style-type: none"> • Glasshouse Mountains District Park, dog off leash area at all times Map SLL 2.6.41 • Pioneer Park, Landsborough, dog off leash area at all times Map SLL 2.6.42 • Federation Park, Palmwoods, dog off leash area at all times Map SLL 2.6.43 • Aroona Park, dog off leash area 4pm-8am Monday to Friday Map 2.6.44 • Mooloolah Recreation Reserve, dog off leash area at all times except during an approved temporary entertainment event issues under Local Law 1 (Administration) 2011 Map 2.6.45 	5 new dog off leash areas
Subordinate Local Law No. 2 (Animal Management) 2011	Area not identified in the Local Law	Inclusion of the existing dog off leash area at Lake Weyba Drive, Lake Weyba. Map SLL 2.6.9	Include existing area into local laws
Subordinate Local Law No. 2 (Animal Management) 2011	No playground identified in this area.	Removal of a small section of the dog off leash area from Quota Hideaway Park, Mountain Creek Map SLL 2.6.22	Allows for the inclusion of a children's playground.
Subordinate Local Law No. 2 (Animal Management) 2011	Map SLL 2.5.13 shows Eleanor Shipley Park as a prohibited dog area	Slight amendment to the map for the Eleanor Shipley prohibited dog area Map SLL 2.5.13	Current map shows the prohibited dog area going into the dog off-leash area on the beach. Realign the

Subordinate Local Law	Current Status	Proposed Change	Reason for change
			boundaries between the prohibited dog area and the dog off-leash area to accurately reflect the two areas.
Subordinate Local Law No. 2 (Animal Management) 2011	Map SLL 2.6.35 is the dog off leash map for Moffat Beach	Slight amendment to the map for the Eleanor Shipley prohibited dog area for this map SLL 2.6.35	Current map shows the prohibited dog area going into the dog off-leash area on the beach. Realign the boundaries between the prohibited dog area and the dog off-leash area to accurately reflect the two areas.
Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011	The current local law prohibits fires in the 'urban area' and the 'urban area' is defined as Map 1 Local Law Urban Boundaries. This local law map currently aligns with the SEQ Regional Plan.	Amend schedule 3 (Prohibited Fires) – Remove reference to the urban area in schedule 3 and replace with fires prohibited in any part of the local government area excluding the rural and rural residential area.	This amendment prohibits fires from any part of the local government area other than in 'rural and rural residential areas' as defined in SCC Planning Scheme.
Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011	Definitions don't align to current SCC planning scheme	Amend schedule 4 (Definitions) – remove definition 'Urban area' and replace with definition for 'rural and rural residential area' to align to the Sunshine Coast Planning Scheme.	Alignment to SCC Planning Scheme definitions.

As mentioned above, this consolidation only applies to *Subordinate Local Law No. 1 (Administration) 2016*, *Subordinate Local Law No. 2 (Animal Management) 2011* and *Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011*. It is important to reiterate that this report does not seek to review any other provisions currently within the local laws but merely to consolidate the recent amendments as adopted by Council and as noted in the table above.

The newly consolidated versions will be made available to the public through a link on Council's website and also on the State Government's local law database website.

Legal

The proposal has been considered in accordance with the following legislation:

- the *Local Government Act 2009* and the *Local Government Regulation 2012*
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws

Section 32 of the *Local Government Act 2009* provides that the local government may prepare and adopt a consolidated version of its local laws and subordinate local laws as they were originally made, with all the amendments made to the local laws and subordinate local laws since the local laws and subordinate local laws were originally made.

In accordance with section 32 of the *Local Government Act 2009*, the local government must provide a copy of the adopted consolidated versions to the Minister within 7 days.

Policy

The consolidation of the subordinate local laws have been prepared in accordance with all relevant Council policies.

Risk

Failing to consolidate local laws and subordinate local laws increases the risk of breaches and incorrect interpretation of local law provisions. It also makes the local laws difficult to read and understand by the community.

Previous Council Resolution

Ordinary Meeting 30 April 2019 (OM19/57)

That Council:

- (a) *receive and note the report titled "Making of Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019"*
- (b) *resolve that the proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions*
- (c) *in accordance with Council's 'Process for Making Local Laws' adopted on 1 June 2010, pursuant to section 29 of the Local Government Act 2009, hereby resolve to make:*
 - i. *Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019*

Ordinary Meeting 31 January 2019 (OM19/2)

That Council:

- (a) *receive and note the report titled "**Proposed Amendment to Subordinate Local Law No. 1 (Miscellaneous) 2019**"*
- (b) *resolve to propose to make Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019*
- (c) *resolve to undertake community consultation on the draft subordinate local law for thirty-one (31) days and*
- (d) *resolve that the proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions.*

Ordinary Meeting 22 February 2018 (OM18/14)

That Council:

- (a) *receive and note the report titled "Verge Gardens" and*
- (b) *proceed to commence the local law making process to amend Subordinate Local Law No. 1 (Administration) 2016, with the proposed framework and criteria for verge gardens.*

Related Documentation

- *Local Government Act 2009* and Regulation
- Sunshine Coast Regional Council Local Laws and Subordinate Local Laws
- State Government Guidelines for Drafting Local Laws 2016
- Sunshine Coast Regional Council Corporate Plan 2019-2023
- Compliance and Enforcement Policy.

Critical Dates

It is important that the consolidation of local laws occurs as soon as practical after an amendment local law is adopted. This ensures that key stakeholders have a clear and articulate local law framework.

Implementation

In accordance with section 32 of the *Local Government Act 2009*, the Chief Executive Officer will provide an electronic copy of the consolidated subordinate local laws to the Minister of the Department of Local Government, Racing and Multicultural Affairs for inclusion on the department local laws database. Additional copies of the consolidated subordinate local laws will be provided on Council's website.

8.12 TRUSTEESHIP OF LAND - DOONAN

File No: Council meetings
Author: Property Officer
Office of the CEO

Report to be provided.

9 NOTIFIED MOTIONS**10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

11 CONFIDENTIAL SESSION**11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAJOR EVENT OPPORTUNITY**

File No: Eddie
Author: Coordinator Tourism & Major Events
Economic & Community Development Group

This report is confidential in accordance with section 275 (e) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by Council. (Negotiations with the rights holder of the event are ongoing and Council is aware that there are numerous other competitive bids in play for this project.)

12 NEXT MEETING

The next Ordinary Meeting will be held on 22 August 2019 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE