

# Agenda

## **Ordinary Meeting**

**Thursday, 15 October 2015**

**commencing at 9.00 am**

**Council Chambers, Corner Currie and Bury Streets, Nambour**



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**1 DECLARATION OF OPENING**

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

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

That the Minutes of the Ordinary Meeting held on 17 September 2015 and the Special Meeting (Solar Farm and Sunshine Coast Airport) held on 28 September 2015 be received and confirmed.

**5 OBLIGATIONS OF COUNCILLORS****5.1 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS**

Pursuant to Section 172 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 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS**

Pursuant to Section 173 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 and if the councillor participates in the meeting in relation to the matter, how the councillor intends to deal with the real or perceived conflict of interest.

**6 MAYORAL MINUTE****7 PRESENTATIONS**



**8 REPORTS DIRECT TO COUNCIL****8.1 REGIONAL STRATEGY AND PLANNING****8.1.1 NAMBOUR ACTIVATION PLAN**

<b>File No:</b>	<b>ECM Statutory Meetings</b>	
<b>Author:</b>	<b>Coordinator Open Space and Social Policy Regional Strategy &amp; Planning Department</b>	
<b>Appendices:</b>	<b>App A - Nambour Activation Plan .....</b>	<b>15</b>
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**PURPOSE**

This report presents the Nambour Activation Plan (Appendix A) for Council adoption. The Nambour Activation Plan is a collaborative approach to placemaking and activation in Nambour to support local business and community development to affect positive change.

**EXECUTIVE SUMMARY**

The Draft Nambour Activation Plan was endorsed by Council in July 2015 for the purpose of community consultation. The consultation undertaken in August 2015 has been completed and demonstrated strong support for the Draft Nambour Activation Plan. Subsequently the Nambour Activation Plan (the Plan) has now been finalised for Council adoption.

The consultation program utilised a range of consultation tools including presentations, displays at events/meetings and a website/social media promotion. The program was conducted by members of the Nambour Alliance, Council Officers and key community stakeholders, reinforcing the collaborative approach undertaken in the Plan's development.

The outcome of the consultation has resulted in some minor amendments to the Draft Nambour Activation Plan, including a strengthening of words in regard to the importance of "being family and pedestrian friendly", improving the "look and feel" of Nambour and the importance of building on existing cultural and heritage assets.

The Nambour Activation Plan is a contemporary approach to urban renewal/placemaking and builds on the increasing confidence in Nambour being displayed by increased business investment and by the community in general. The Plan is based on a lighter, quicker and cheaper approach to urban renewal/placemaking rather than the more traditional hard and costly infrastructure approach.

The community has demonstrated strong support for the approach outlined in the Plan which supports effecting change and influencing perception of a place by testing new ideas and activating the streets with events and creative responses. There is a good understanding that these ideas/creative responses may be the catalyst for longer term infrastructure projects.

The Plan has been developed as a collaborative project by the Nambour Project Working Group, comprising of members of the Nambour Alliance, business sector, community and council representatives. It is a culmination of previous planning and projects, community aspirations and the outcomes of the recent community consultation.

An aspirational story of Nambour is the basis of the Plan which is underpinned by a range of actions/ideas. The Plan sets the framework to allow activities to happen, investment to occur and focusses on four key strategic projects and five placemaking locations.

The Plan is supported by an Ideas Sheet (refer Attachment 1 – Nambour Activation Plan Ideas Sheet) which provides further guidance in regard to ideas and activities that can contribute to further activation for local businesses, community and Council. Council's role in the Nambour Activation Plan is that of an 'enabler' and as an 'advocate' for Nambour.

The success of the Nambour Activation Plan rests with the Nambour Alliance, local businesses, land owners, community organisations and the broader community.

This report seeks Council adoption of the Plan and subsequent ongoing support for the Plan's implementation for the activation of Nambour as a thriving and extraordinary place.

## OFFICER RECOMMENDATION

**That Council:**

- (a) receive and note the report titled "Nambour Activation Plan"
- (b) adopt the Nambour Activation Plan (Appendix A) and
- (c) refer a funding request to undertake a feasibility study for the establishment of a water splash park in association with the Nambour Aquatic Centre to the 2016/17 budget considerations.

## FINANCE AND RESOURCING

The Nambour Activation Plan has been prepared by council staff with the assistance of Place Focus, an external placemaking expert, to the value of \$25,000 within the 2014/15 budget allocation.

The Plan is a contemporary and creative approach to placemaking seeking lighter, quicker more temporary solutions thereby reducing resources and budget requests and implications.

The Plan's implementation in relation to council's activities in the short term are either within existing core responsibilities or are to be funded from the Nambour Precinct allocation of \$70,000 in the 2015/16 budget.

Preliminary budget outlined below is subject to scoping and costing of some activities:

Nambour specific products	\$4,000
Pink zones – investigation and revenue support	\$4,000
Demonstration Street Tree Project	\$5,000
Forecourt temporary upgrade (pop up)	\$15,000
Drawn Together creative art project	\$4,000
Nambour Project Officer (part time)	\$35,000
Less expenditure to date (consultation, graphics)	\$3,000
<b>TOTAL</b>	<b>\$70,000</b>

The inclusion of a position for a Nambour Project Officer (2 days per week) is considered important to maintain the momentum of the Plan in a timely manner, the focus of the position is to coordinate council stakeholders and enable activities to occur. It is proposed that the position be for a 12 month period.



Other Ideas

The idea to development a Heritage Walk in Nambour is to be considered in the 2016/17 Heritage Levy Program in accordance with the Levy Policy, and is valued at approximately \$20,000.

Currently funding for Nambour in the Placemaking/Streetscape Program is indicatively allocated for 2021/22 and beyond. This report recommends that this timing be reconsidered as part of the next budget deliberations to bring forward the timing with regard to Howard Street as a priority.

The feasibility study of a water splash park within the Nambour Aquatic Centre was well supported by the consultation program as a family friendly idea and it is recommended that this request be undertaken as soon as possible and that a funding request for \$60,000 be referred to 2016/17 budget considerations.

Longer term activities will require further scoping and discussion and would subject to future budget considerations.

Ongoing advocacy and utilisation of existing Council resources will continue to support many place making and activation activities currently being conducted.

The Nambour Heritage Tramway project is subject to community funding as per Council's previous resolution.

Capital Works 2015/2016 relevant to the Plan

Showground Master Plan implementation	\$610,000
Petrie Creek/Central Parkland Master Plan completion	\$20,000
Final Stage of Youth Activity Precinct	\$250,000

Other agencies such as the Nambour Alliance, C Square Placemaking and the community are responsible for implementing the ideas and activities. There are opportunities to fund these community initiatives through grant programs and sponsorships etc.

The Nambour Alliance has recently been successful in obtaining an Economic Development Grant for a Project Officer (\$10,000 annually for 3 years). This position will assist the implementation of the Nambour Activation Plan.

The Nambour Alliance in consultation with Council continues to investigate longer term revenue sources in relation to a Place Manager/Activation position.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>An enviable lifestyle and environment</i></b>
<b>Outcome:</b>	3.4 - A region shaped by clever planning and design
<b>Operational Activity:</b>	3.4.1.4 - Progress Local Area Planning and place development for Nambour

**CONSULTATION**

The Nambour Project Working Group was established by the then Chief Executive Officer for the purpose of progressing discussions on the future direction of Nambour.

The group was established in 2014 to:

- provide strategic vision / positioning for Nambour
- inform the preparation of the Nambour Plan
- link Nambour's strategic direction within the context of the Sunshine Coast.

The Nambour Project Working Group consists of:

- Division 10 Councillor
- Director of Regional Strategy and Planning
- Eleven business and community representatives.

The Mayor, Chief Executive Officer and Director of Community Services are ex officio members of the Nambour Project Working Group. The group is supported by staff from Environment and Sustainability Policy Branch.

A two day Nambour Place Creation Workshop was facilitated by Place Focus in February 2015 which has become the basis of the Nambour Activation Plan.

Internal and external participants of the workshop have continued to participate in the development of the Plan and have been fundamental to the consultation phase in August.

The participants support the recommendations contained in this report.

### **Internal Consultation**

Fourteen (14) Council officers appointed by their Directors have been involved in the Plan's development following their involvement in the Place Creation Workshop.

In addition, meetings have been held with Managers and Coordinators of relevant Branches to discuss ideas and actions that have evolved from the workshop and subsequently have been included in the Nambour Activation Plan and Ideas Action Sheet. Managers and teams consulted included:

- Community Response Branch
- Community Relations Branch
- Community Facilities and Planning Branch
- Economic Development Branch
- Property Management Branch
- Transport and Infrastructure Policy Branch
- Transport Infrastructure Management Branch
- Strategic Planning Branch
- Parks and Gardens Branch

The Community Facilities and Planning Branch will oversee the implementation of the Nambour Activation Plan following adoption.

### **External Consultation**

The Nambour Project Working Group and key stakeholders have been actively involved in the preparation of the Nambour Activation Plan and have been critical to the finalisation of the Plan contained in this report.

### **Community Engagement**

The Consultation Program conducted during the month of August 2015 consisted of a range of tools including displays, presentations, web based survey and social media. The program relied on the broad networks of the Nambour Project Working Group and participants of the Place Creation Workshop.

During the consultation period the Facebook site recorded over 15,000 views and over 193 responses and Twitter recorded 1,900 views.

The online survey attracted 120 responses with 92% of respondents supporting the Plan.

While the number of survey responses is considered a small sample of the community there has been strong verbal support at all presentations and displays. Generally people were content with the direction of the Plan and did not consider a written response was needed.

The importance of being family friendly and supportive to all community members and the need for improved pedestrian connectivity were the most commonly discussed topics.

Those not supportive of the plan were not against the plan; they expressed uncertainty as to how the vision would be achieved and questioned the impact of the Plan.

Minor amendments have been made to the draft plan in response to the feedback to strengthen the strategic direction of the Plan.

A summary of the consultation program is attached (refer Attachment 2 – Nambour Activation Plan Consultation Summary).

### **Proposal**

Regional towns and communities like Nambour are searching for opportunities to improve productivity, liveability and economic vitality through a range of urban renewal, placemaking, streets upgrades and activation programs.

Nambour, as the traditional service and industry centre of the Sunshine Coast, has been challenged by unprecedented change over the past decade and has struggled to establish a clear role and function as a contemporary activity centre.

In 2014 the then Chief Executive Officer established the Nambour Project Working Group as a response to ongoing concerns for Nambour's future. Through regular meetings with Nambour Alliance members, business and community representatives it has become evident that the challenges in Nambour are as much about confidence and perception as the need for major infrastructure investment.

Subsequently the development of the Nambour Activation Plan has been a collaborative effort with these key stakeholders and has focussed on building community and business confidence by activating the streets, encouraging innovation and creativity and attracting residents and visitors into town.

The recent consultation program on the Draft Plan during August provided a good opportunity to listen to members of the community in relation to Nambour's future. It is pleasing to note and observe evidence of increasing business and community confidence and a strong sense of pride and ownership in Nambour's future.

The Plan is a contemporary and creative approach to placemaking and urban design and sets a framework to guide activation of businesses, streets and public places in Nambour. This approach has been well received by the community and many actions are already underway. The Plan is intended to be a living document and encourages new ideas and innovation to evolve.

The Plan sets an Aspirational Framework underpinned by objectives, actions and ideas.

The Plan identifies four key strategic projects:

- Investigation of a Nambour water splash park and leisure corridor
- Connecting the town centre to the event hub at Nambour Showgrounds
- Creating Petrie Creek as a major pedestrian and green spine
- the Nambour Heritage Tramway project

The Heritage Tramway project and the Petrie Creek major pedestrian and green spine were rated the top two preferred actions in the consultation survey. During discussions there was also considerable support in regard to the water splash park feasibility study.

There are five placemaking locations in the Plan providing a vision for each location with ideas and visual representations.

The five placemaking locations are:

1. Howard Street – The Tracks
2. Town Square and High Streets
3. The Forecourt/Currie St – the little Brunswick Street
4. C Square – arts and entertainment mecca
5. Petrie Creek - town touching nature

Through the consultation program it has been recommended that the existing cultural and heritage assets also be included in the Plan. A minor amendment has been made to include these assets.

The Plan is supported by an Ideas Sheet (Refer Attachment 1 – Nambour Activation Plan Ideas Sheet) that provides greater detail in regard to the activities and ideas that contribute to the aspirational outcomes and how these ideas may be achieved.

The Plan's success relies on the ongoing collaborative approach with shared responsibilities with Council as the 'enabler' and 'advocate' and local businesses, land owners and community organisations responsible for the 'delivery' and 'activation'.

The Community Facilities and Planning Branch will oversee the implementation of the Plan with relevant Council Branches responsible to progress specific activities.

A review in February 2016 to monitor the level of progress of the Plan has been recommended by the key stakeholders and is considered an important milestone in achieving Nambour's aspirational story.

### **Legal**

There are no legal implications contained in the Plan.

Some activities in regard to statutory and regulatory requirements may require further legal advice once clearly scoped. It is anticipated that normal processes and procedures are followed in regard to scoping ideas.

The pink zones investigation areas indicated are indicative only and do not transfer any rights or obligations and are for investigation only. A pink zone encourages innovation and activation and the testing of regulatory requirements to enable things to happen.

### **Policy**

The Nambour Activation Plan is a direct action of the endorsed 2014/2015 Operational Plan and seeks to deliver outcomes from a range of policy documents in a geographical area.

These strategies include:

- Regional Economic Development Strategy 2013 -2033
- Social Infrastructure Strategy 2011
- Social Strategy 2015

- Open Space Strategy 2011
- Sunshine Coast Planning Scheme 2014

### **Risk**

The most significant risk in relation to this report would be the inability of the community and businesses to combine their focus on the delivery of the Plan's intent or that the opportunities presented in the Plan are not advanced.

The 'take up' by the community and business sector is essential to the success of this Plan.

Council's ongoing commitment to the Plan's implementation is also necessary to ensure the ongoing level of confidence for the future in Nambour.

The Activation Plan should be used only as a framework to guide activity and new ideas; flexibility is essential to its success.

### **Previous Council Resolution**

#### **Ordinary Meeting - 23 July 2015 – Council Resolution (OM15/111)**

*That Council:*

- receive and note the report titled “**Draft Nambour Activation Plan**” and*
- endorse the Draft Nambour Activation Plan (Appendix A) and the Draft Nambour Ideas Action Sheet (Appendix B) for the purposes of community consultation.*

#### **Ordinary Meeting – 23 April 2015 – Council Resolution (OM15/52)**

*That Council:*

- receive and note the report titled “Nambour Heritage Tramway Feasibility Assessment Report”*
- note the Feasibility Analysis of the Nambour Heritage Tramway report*
- note that an amount of at least \$2.1 million in funding may be needed to deliver the project*
- support the Nambour Heritage Tramway project via a joint funding and partnership arrangement with the Nambour Heritage Tramway Group (the Group), whereby the Group is responsible for the purchase of the tram, is to act as the Infrastructure Manager and Rail Transport Operator and Operator of the Tramway; with the Council responsible for land acquisition, buildings, tram track and signalling upgrading*
- note that considerable work has been completed and that additional work is required between Council and the Group to complete overall project governance and funding, key project hold points for future decisions by Council and joint partnership arrangements, before a final project funding arrangement, project start date, can be confirmed by Council*
- request the Chief Executive Officer to include an allocation of \$500,000 in the 2015/16 draft Budget for future consideration by Council and further, that an additional amount of \$500,000 be included in each of the 2016/17 and 2017/18 draft Budgets for consideration by Council at the time. Further that these funds represent the maximum funding allocation by Council for this project and further that such funding is to be available for land acquisition, buildings and other associated capital works approved from time to time by the Chief Executive Officer*

- (g) *pending funding as per (f) above, being included in the 2015/2016 budget request the Chief Executive Officer to draft a Heads of Agreement document in consultation with the Group, to formally recognise - the parties' roles and responsibilities including the governance, funding and key project hold points described above; confirmation of the \$600,000 project funds to come from the Group via a combination of fund raising and grants from other governments fully realisable by 30 June 2017 or such other earlier date; agreed assets and operations insurance coverage; recognition that Council supports the Group in any application for funding to other governments, provides support to the Group to obtain necessary accreditation as an Infrastructure Manager and Rail Transport Operator and continues to provide support and advice and*
- (h) *pending funding as per (f) above, being included in the 2015/2016 budget request the Chief Executive Officer to provide a project report to Council by 31 December 2015 on the status of key project hold points, project milestones, potential project funding arrangements and the status of the Heads of Agreement document with the Group.*

**Related Documentation**

- Nambour Hub of the Hinterland Project.
- Nambour Public Domain Project
- Draft Nambour Design Palette

**Critical Dates**

There are no critical dates however it is recommended that the Plan be adopted as soon as possible to demonstrate Council support for the Plan's implementation.

**Implementation**

The Community Facilities and Planning Branch will oversee the implementation of the Plan through hosting the allocated resource identified with this Plan.

An internal integrated group to coordinate projects and operations from a Nambour approach is a key element of the plan.

Relevant Branches will be responsible for the specific activities outlined in the Ideas Sheet.

**8.2 CORPORATE SERVICES****8.2.1 AUGUST 2015 FINANCIAL PERFORMANCE REPORT**

<b>File No:</b>	<b>Financial Reports</b>
<b>Author:</b>	<b>Coordinator Financial Services Corporate Services Department</b>
<b>Attachments:</b>	<b>Att 1 - August 2015 Financial Performance Report ..... 49</b>

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**PURPOSE**

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

**EXECUTIVE SUMMARY**

The monthly financial performance report provides Council with a summary of performance against budget at the end of each month in terms of the operating result and delivery of the capital program.

It is still early in the 2015/16 financial year and therefore difficult to compare year to date budget and actual results with any degree of certainty. There are a number of timing issues that exist at the end of August 2015, namely the 2014/15 operating and capital budget carryovers which were adopted in September and therefore are not contained in the August figures.

The operating result at 31 August 2015 of \$82.9 million shows a positive variance of \$4.2 million compared to the forecast position.

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

The operating result variation is made up of higher than budgeted operating revenue of \$2.4 million (1.7%) and lower than budgeted operating expenses of \$1.8 million (3.0%). Further detail is provided in the proposal section of this report.

As at 31 August 2015, \$16.5 million (9.0%) of Council's \$183.4 million 2015/16 Capital Works Program was financially expended.

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

**OFFICER RECOMMENDATION**

**That Council receive and note the report titled "August 2015 Financial Performance Report".**

**FINANCE AND RESOURCING**

There are no finance and resourcing implications from this report.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>A public sector leader</i></b>
<b>Outcome:</b>	5.2 - A financially sustainable organisation
<b>Operational Activity:</b>	5.2.2 - Ensure council's finances are well managed and systems are in place to analyse performance, generate revenue, reduce costs and manage contracts

## CONSULTATION

### Internal Consultation

All departments or branches participated in the formation of the recommendations associated with this report.

### External Consultation

No external consultation is required for this report.

### Community Engagement

No community engagement is required for this report.

## PROPOSAL

It is still early in the 2015/16 financial year and therefore difficult to compare year to date budget and actual results with any degree of certainty. There are a number of timing issues that exist at the end of August 2015, namely the 2014/15 operating and capital budget carryovers which were adopted in September and therefore are not contained in the August figures.

The operating result at 31 August 2015 of \$82.9 million shows a positive variance of \$4.2 million compared to the forecast position.

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

This operating result variation is made up of higher than budgeted operating revenue of \$2.4 million (1.7%) and lower than budgeted operating expenses of \$1.8 million (3.0%).

### Operating Revenue

#### **Net Rates and Utility Charges**

The unfavourable variance of \$846,000 (0.7%) is mainly due to the carbon tax refund of \$2.1 million, offset by a favourable variance in prepaid rates. The carbon tax refund is funded by restricted cash held for this purpose, and the budget for this item will be updated through the Budget Review 1 process.

#### **Fees and Charges**

The favourable variance of \$1.8 million (15.9%) in fees and charges is mainly due to the following items exceeding the year to date budget:-

- \$1.1 million development application revenue relating to the superseded planning scheme applications. At as 31 August 2015, this item is 57.8% higher than the year to date budget and a budget increase of \$1.4 million was included in Budget Review 1. Additional temporary employees will be engaged to meet this increased demand with a further \$501,000 also included in Budget Review 1 to cover employee costs.
- \$562,000 Sunshine Coast Holiday Park fees. There is no change to the year-end forecast at this time.



**Interest from Investments**

Interest from investments has exceeded the year to date budget by \$384,000 (29.9%) due to higher than budgeted cash balances.

**Other Revenue**

Other revenue has exceeded the year to date budget by \$838,000 (46.3%) and mainly relates to the following unbudgeted items:-

- \$264,000 received due to cost recovery action following legal proceedings
- \$254,000 London Creek Energex Offset Agreement 2 – budget increase included in Budget Review 1.

**Operating Expenses****Employee Costs**

As at 31 August 2015, employee costs were higher than the year to date budget by \$42,000 (0.2%).

The budget allows for a Certified Agreement increase. A new Certified Agreement has not yet been finalised however a 1.5% interim pay increase has been approved and was paid in August 2015 back dated to 1 July 2015.

**Materials and Services**

As at 31 August 2015, materials and services costs were below budget by \$1.9 million (7.9%). This is due to timing as there has been minimal expenditure in reactive budgets and projects. The variance is in line with the usual trend for the early part of the financial year.

**Capital Revenue**

Capital revenues, at \$5.9 million, are less than the year to date budget by \$229,000 (3.7%). This is mainly due to the following items:-

- Capital contributions, at \$5.1 million, have exceeded the year to date budget by \$3.1 million
- Council hasn't received any contributed assets to date and as a result this item is below the year to date budget by \$4.1 million.

**Capital Expenditure**

As at 31 August 2015, \$16.5 million (9.0%) of Council's \$183.4 million 2015/16 Capital Works Program was financially expended.

Detail by Capital Works Program is outlined below:

Program	Original Budget \$000s	Current Budget \$000s	YTD Budget \$'000s	YTD Actuals \$000s	% of Annual Budget Spent
Buildings and Facilities	6,422	6,457	219	700	10.8
Coast and Canals	6,352	6,377	135	241	3.8
Divisional Allocations	3,590	3,065	265	320	10.4
Environmental Assets	975	1,050	181	134	12.8
Fleet	3,118	3,118	-	55	1.8
Parks and Gardens	9,975	10,255	1,666	1,436	14.0
Stormwater	8,563	8,563	451	855	10.0
Transportation	71,383	71,463	4,730	5,281	7.4

Program	Original Budget \$'000s	Current Budget \$'000s	YTD Budget \$'000s	YTD Actuals \$'000s	% of Annual Budget Spent
Information Communication Technology	5,353	5,353	574	378	7.1
Strategic Land & Comm. Properties	1,350	1,350	0	1,012	74.9
Aerodromes	215	215	125	49	22.6
Sunshine Coast Airport	5,056	5,086	64	348	6.8
Holiday Parks	770	770	11	38	4.9
Quarries	630	630	-	31	4.9
Waste	4,387	4,387	546	1,279	29.2
Region Making Projects	55,229	55,229	316	4,350	7.9
<b>TOTAL</b>	<b>183,368</b>	<b>183,368</b>	<b>9,283</b>	<b>16,506</b>	<b>9.0</b>

An increase of \$46.0 million to Council's 2015/16 Capital Works Program was included in Budget Review 1, bringing the total budget to \$229.4 million. This will be reflected in the September 2015 Financial Performance Report.

### **Investment Performance**

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 August 2015 Council had \$347 million cash (excluding Trust Fund) with an average interest rate of 2.76%, being 0.60% above benchmark. This is compared to the same period last year with \$271 million cash (excluding Trust Fund) where the average interest rate was 3.44%, being 0.75% 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**

Council's 2015/16 Investment Policy, 2015/16 Debt Policy, 2015/16 Revenue Policy and Revenue Statement.

Corporate Services Credit Accounts, Debt Collection and Write Off Policy August 2012.

### **Risk**

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

**Previous Council Resolution****Special Meeting Budget 25 June 2015, Council adopted the 2015/2016 budget - Council Resolution (SM15/20)**

*That Council:*

- (a) *receive and note the report titled "Adoption of the 2015/2016 Budget and Forward Estimates for the 2016/2017 to 2024/2025 Financial Years"*
- (b) *adopt the 2015/2016 Capital Works Program, endorse the indicative four-year program for the period 2016/2017 to 2019/2020, and note the five-year program for the period 2020/2021 to 2024/2025 (Appendix A) and*
- (c) *adopt the 2015/2016 Budget Schedules (Appendix B) including Forward Estimates.*

**Related Documentation**

There is no related documentation for this report.

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.



**8.2.2 INSTRUMENTS OF DELEGATION**

<b>File No:</b>	<b>Statutory Meetings</b>	
<b>Author:</b>	<b>Manager Corporate Governance Corporate Services Department</b>	
<b>Appendices:</b>	<b>App A - Liquor .....</b>	<b>65</b>
	<b>App B - Plumbing and Drainage and Stormwater .....</b>	<b>67</b>
	<b>App C - Roads .....</b>	<b>71</b>
	<b>App D - Transport Operations .....</b>	<b>75</b>
	<b>App E - Repeal Delegations.....</b>	<b>79</b>
<b>Attachments:</b>	<b>Att 1 - Track Changed Amended Delegations .....</b>	<b>91</b>

**PURPOSE**

This report presents the second and final report in response to the annual review requirements for delegations under section 257 of the *Local Government Act 2009*. Included are four (4) amended delegations of authority for consideration to ensure council continues to be compliant with responsibilities and obligations under relevant legislation.

**EXECUTIVE SUMMARY**

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 local government legislation performed by King & Company Solicitors provided the opportunity to conduct an organisation wide review of all existing delegations in line with the annual review requirements of section 257 of the *Local Government Act 2009*.

This report presents the second and final report aligned to the 2015 delegation review. In conclusion four (4) amendments to existing delegations were made which will ensure council continues to meet its legal and operational obligations.

This report presents for council consideration the following:

Amended delegations

2009-25 (v2)	Liquor
2009-27 (v3)	Plumbing, Drainage and Stormwater
2009-32 (v3)	Roads
2009-33 (v2)	Transport Operations

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Instruments of Delegation”
- (b) make instruments of delegation as contained in (Appendix A-D) for inclusion in council’s Delegation Register
- (c) discontinue instruments of delegation as contained in (Appendix E) and remove from council’s Delegation Register and
- (d) note that a review of council’s Delegation Register has occurred in accordance with Section 257 of the *Local Government Act 2009*.

## 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:** *A public sector leader*

**Outcome:** We serve our community by providing this great service

**Operational Service:** S31 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported

## CONSULTATION

### Internal Consultation

- Manager Corporate Governance
- Manager Community Response
- Coordinator Community Land Permits and Parking
- Coordinator Building and Plumbing

### External Consultation

No external consultation was conducted for the review of delegations.

### Community Engagement

Community consultation is not required for the adoption of delegations of authority as they are purely an administrative process that provides the Chief Executive Officer with the necessary authority to act under relevant legislation.

## PROPOSAL

### Background

As part of council’s regular review of changes to legislation four (4) of existing delegations of authority have been identified as requiring amendments to ensure compliance with relevant local government acts.

Table 1 below details the proposed changes to existing delegations.

**TABLE 1 – Amendments to existing delegations**

TITLE	LEGISLATION	DELEGATION NUMBER	AMENDMENTS
Liquor (App A)	<i>Liquor Act 1992</i>	2009-25 (V2)	Review of existing delegation and amended to include recent changes to the <i>Liquor Act 1992</i>  Refer to Attachment No. 1 for track changes version.  Administrative changes only - will not impact council's current operations.
Plumbing, Drainage and Storm water (App B)	<i>Plumbing and Drainage Act 2002</i> <i>Standard Plumbing and Drainage Regulation 2003</i>	2009-27 (V3)	Review of existing delegation and amended to include recent changes to the <i>Plumbing and Drainage Act 2002</i> and <i>Standard Plumbing and Drainage Regulation 2003</i>  Refer to Attachment No. 1 for track changes version.  Administrative changes only - will not impact council's current operations.
Roads (App C)	<i>Local Government Act 2009</i> <i>Land Act 1994</i>	2009-32 (V3)	Review of existing delegation and amended to include recent changes to the <i>Local Government Act 2009</i> and <i>Land Act 1994</i>  Refer to Attachment No. 1 for track changes version.  Administrative changes only - will not impact council's current operations.
Transport Operations (App D)	<i>Transport Operations (Road Use Management) Act 1995</i> <i>Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010</i> <i>Transport Operations (Marine Safety) Regulation 2004</i> <i>Transport Operations (Marine Pollution) Act 1995</i>	2009-33 (v2)	Review of existing delegation and amended to include recent changes to the <i>Transport Operations (Road Use Management) Act 1995</i> , <i>Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010</i> , <i>Transport Operations (Marine Safety) Regulation 2004</i> and <i>Transport Operations (Marine Pollution) Act 1995</i>  Refer to Attachment No. 1 for track changes version.  Administrative changes only - will not impact council's current operations.

## Legal

This report presents various delegations prepared in accordance with the requirements of the *Local Government Act 2009* and various other local government acts.

Section 257 (Delegation by the Local Government) of the Act 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 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 Sunshine Coast Regional Council Delegations Register will be updated to include the amended and new delegations. All delegations of authority currently on council's delegation register are in line with council's policy direction and intent.

## Risk

The organisation could be exposed to risk if delegations do not align with current legislative provisions and council officers operate outside of their delegated authority and are not aware of their roles and responsibilities under the abovementioned local government acts. There are no immediate risks, however to mitigate any possible risk, delegated officers are informed and trained on their delegated responsibilities. The responsibility lies with Directors and Managers alike to ensure officers are aware of their roles and responsibilities as delegated officers.

## Previous Council Resolution

**Council Resolution** (OM15/113) – Ordinary Meeting 23 July 2015

*That Council:*

- (a) *receive and note the report titled "**Instruments of Delegation**"*
- (b) *make instruments of delegation as contained in (Appendix A-M) for inclusion in council's Delegation Register*
- (c) *discontinue instruments of delegation as contained in (Appendix N) and remove from council's Delegation Register and*
- (d) *note that a review of council's Delegation Register has occurred in accordance with Section 257 of the Local Government Act 2009.*

## Related Documentation

All relevant legislation can be accessed and reviewed at <http://www.legislation.qld.gov.au>:

The Sunshine Coast Council Local Laws can be accessed and reviewed at <http://dlgp.qld.gov.au/local-government/local-laws-online.html>.

## Critical Dates

It is important that council gives consideration to this report as soon as possible to allow the delegations to be implemented.



**Implementation**

- Delegations database to be updated
- Consideration of the application of s.259 of the *Local Government Act 2009* with respect to on delegation by the Chief Executive Officer.
- Delegated officers advised and notified accordingly.

### 8.2.3 MAKING OF AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2015

<b>File No:</b>	<b>ECM</b>
<b>Author:</b>	<b>Manager Corporate Governance Corporate Services Department</b>
<b>Appendices:</b>	<b>App A - Amendment Local Law No.1 (Community Health and Environmental Management) .....111</b>

#### PURPOSE

The purpose of this report is to seek a Council resolution to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2015.

#### EXECUTIVE SUMMARY

At the Ordinary Meeting held on Thursday, 23 July 2015 council resolved to propose to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2015. The amendment local law seeks to amend *Sunshine Coast Regional Council Local Law No. 3 (Community Health and Environmental Management) 2011* in order to transfer the provisions of Chapter 5A of the *Environmental Protection Regulation 2008* (the **Regulation**) which will expire on 1 September 2016. The amendment of this local law will allow council to continue to enforce the appropriate storage, or removal of general waste from premises within the region under council's local laws.

In proposing to make the amendment local law, council agreed to undertake arrangements to fulfill a number of statutory and other requirements including:

- community consultation
- completing state checks with state government agencies and
- publishing the documents and information on Council's website for viewing and access by the community.

The above requirements have now been met and accordingly this report represents the next stage in the local law making process for proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2015 where a resolution resolving to make the amendment local law is required in order to move to the final notification stage.

#### OFFICER RECOMMENDATION

That Council:

- receive and note the report titled "Making of Amendment Local Law No. 1 (Community Health and Environmental Management) 2015"**
- note Amendment Local Law No.1 (Community Health and Environmental Management) 2015 contains anti-competitive provisions, however, no public interest review was undertaken on the provisions as they fall within the exclusions in step 2 of the 'Guidelines for conducting reviews on anti-competitive provisions in local laws' – namely, they are intended as legitimate measures to combat the spread of pests and disease and to ensure accepted public health and safety standards are met**
- resolve to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2015 (Appendix A) and**
- authorise the Chief Executive Officer to make any necessary administrative and formatting amendments to the document as part of the final proof reading and**

cross referencing.

## FINANCE AND RESOURCING

The cost of drafting Amendment Local Law No.1 (Community Health and Environmental Management) 2015 has been funded through existing budget allocations within the Corporate Governance Branch.

The amendments to the local law merely replicate the provisions currently contained in the Regulation which reflect council's current operational activities. Therefore, these changes will not impact on council's financial operations or require any additional resources. However, failure to adopt a local law prior to 1 September 2016 could expose Sunshine Coast Council to loss of customer revenue.

## CORPORATE PLAN

**Corporate Plan Goal:** *Service excellence*  
**Outcome:** 4.1 - Customer focused services  
**Operational Activity:** 4.1.3 - Administer Council's local laws and relevant State legislation in a manner that supports Council's economic, community and environmental goals for the region and is consistent with statutory obligations

## CONSULTATION

Corporate Governance has consulted with:

- Director Infrastructure Services
- Manager Waste and Resource Management
- Coordinator Collection Services (Waste and Resource Management)
- Coordinator Business Operations (Waste and Resource Management)
- Coordinator Commercial Analysis

During these discussions it was determined that replicating the provision of the Regulation into council's local laws was the best course of action given the impending expiry of the waste provisions in the Regulation on 1 September 2016.

Additionally, a number of officers within council were involved with meetings with stakeholders from other councils in South East Queensland, including Brisbane City Council, Redland City Council and Gold Coast. Council officers have also liaised with the relevant State agencies and the LGAQ during the development of this local law amendment.

On behalf of all Qld local governments, LGAQ continue to lobby the State to repeal the expiry date of the current legislation.

### Internal Consultation

Key internal stakeholders were consulted through a series of consultation processes, and information sessions and individual stakeholder meetings throughout the entire local law making process.

### External Consultation

As required by the *Local Government Act 2009*, State Interest Checks were undertaken with relevant state government agencies during the period 24 July 2015 to 4 September 2015.

The following State departments were consulted with:

- Department of Infrastructure, Local Government and Planning
- Department of State Development
- Department of Environment and Heritage Protection.

The abovementioned state government agencies have offered no objections to the amendment local law proposal.

Council did not undertake a Public Interest Review for the Amendment Local Law No. 1 (Community Health and Environmental Management) 2015 as Council is not required to conduct a public interest review of these provisions because they fall within the exclusions in step 2 of the 'Guidelines for conducting reviews on anti-competitive provisions in local laws' – namely, they are intended as legitimate measures to combat the spread of pests and disease and to ensure accepted public health and safety standards are met.

### **Community Engagement**

Community consultation was undertaken during the period 24 July 2015 to 20 August 2015. No community consultation submissions were received in relation to the proposed amendment local law.

### **PROPOSAL**

This report seeks a resolution from council to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2015. The amendment local law seeks to replicate the provisions currently contained in Chapter 5A of the Regulation which currently regulates matters such as –

- keeping bins clean
- keeping bins covered and within property boundaries
- the ability to give directions and notices to property owners about where bins should be placed for collection and
- the general ability for a local government to deal with waste management issues.

The amendment to *Sunshine Coast Regional Council Local Law No.3 (Community Health and Environmental Management) 2011* simply allows council to continue to regulate those provisions contained in the Regulation which are due to expire on 1 September 2016.

The proposed amendments to the *Sunshine Coast Regional Council Local Law No.3 (Community Health and Environmental Management) 2011* replicate provisions currently contained within the chapter 5A of the Regulation and create no new powers. The new amendments to the local law will come into effect on 1 September 2016.

The process for making the amendment local law will be in accordance with the following steps:

Phase	Activity	Timing
Phase 1	Resolution to propose to make amendment local law.	Ordinary Meeting – 23 July 2015
Phase 2	Consult with relevant State Government Agencies. Undertake Community Consultation	24 July – 4 September 2015 24 July 2015 – 20 August 2015  (28 days)
Phase 3	Consider submissions and community feedback. Prepare report for council consideration.	24 August – 15 September 2015
Phase 4	Resolution to make amendment local law.	Ordinary Meeting – 15 October 2015
Phase 5	Publication in the Government Gazette	23 October 2015
Phase 6	Consolidation of local laws	June 2016

### Legal

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

- Section 29-32 of the *Local Government Act 2009* and section 15 of the *Local Government Regulation 2012* and
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws
- Amendment Local Law No. 1 (Community Health and Environmental Management) 2015
- Repeal of the *Environment Protection (Waste Management) Regulation 2000* and the 1 September 2016 expiry of Chapter 5A of the *Environmental Protection Regulation 2008*.

The proposed amendment local law has been drafted by barrister, Dr Michael Limerick.

### Policy

There are no new policy implications in the proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2015.

### Risk

There is a risk that if local law provisions are not adopted by Sunshine Coast Council by 1 September 2016 there will be:

- no head of power or provision for Sunshine Coast Council to enforce the appropriate storage, or removal of general waste from premises within the region; and
- a potential lost customer base and associated revenue and reduced provisions to ensure environmental health and safety of the community; and
- possible uncertainty within the community and industry sector with regard to competitive neutrality issues and concerns.

**Previous Council Resolution****Council Resolution** (OM15/115) – Ordinary Meeting 23 July 2015*That Council:*

- (a) receive and note the report titled **“Proposed Amendment to Local Law No. 1 (Community Health and Environmental Management) 2015”**
- (b) resolve to propose to make Amendment Local Law No. No. 1 (Community Health and Environmental Management) 2015, as amended
- (c) resolve to undertake Community Consultation during the period 24 July 2015 until 20 August 2015
- (d) resolve to undertake a State Interest Check in relation to the proposed amending local law pursuant to section 29A of the Local Government Act 2009 and
- (e) resolve that proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2015 has been reviewed in accordance with section 38 of the Local Government Act 2009 with the following outcomes:
  - Council has identified that the law contains possible anti-competitive provisions imposing obligations on business owners regarding the storage, treatment and disposal of waste at commercial premises
  - however, Council is not required to conduct a public interest review of these provisions because they fall within the exclusions in step 2 of the ‘Guidelines for conducting reviews on anti-competitive provisions in local laws’ – namely, they are intended as legitimate measures to combat the spread of pests and disease and to ensure accepted public health and safety standards are met.

**Related Documentation**

- Local Government Act 2009 and Regulation
- Sunshine Coast Regional Council Local Laws and Subordinate Local Laws 2011
- State Government Guidelines for Making Local Laws and Subordinate Local Laws
- Corporate Plan 2014-2019 and
- Operational Plan 2015-2016.

**Critical Dates**

It is beneficial for council to commence the local law making process as soon as possible in order for the Local Law and Subordinate Local Law amendments to take effect prior to the expiry of the provisions under the Regulation on 1 September 2016.

**Implementation**

Following consideration of this report, actions relevant to the recommendation will be implemented and include:

- Gazette notice 23 October 2015
- Notification to the Minister 28 October 2015
- Preparation of the website notice on local law change
- Certification by the Chief Executive Officer, Sunshine Coast Council.

## 8.2.4 PROPOSED AMENDMENTS TO LOCAL LAWS AND SUBORDINATE LOCAL LAWS

<b>File No:</b>	<b>Statutory Meetings</b>
<b>Author:</b>	<b>Manager Corporate Governance Corporate Services Department</b>
<b>Appendices:</b>	<b>App A - Amendment Local Law No. 1 (Miscellaneous) 2016 (Under Separate Cover)..... Att Pg 5</b> <b>App B - Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 (Under Separate Cover)..... Att Pg 19</b> <b>App C - Subordinate Local Law No. 1 (Administration) 2016 (Under Separate Cover)..... Att Pg 87</b>
<b>Attachments:</b>	<b>Att 1 - Amendment Local Law 1 Administration - Track Changes (Under Separate Cover)..... Att Pg 157</b> <b>Att 2 - Amendment Local Law 2 Animal Management - Track Changes (Under Separate Cover)..... Att Pg 203</b> <b>Att 3 - Amendment Local Law 3 Community Health &amp; Environmental Management - Track Changes (Under Separate Cover)..... Att Pg 235</b> <b>Att 4 - Amendment Subordinate Local Law 1 Administration - Track Changes (Under Separate Cover)..... Att Pg 251</b> <b>Att 5 - Amendment Subordinate Local Law 2 Animal Management - Track Changes (Under Separate Cover) Att Pg 325</b> <b>Att 6 - Amendment Subordinate Local Law 4 Local Govt Controlled Areas &amp; Roads - Track Changes (Under Separate Cover)..... Att Pg389</b> <b>Att 7 - Amendment Subordinate Local Law 5 Parking - Track Changes (Under Separate Cover) ..... Att Pg 399</b>

### PURPOSE

The purpose of this report is to seek a Council resolution proposing to make Amendment Local Law No. 1 (Miscellaneous) 2016 and Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and Subordinate Local Law No. 1 (Administration) 2016.

### EXECUTIVE SUMMARY

The first Sunshine Coast Council suite of Local Laws and Subordinate Local Laws were adopted in December 2011.

In 2012 a review of the local laws and subordinate local laws was conducted collaboratively with key operational users and divisional councillors. The purpose of the review was to identify any operational issues or concerns and to investigate any legislative changes impacting on the local laws. As a result of this review a number of changes were presented to council in 2013 for consideration and adoption.

A further review was undertaken in October 2014, in response to a number of changes instigated by key operational users. This review provided the opportunity to again review the local laws to ensure they remain responsive and flexible to changes in our environment.

Following a series of workshops, information sessions, individual stakeholder meetings and a rigorous decision making process, several amendments have been proposed to the local laws (for further details please see Attachment 1-7).

A Council resolution proposing to make the amendment local law and subordinate local laws is necessary to proceed with the local law making process. Following this resolution, the draft amendment local laws and subordinate local laws will be referred to the community for consultation and State Interest Checks with State Government Agencies.

**Table 1 – Steps in the local law making process**

Phase	Activity	Timing
Phase 1	Resolution to propose to make amendment local laws.	Ordinary Meeting – 15 October 2015
Phase 2	Consult with relevant State Government Agencies. Undertake Community Consultation Undertake Public Interest Review	1 November 2015 – 30 November 2015  (30 days)
Phase 3	Consider submissions and community feedback. Prepare report for council consideration.	1 December 2015 - 11 December 2015
Phase 4	Resolution to make amendment local law.	Ordinary Meeting – January 2016
Phase 5	Publication in the Government Gazette (Local law amendments become effective).	29 January 2016
Phase 6	Consolidation of local laws	June 2016

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Proposed amendments to local laws and subordinate local laws” and
- (b) resolve to propose to make:
  - (i) Amendment Local Law No. 1 (Miscellaneous) 2016 and
  - (ii) Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and
  - (iii) Subordinate Local Law No. 1 (Administration) 2016
- (c) resolve to undertake community consultation on the draft local law and subordinate local laws for thirty (30) days
- (d) resolve to undertake a State Interest Check in relation to the proposed local laws pursuant to section 29A of the *Local Government Act 2009*
- (e) note that the proposed amendments have been reviewed to identify anti-competitive provisions pursuant to section 38 of the *Local Government Act 2009* and
- (f) hereby resolve to undertake Public Interest Reviews for the anti-competitive provisions assessed as having significant impacts (according to the preliminary assessment conducted under the *Guidelines for conducting review of anti-competitive provisions in local laws*) – namely:



- (i) amendment to definition of ‘shopping centre’ in schedule 1 of *Local Law No.1 (Administration) 2011*
- (ii) insertion of new prescribed activity for ‘launching or landing a model aircraft weighing more than 500 grams or a remotely piloted aircraft weighing more than 500 grams, other than an unmanned balloon or unmanned kite’ in schedule 2 of *Local Law No.1 (Administration) 2011*
- (iii) insertion of public liability insurance as a mandatory condition for various approvals under *Subordinate Local Law No.1 (Administration) 2011*
- (iv) various amendments to schedule 4 of *Subordinate Local Law No.1 (Administration) 2011* imposing new application requirements and standard conditions for approvals for alterations or improvements to local government controlled areas or roads
- (v) various amendments to schedule 6 of *Subordinate Local Law No.1 (Administration) 2011* imposing new application requirements and standard conditions for approvals for commercial use of local government controlled areas or roads and
- (vi) amendments to schedule 8 of *Subordinate Local Law No.1 (Administration) 2011* changing the requirements relating to display of certain movable advertising devices.

## FINANCE AND RESOURCING

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

Table 2 outlines the finance and resourcing implications as a result of implementing the proposed local law amendments.

**Table 2 – Finance and Resourcing**

Local Law	Proposed change	Finance and resourcing implications
Local Law No. 1 (Administration) 2011	Including the following as a prescribed activity –  <i>Launching or landing an unmanned aircraft weighing more than 500 grams, other than a balloon or kite</i>	An unmanned aircraft is more commonly referred to as “drones”. The use of drones by commercial operators is becoming increasingly popular. By requiring an approval, this may result in increased workloads for Community Land Permit Officers. High demand for approvals may impact current resourcing.
Local Law No. 2 (Animal Management) 2011	Require all regulated dogs to wear a collar consisting of red stripes alternatively spaced with yellow stripes	There are currently 70 regulated dogs as at 7 September 2015. At a cost of \$40.00 that would be an initial outlay of \$2,800 to purchase the collars. This cost will be recovered by the registration fee set for regulated dogs (2015/2016) of \$409.00

Local Law	Proposed change	Finance and resourcing implications
Subordinate Local Law No. 2 (Animal Management) 2011	Extension of dog off leash area – Dicky Beach	Replacing small format beach access signage at 269, 269a, 270 (8 in total) - \$464.00 (\$58.00 each)
Subordinate Local Law No. 2 (Animal Management) 2011	Changes to Grahame Stewart Park dog off leash area	Adding 5 x “Dogs Prohibited” signs (one for each entrance to the play area) - \$225.00 (\$45.00 each)
Subordinate Local Law No. 2 (Animal Management) 2011	Change to Mooloolaba Beach – Prohibited dog area	Replacing large format beach access signage at Beach Access 191, 192, 193, 194, 195 - \$1,140.00 (\$235.00 each)  Replacing small format beach access signage at Beach Access 195 - \$58.00
Subordinate Local Law No. 5 (Parking)	Sippy Downs Regulated Parking Area	Approximate cost for signage including installation –  40 Permit excepted signs 8 End (hr) Parking Area  \$7000.00

## CORPORATE PLAN

**Corporate Plan Goal:** *Service excellence*

**Outcome:** 4.1 - Customer focused services

**Operational Activity:** 4.1.3 - Administer Council’s local laws and relevant State legislation in a manner that supports Council’s economic, community and environmental goals for the region and is consistent with statutory obligations

## CONSULTATION

In the preparation of this report key stakeholders were consulted as follows:

### Internal Consultation

Corporate Governance has consulted with:

- Director Community Services
- Director Corporate Services
- Manager Corporate Governance
- Manager Community Response
- Coordinator Healthy Places
- Coordinator Response Services
- Coordinator Community Land Permits and Parking
- Coordinator Cemetery Services
- Coordinator Branch Business Support
- Manager Environmental Operations
- Coordinator Natural Areas Management
- Senior Technical Officer (Parks and Gardens)

### External Consultation

Section 29 of the *Local Government Act 2009* provides that the local government may decide its own process for making a local law. The proposal to commence the amendment local law making process will include engagement with:

- relevant government agencies about the overall State interest in the proposed amendment local law and
- the community and business to undertake a public interest review in the region likely to be affected by the amendment local law.

### Community Engagement

Council may at its discretion determine the amount of (if any) public consultation it undertakes before adopting the amendment Local Law and Subordinate Local Law by resolution. A consultation period of no less than 28 days is considered good governance when proposing to make a local law.

The consultation period for the proposed changes will occur from 1 November 2015 until 30 November 2015.

A community consultation strategy has been developed and will include:

- media releases
- council spotlight notifications in independent publications
- notification in Sunshine Coast Daily public notices
- council spotlight radio notifications
- notification through councils social media
- messaging on hold
- posters in customer contact centres and libraries
- static information displays in customer contact centres
- notification through councils news centre
- information included on Councils website on 'Have your say' page.

### PROPOSAL

In October 2014, in response to a number of minor operational issues raised by the Community Response Branch, a review of council's suite of local laws was undertaken. Following a rigorous decision making and research process, Corporate Governance submitted under report to the Principle Stakeholder Group on 25 August the following proposed changes to the current suite of local laws (see table 4 and 5 below for further details).

#### Review Process:

The process utilised to undertake the review of the local laws was developed by the Corporate Governance branch to ensure integrity and a robust approach to any local law amendments presented to council for consideration. This process involved the establishment of a number of key stakeholder groups across the organisation including:

- key users of the local laws;
- focus groups relevant to the issue being considered;
- a principal stakeholder group which included the Manager Corporate Governance, Director Community Services, Acting Director Corporate Services and the Manager Community Response.

and consultation with the following:

- divisional councillors; and
- Executive Leadership Team.

#### Local Law Making Process

Before the amendment local law and subordinate local laws can be made, a number of statutory and other requirements needed to be fulfilled. Table 3 outlines these requirements below:

**Table 3 – Local Law Making Process**

<b>Statutory Requirement</b>	<b>Action taken</b>	<b>Date</b>	<b>Status</b>
<b>Propose to make local law amendments</b>	Prepare report to council to propose to make <i>Draft Amendment Local Law No. 1 (Miscellaneous) 2016 and Draft Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and Draft Subordinate Local Law No. 1 (Administration) 2016</i>	15 October 2015	Completed
<b>Community Consultation</b>	<ul style="list-style-type: none"> <li>• media releases</li> <li>• council spotlight notifications in independent publications</li> <li>• notification in Sunshine Coast Daily public notices</li> <li>• council spotlight radio notifications</li> <li>• notification through councils social media</li> <li>• messaging on hold</li> <li>• posters in customer contact centres and libraries</li> <li>• static information displays in customer contact centres</li> <li>• notification through councils news centre</li> <li>• information included on Councils website on 'Have your say' page</li> </ul>	1 November 2015 – 30 November	Developed and Underway
<b>State Interest Check/Public Interest Review</b>	<ul style="list-style-type: none"> <li>• email proposed changes to all state government agencies</li> <li>• public interest review documents placed on councils website</li> </ul>	1 November 2015 – 30 November 2015	Drafted
<b>Council Website</b>	All relevant information and documentation placed on and available through council's website on " <i>Have your say</i> " page.	16 October 2015	Drafted
<b>Report to council to make the amendment local laws</b>	Prepare report to council to make the local laws	January 2016	To be completed
<b>Gazette Notice</b>	Preparation of Government Gazette notice for publication in the Government Gazette once amendments are made by Council at the January OM 2016.	January 2016	To be prepared

Draft Amendment Local Law No. 1 (Miscellaneous) 2016

Following is a summary of the proposed local law amendments (refer to Attachments 1-3 for full details of proposed changes).

Local Law	Current Status	Proposed Change	Reason for change
Local Law No. 1 (Administration) 2011 – refer to Attachment A for full details on the proposed changes	Change definition for an Adult  Current definition <ul style="list-style-type: none"> <li>Adult has the meaning given by the <i>Youth Justices Act 1992</i></li> </ul>	Change definition of an adult <ul style="list-style-type: none"> <li>Adult means an individual who is 18 or more.</li> </ul>	Use of plain language and simplification of definition
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Currently no definition for “burial”	Include definition for burial <ul style="list-style-type: none"> <li>Burial - means the act of placing a dead body or the ashes of such in either a grave, niche or memorial garden, but does not include the scattering of the ashes.</li> </ul>	Ease of use for the community to easily identify what is meant by the word “Burial”
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Change definition for cat and dog  Current definition <b>cat</b> means an animal of the species felis silvestris catus but does not include a Class 2 pest animal as provided by the <i>Land Protection (Pest and Stock Route Management) Regulation 2003</i> . <b>dog</b> means an animal of the species canis familiaris but does not include a Class 2 pest animal as provided by the <i>Land Protection (Pest and Stock Route Management) Regulation 2003</i> .	Change the definition for a cat or dog <ul style="list-style-type: none"> <li>cat means an animal of the species Felis catus, or domestic cat.</li> <li>dog means an animal of the species Canis lupus familiaris, or domestic dog</li> </ul>	The <i>Land Protection (Pest and Stock Route Management) Regulation 2003</i> will be repealed shortly. New simpler definitions of cat and dog mirror the definitions in the <i>Animal Management (Dogs and Cats) Act 2008</i>
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Local law 1, schedule 2 includes ‘display of election signs’ as a prescribed activity, and schedule 1 included definitions for the following – <ul style="list-style-type: none"> <li>Election sign</li> <li>Election period</li> </ul>	Remove ‘display of election signs’ as a prescribed activity and remove associated definitions for an election sign, election period and electorate.	Decision to not regulate Election Signs was made by council in 2013 following a legal challenge by the Palmer United Party who challenged that restricting the number of signs was unconstitutional. Current mechanism to regulate the activity is through <i>Local Law No. 4 (Local</i>


Local Law	Current Status	Proposed Change	Reason for change
	<ul style="list-style-type: none"> <li>Electorate</li> </ul>		<p><i>Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> under s.10 Power to remove Risk. Where an election sign is placed in an area that poses risk to other users of the area an authorised person may remove the risk.</p>
<p>Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes</p>	<p>Amend definition for “human remains”</p>	<p>Expand the definition for human remains to include –</p> <p><b>human remains</b> means the body or part of the body of a deceased person but does not include—</p> <p><i>(a) a part of the body of a deceased person lawfully removed for transplantation, scientific examination or instruction in anatomy or any other branch of medicine; or</i></p> <p><i>(b) ashes from a body of a deceased person that has been cremated.</i></p>	<p>Expansion of the current definition provides greater clarity into what human remains are and what they are not.</p>
<p>Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes</p>	<p>Currently no definition for “install”</p>	<p>Include the following definition for install –</p> <p><b>install</b> means construct, make, mark, place or erect, or affix to or paint on any surface or structure, and repair, maintain, manage and control.</p>	<p>Provide greater clarity with regards to terminology used within the local laws.</p>
<p>Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes</p>	<p>Currently no definition for a “Local Government cemetery”</p>	<p>Include the following definition –</p> <p><b>Local government cemetery</b> means a cemetery under the control of the local government, including a cemetery located on land owned by the local government or on land for which the local government is the trustee.</p>	<p>Provide greater clarity with regards to terminology used within the local laws.</p>
<p>Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes</p>	<p>Currently inconsistency in the use of the terms, “lot”, “allotment”, “land” and “property”</p>	<p>Include the following definitions –</p> <p><b>property</b>, in relation to land, means—</p> <p>(a) a lot; or</p> <p>(b) if a person owns and</p>	<p>Include the definition for property and remove multiple references to allotment, property, lot, land etc. for ease of use and clarity.</p>

Local Law	Current Status	Proposed Change	Reason for change
		occupies 2 or more adjoining lots—the parcel of land comprising all of the lots owned by the person  <i>lot</i> has the meaning given by the <i>Sustainable Planning Act 2009</i> , section 10	
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Currently no definition for a “memorial”	Include following definition –  <i>memorial means an object or feature that commemorates a significant event, individual, organisation or anniversary.</i>	Currently no definition for “ <i>memorial</i> ”. Provides a term used in Schedule 4 of Subordinate Local Law No. 1 (Administration)  Refer to Attachment D for details
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Currently no definition for a “public art installation”	Include following definition –  <i>“public art installation” means a creative or interpretive enhancement to a public place and includes—</i>  (a) both standalone art installations and art installations incorporated externally or internally into buildings, infrastructure or open space; and  (b) both permanent and temporary installations.	Currently no definition for “ <i>public art installation</i> ”. Provides a term used in Schedule 4 of Subordinate Local Law No. 1 (Administration)  Refer to Attachment D for details
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Shopping centre includes only a structure or group of buildings with 2 or more shops	Extend definition of shopping centre to include “a standalone shop that provides trolleys for the use of customers”	Under Local Law No.3, s,23, only shops in shopping centres are required to ensure that shopping trolleys remain in the shopping centre precinct. The change in definition will mean that larger standalone shops that provide trolleys (e.g. Bunnings) must also ensure that trolleys stay within the precinct.
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Amend definition for a “structure”	Include the following to the definition of a structure –  <i>“a memorial or public art installation”</i>	To align with terminology used in the local laws and provide clarity with regards to what is considered a “structure” in the context of council’s local laws.

Local Law	Current Status	Proposed Change	Reason for change
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Schedule 2, part 2 of LL1 categories  Camping on local government controlled areas and roads listed as a prescribed activity	Remove camping from the categories of prescribed activities	Camping will be included as a restricted activity under <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> where it will be allowed where the local government has designated an area for camping.
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Schedule 2, part 2 of LL1 categories  Abseiling currently listed as a prescribed activity	Remove abseiling from the categories of prescribed activities	Abseiling will be included as a restricted activity under <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> where it will be allowed where the local government permits the activity by way of signage.  Abseiling may however be approved under another local law approval – such as part of a temporary event approval.
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Installation of an information booth or display on a local government controlled area or road is not currently categorised as a separate prescribed activity	Include prescribed activity –  (b) installation of an information booth or display	Ability to allow and regulate the placement of information or display booths in a local government controlled area. This will not include the sale of goods as this type of activity would be managed under a Commercial Use approval.
Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes	Current prescribed activity –  “ <i>Operating model aircraft propelled by a motor</i> ”	Remove the prescribed activity - operating model aircraft propelled by a motor and replace with –  (o) launching or landing a model aircraft weighing more than 500 grams or a remotely piloted aircraft weighing more than 500 grams, other than an unmanned balloon or unmanned kite	Currently no provision in the local laws to regulate the use of unmanned aircraft (commonly referred to as UAV's or Drones) for commercial purposes. The inclusion of this prescribed activity will allow council to regulate and condition approvals for the use of UAV's or Drones on council owned or controlled land and remove the requirement for individuals operating a small recreational model aircraft propelled by a



Local Law	Current Status	Proposed Change	Reason for change
			<p>motor to apply for an approval (these individuals are still bound by CASA regulations about safe use of such model aircraft). Conditions of approval for UAVs and drones will be subject to the individual complying with CASA regulations.</p>
<p>Local Law No. 1 (Administration) 2011 – refer to Attachment 1 for full details on the proposed changes</p>	<p>Current prescribed activity - <i>“Riding a horse in a local government controlled area as a prescribed activity”</i></p>	<p>Remove - <i>“Riding a horse in a local government controlled area as a prescribed activity”</i></p>	<p>Include this activity as a restricted activity under <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> where it will be allowed where the local government has erected signed permitting the activity. The removal will result in individuals no longer being able to apply for an approval to ride a horse in a local government controlled area as this will only be allowed where the local government has permitted the activity.</p>
<p>Local Law No. 2 (Animal Management) – refer to Attachment 2 for full details on the proposed changes</p>	<p>Current definition for what it means to have a dog under “effective management” does not take into account situations where a person has several dogs or cats under their supervision</p>	<p>Clarify that in determining whether a person is physically able to manage a dog or a cat, the number of other dogs or cats under the person’s supervision should be taken into account.</p>	<p>Currently a person holding four large dogs could argue that they are physically able to manage each of the dogs. However, the change to the definition will mean that a person could not reasonably say they were able to manage a large dog if they already had, for example, three other large dogs on leashes at the same time.</p>
<p>Local Law No. 2 (Animal Management) – refer to Attachment 2 for full details on the proposed changes</p>	<p>Current penalty for all animals who don’t comply with the minimum standards for keeping animals under schedule 3 and 3A of <i>Subordinate Local Law No. 2 (Animal Management) 2011</i> is 20 penalty units.</p>	<p>Include a separate penalty for a regulated dog and set the penalty at 50 penalty units.</p> <p>All other animals remain at 20 penalty units.</p>	<p>A regulated dog is a dog who has attacked, or acted in a way that caused fear to, a person or another animal or</p> <p>may, in the opinion of an authorised person, seriously attack or act in a way that causes fear to a person or animal.</p> <p>A higher penalty may lessen the likelihood of</p>

Local Law	Current Status	Proposed Change	Reason for change
			owners of regulated dogs not complying with the minimum standards for keeping a regulated dog. A higher penalty is also more consistent with the penalties under the Animal Management (Cats and Dogs) Act 2008.
Local Law No. 2 (Animal Management) – Attachment 2 for full details on the proposed changes	Regulated dogs are required to be contained in a specified enclosure and are required to wear a small yellow identification tag which is intended to identify the dog as a regulated dog.	Require all regulated dogs to wear a collar consisting of red stripes alternatively spaced with yellow stripes designed to meet prescribed specifications regarding visibility, durability, fastening and width.  	The inclusion of this provision allows an individual to easily recognise the collar as a regulated dog collar and provides an early warning sign. As these dogs are dangerous and pose a significant threat to the safety and wellbeing of individuals, this early detection mechanism may prevent an individual from approaching the dog and suffering an injury. Furthermore, a roaming regulated dog wearing the collar would be more than likely reported to council immediately. Owners or responsible persons must ensure regulated dogs wear the collar at all times – maximum penalty 50 penalty units.
Local Law No. 3 (Community and Environmental Health) – refer to Attachment 3 for full details on the proposed changes	The current local law references the <i>Land Protection (Pest Stock Route Management) Act</i>	New changes to the Biosecurity Act will remove all references to pest plant and animal from the <i>Land Protection (Pest Stock Route Management) Act</i> and include these in the new Biosecurity Act	To ensure our laws remain responsive to change, Local Law No. 3 will be amended to include the reference to the new Biosecurity Act which will come into effect in 2016.

Draft Amendment Subordinate Local Law No. 1 (Administration) 2016 and Draft Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016

Following is a summary of the proposed subordinate local law amendments (refer to Attachments 4 - 7 for full details of proposed changes):

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Subordinate Local Law No. 1 (Administration) 2011 – refer to Attachment 4 for full details on the proposed changes	No definition for “family of a deceased person”	Include new definition – <b>family of a deceased person</b> includes—  (a) a spouse of the deceased; and  (b) a guardian of the deceased; and  (c) brothers and sisters of the deceased, or of a spouse of the deceased; and  (d) ascendants and descendants of the deceased, or of a spouse of the deceased.	To define the term family used in schedule 13 in relation to burials outside of cemeteries.
Subordinate Local Law No. 1 (Administration) 2011 – refer to Attachment 4 for full details on the proposed changes	No definition for a “funeral director”	Include new definition – <b>funeral director</b> means a person who carries on the business of disposing of human remains and, if a person who carries on that business is not engaged in a particular case, includes the person who actually undertakes the disposal of the human remains.	To define a new term used in schedules 12 and 13 – please see Attachment B Draft Subordinate Local Law No. 1 (Administration) for further details
Subordinate Local Law No. 1 (Administration) 2011 – refer to Attachment 4 for full details on the proposed changes	No definition for “goods on a footpath”	Include new definition – <b>goods on footpath</b> means the use of part of a road (for example, the public footpath) for the purposes of extending the area in which an existing retail business displays goods for sale to the public.	To define a new term used in schedule 6 - please see Attachment B Draft Subordinate Local Law No. 1 (Administration) for further details
Subordinate Local Law No. 1 (Administration) 2011 – refer to Attachment 4 for full details on the proposed changes	No definition for “outdoor dining”	Include new definition – <b>outdoor dining</b> means the use of part of a road (for example, the public footpath) or a local government controlled area for the purposes of extending the services of premises providing food and beverages to the public.	To define a new term used in schedule 6 - please see Attachment B Draft Subordinate Local Law No. 1 (Administration) for further details

Subordinate Local Law	Current Status	Proposed Change	Reason for change
		<i>Examples of premises providing food and beverages to the public— Cafes, restaurants, delicatessens, takeaways.</i>	
Subordinate Local Law No. 1 (Administration) 2011 – refer to Attachment 4 for full details on the proposed changes	No definition for “roadside stall”	<p><i>Include definition for –</i></p> <p><b>roadside stall</b> means a small-scale semi-permanent structure that is—</p> <p><i>(a) constructed along the boundary line of a rural property for the purpose of selling farm produce (such as fruit and vegetables) that has been grown on that property or products (such as jams) made from produce grown on that property; and</i></p> <p><i>(b) either partly or wholly within the road reserve.</i></p>	To define a new term used in schedule 6 - please see Attachment B Draft Subordinate Local Law No. 1 (Administration) for further details
Subordinate Local Law No. 1 (Administration) 2011 – refer to Attachment 4 for full details on the proposed changes	For several prescribed activities on council controlled land, holding public liability insurance is a usual condition but not a mandatory condition	<p>In schedules 4, 6, 8, 14 insert the following as a condition that <u>must</u> be imposed:</p> <p><i>‘A condition that must be imposed on all approvals is that the approval holder must maintain, at all times during the term of the approval, a public liability insurance policy of not less than \$20,000,000 covering the prescribed activity.’</i></p>	This change brings the laws into line with council’s current requirement of mandatory public liability insurance for these activities.
Subordinate Local Law No. 1 (Administration) 2011 – Schedule 4 <i>Alteration or improvement to local government controlled areas or roads</i>  Refer to Attachment 4 for full details on the proposed changes	Please see Attachment D for full details on proposed amendments	Please see Attachment D for full details on proposed amendments	Amendments made to provide clarity and consistency for the community and officers in applying for and assessing approvals under Schedule 4 of Subordinate Local Law No. 1 (Administration) 2011
Subordinate Local Law No. 1 (Administration) 2011 – Schedule 6 <i>Commercial use of local government</i>	Please see Attachment D for full details on proposed amendments	Please see Attachment D for full details on proposed amendments	Amendments made to provide clarity and consistency for the community and officers in applying for and assessing approvals

Subordinate Local Law	Current Status	Proposed Change	Reason for change
<p><i>controlled roads and areas</i></p> <p>Refer to Attachment 4 for full details on the proposed changes</p>			<p>under Schedule 6 of Subordinate Local Law No. 1 (Administration) 2011</p>
<p>Subordinate Local Law No. 1 (Administration) 2011 – Schedule 7 <i>Establishment or occupation of a temporary home</i></p> <p>Refer to Attachment 4 for full details on the proposed changes</p>	<p>Currently any person wishing to reside in a temporary home on a property (even for 1 night) requires an approval under council’s local laws</p>	<p>Include the following exemption –  <i>An approval under the authorising local law is not required for the establishment or occupation of a temporary home—</i></p> <p>(a) for less than two weeks in any fifty-two week period if the temporary home is established on a vacant property; or</p> <p>(b) for less than four weeks in any fifty-two week period if—</p> <p>(i) the temporary home is sited on a property occupied by an existing dwelling house; and</p> <p>(ii) the temporary home is located to the rear of the existing dwelling house.</p> <p>Please see attachment B for full details on the proposed change.</p>	<p>This proposed change provides flexibility and is responsive to the changes in our community.</p>
<p>Subordinate Local Law No. 1 (Administration) 2011 – Schedule 8 <i>Placement of movable advertising devices</i></p> <p>Refer to Attachment 4 for full details on the proposed changes</p>	<p>Current requirement for all movable advertising devices that are exempt from requiring an approval is that they are required to be at least 180 millimetres from the kerb.</p>	<p>Amend the 180 millimetre requirement and extend to 600 millimetres</p>	<p>Following a number of complaints from the community on accessibility for pedestrians and people with disabilities. The proposed changes seek to address some of the accessibility concerns we currently have with the placement of movable advertising devices across the region.</p>
<p>Subordinate Local Law No. 1 (Administration) 2011 – Schedule 8 <i>Placement of movable advertising devices</i></p> <p>Refer to Attachment 4 for full details on the</p>	<p>No requirement for an “A Frame” or “Sandwich board” to be placed immediately adjacent to the primary place of business</p>	<p>Include requirement for a “sandwich board sign” to be displayed adjacent to the business premises.</p>	<p>Following a number of complaints about the placement of “sandwich boards” sometimes several Km’s from a business premises, the requirement to place the sign adjacent to the business premises seeks to address some</p>

Subordinate Local Law	Current Status	Proposed Change	Reason for change
proposed changes			of the visual amenity complaints we receive and provide equity for all businesses wishing to advertise their businesses.
Subordinate Local Law No. 1 (Administration) 2011 – Schedule 9 <i>Keeping of animals</i>  Refer to Attachment 4 for full details on the proposed changes	No additional requirements for the number of animals kept on the property	Include – requirement to provide a community management plan where an application to keep more than 9 animals is received.	Promotes the principals of responsible pet ownership and seeks to limit the impact on the community where a person wishes to keep multiple animals on a property.
Subordinate Local Law No. 1 (Administration) 2011 – Schedule 9 <i>Keeping of animals</i>  Refer to Attachment 4 for full details on the proposed changes	A “cockerel” not included	Include a “cockerel” meaning a young rooster	Currently a cockerel is not included in this schedule. As a cockerel can still create a noise nuisance for neighbouring properties the inclusion of cockerel will ensure applicants must comply with all conditions imposed.
Subordinate Local Law No. 1 (Administration) 2011 – Schedule 9 <i>Keeping of animals</i>  Refer to Attachment 4 for full details on the proposed changes	No specific requirement for applying for more than 3 dogs with regards to a regulated dog	Any person applying for an approval to have 3 or more dogs on a property must not keep a regulated dog on the property.	A regulated dog is a dog who has attacked, or acted in a way that caused fear to, a person or another animal or  may, in the opinion of an authorised person, seriously attack or act in a way that causes fear to a person or animal. This proposed amendment seeks to limit the number of regulated dogs contained on any one property.
Subordinate Local Law No. 1 (Administration) 2011 – Schedule 12 <i>Undertaking regulated activities regarding human remains— (a) disturbance of human remains</i>	Currently no requirement for applicants applying for an approval under this schedule to provide documents or materials for applications	Include the following documents and materials that must accompany application for approval –  (a) a site plan and specifications for any work to be undertaken and materials and equipment used; and  (b) copies of all legal	This additional information will assist officers in making an informed decision about an application for an approval. Additionally, it will make it clear up front to applicants what is required to make an

Subordinate Local Law	Current Status	Proposed Change	Reason for change
<p><i>buried outside a cemetery; or (c) disturbance of human remains in a local government cemetery</i></p> <p>Refer to Attachment 4 for full details on the proposed changes</p>		<p>documents pertaining to any proposed disturbance of human remains; and</p> <p>(c) signed consent of the person or entity who will undertake the work; and</p> <p>(d) signed consent of the executor of the will, or the next of kin, of the deceased person whose remains are to be disturbed.</p>	<p>application.</p>
<p>Subordinate Local Law No. 1 (Administration) 2011 – Schedule 13 <i>Undertaking regulated activities regarding human remains—(b) burial or disposal of human remains outside a cemetery</i></p> <p>Refer to Attachment 4 for full details on the proposed changes</p>	<p>Currently there are no conditions that must be imposed on an approval</p>	<p>Include –</p> <p>Conditions that must be imposed on an approval are that the approval holder must ensure that—</p> <p>(a) the activity is carried out by a recognised funeral director; and</p> <p>(b) no public health risk arises from the activity; and</p> <p>(c) the funeral director complies with directions given by an authorised person about—</p> <p>(i) the preparation of a grave for the burial of human remains; or</p> <p>(ii) other matters affecting the disposal of human remains; and</p> <p>(d) Global Positioning System (GPS) reference points are captured and recorded and forwarded to the local government to identify the final burial location, at the cost of the approval holder; and</p> <p>(e) a comprehensive description of the burial method and ongoing management of the site is supplied to the local government following the burial; and</p> <p>(f) authorisation is given to the local government to add the details of the burial to the local government property data file.</p>	<p>The proposed amendments are intended to ensure that the appropriate conditions are imposed on all approvals.</p>

Subordinate Local Law	Current Status	Proposed Change	Reason for change
<p>Subordinate Local Law No. 1 (Administration) 2011 – Schedule 14 <i>Undertaking regulated activities on local government controlled areas and roads</i></p> <p>Refer to Attachment 4 for full details on the proposed changes</p>	<p>Currently there are no additional criteria for the granting of an approval</p>	<p>Include the following additional criteria –</p> <p>For an application for approval, the additional criteria are that the activity will not be likely to cause—</p> <p>(a) harm to human health and safety; or</p> <p>(b) property damage; or</p> <p>(c) a nuisance; or</p> <p>(d) obstruction of pedestrian or vehicular traffic; or</p> <p>(e) environmental harm; or</p> <p>(f) environmental nuisance; or</p> <p>(g) a loss of amenity; or</p> <p>(h) an obstruction of a view or vista from any premises.</p>	<p>The inclusion of the additional criteria allows officers to make an informed decision about whether the activity is consistent with the principles that underpin the council's local laws i.e. protect community health, safety and amenity and prevent environmental harm.</p>
<p>Subordinate Local Law No. 1 (Administration) 2011 – Schedule 18 <i>Carrying out works on a road or interfering with a road or its operation</i></p> <p>Refer to Attachment 4 for full details on the proposed changes</p>	<p>Currently there are no specific requirements for domestic or commercial work carried out on a road or interfering with a road or its operation</p>	<p>Include the following documents and materials that must accompany application for approval –</p> <p>(a) if the application is for domestic work on a road reserve—a site plan, clearly showing all proposed construction within the road reserve; and</p> <p>(b) if the application is for commercial and other work on a road reserve—</p> <p>(i) site plans;</p> <p>(ii) landscape plans;</p> <p>(iii) a program of work;</p> <p>(iv) a traffic and pedestrian management plan prepared by a qualified professional.</p>	<p>Proposed amendment now includes specific reference to domestic and commercial work carried out on a road or interfering with a road or its operation. This proposed amendment ensures adequate information is provided during the application stage to assist officers in making an informed decision.</p>
<p>Subordinate Local Law No. 1 (Administration) 2011 – Schedule 18 <i>Carrying out works on a road or interfering with a road or its operation</i></p> <p>Refer to Attachment 4 for</p>	<p>Currently there are no specific provisions with regards to additional criteria for granting an approval other than for vehicular access and the installation of a gate or grid</p>	<p>Include provisions with regards to additional criteria for granting an approval for all approvals for work on a road –</p> <p>(1) Additional criteria applicable for all approvals for work on a road are that—</p> <p>(a) new assets installed on the local government road will be of adequate quality; and</p>	<p>The proposed amendment seeks to include further requirements with regards to all works. This amendment will provide guidance to council officers in deciding on applications for approval for work</p>



Subordinate Local Law	Current Status	Proposed Change	Reason for change
full details on the proposed changes		(b) existing community assets will be adequately preserved; and (c) disruption to the general community as a result of the work will be minimised.	carried out on a road or interfering with a road or its operation that doesn't relate to vehicular access or the installation of a gate or grid.
Subordinate Local Law No. 2 (Animal Management)  Schedule 1 - <i>Prohibition on keeping animals in prescribed circumstances</i>  Refer to Attachment 5 for full details on the proposed changes	Currently there are no prohibitions with regards to the keeping of more than 10 bee hives on a property over 2001 square metres	Include the following –  More than 10 bee hives must not be kept on a property between 2001 square metres and 4000 square metres in size	This proposed amendment is based on best practice with regards to community health and safety – it brings the local laws into line with the State Government's bee keeping guidelines. At present a person may keep as many bee hives as they wish on a property larger than 2001 square metres.
Subordinate Local Law No. 2 (Animal Management)  Schedule 2 – <i>Requirement for approval to keep animal</i>  Refer to Attachment 5 for full details on the proposed changes	No specific reference to a "cockerel"	Include "cockerel" in schedule 2 of SLL2	As mentioned previously a "cockerel" is a young rooster and can still create a noise nuisance.
Subordinate Local Law No. 2 (Animal Management)  Schedule 5 – <i>Exclusion of animals generally</i>  Refer to Attachment 5 for full details on the proposed changes	Currently animals are permitted on Mooloolaba beach so long as they are under effective control  (map SLL2.5.12)	Include Mooloolaba Beach as a prohibited animal area as detailed in attachment B map No. SLL 2.5.12	Proposed amendment requested by Cr Chris Thompson
Subordinate Local Law No. 2 (Animal Management)  Schedule 5 – <i>Exclusion of animals generally</i>  Refer to Attachment 5 for full details on the proposed changes	Kings Beach prohibited dog area currently ends at Evuka Avenue  (map SLL2.5.9)	Extend the prohibited dog area in Kings Beach down to Dingle Avenue	Proposed amendment requested by Cr Tim Dwyer

Subordinate Local Law	Current Status	Proposed Change	Reason for change
<p>Subordinate Local Law No. 2 (Animal Management)</p> <p>Schedule 6 – <i>Dog off leash areas</i></p> <p>Refer to Attachment 5 for full details on the proposed changes</p>	<p>Currently Shelly Beach is indicated in the table in schedule 6 as a dog off leash beach from May to October, 4pm to 8am whereas the map (map SLL2.6.36) does not indicate that this only applies in May to October</p>	<p>Change legend in the map to state –</p> <p>Dogs off leash May to October, 4pm to 8am</p>	<p>This change brings the map into line with the table in schedule 6 of Subordinate Local law No. 2 (Animal Management) 2011. This is a known turtle nesting area and the specification of it being a dog off leash area only between May to October 4pm to 8am ensures the impact to the environment and hatching turtles are minimised.</p>
<p>Subordinate Local Law No. 2 (Animal Management)</p> <p>Schedule 6 – <i>Dog off leash areas</i></p> <p>Refer to Attachment 5 for full details on the proposed changes</p>	<p>Current map for the Twin Waters dog off leash area refers to the area as Mudjimba</p>	<p>Change map to reflect the correct area – North Shore, Twin Waters</p>	<p>This is a minor amendment to the name of an existing map and designated dog off leash area.</p>
<p>Subordinate Local Law No. 2 (Animal Management)</p> <p>Schedule 6 – <i>Dog off leash areas</i></p> <p>Refer to Attachment 5 for full details on the proposed changes</p>	<p>Dicky Beach off-leash area currently ends at beach access 270 (map SLL2.6.35)</p>	<p>Amend map to extend off-leash area to beach access 269.</p>	<p>This amendment will extend the off-leash area at Dicky Beach. Proposed amendment requested by Cr Tim Dwyer</p>
<p>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</p> <p>Schedule 2 - <i>Restricted activities for local government controlled areas, facilities, infrastructure or roads</i></p> <p>Refer to Attachment 6 for full details on the proposed changes</p>	<p>Camping on local government controlled areas and roads requires an approval under Local Law No.1 but is not restricted in Local Law No.4</p>	<p>Include camping as a restricted activity which will only be allowed where the local government designates the area as a camping area or part of an approval issued under SLL1</p> <p><i>For example – camping may be allowed as an activity under an approval for a temporary event</i></p>	<p>Rather than requiring approvals for camping on local government controlled areas and roads under Local Law No.1, the amendment will prohibit camping in all areas and roads unless the area is designated by the council as a camping area or another approval under Local Law No.1 has specifically authorised camping in a place.</p>

Subordinate Local Law	Current Status	Proposed Change	Reason for change
<p>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</p> <p>Schedule 2 - <i>Restricted activities for local government controlled areas, facilities, infrastructure or roads</i></p> <p>Refer to Attachment 6 for full details on the proposed changes</p>	<p>Abseiling on local government controlled areas and roads currently requires an approval under Local Law No.1 but is not restricted in Local Law No.4</p>	<p>Include abseiling as a restricted activity which will only be allowed where the local government erects a sign authorising abseiling or where the activity is part of an approval issued under SLL1</p> <p><i>For example – abseiling may be allowed as an activity under an approval for a temporary event</i></p>	<p>Rather than requiring approvals for abseiling on local government controlled areas and roads under Local Law No.1, the amendment will prohibit abseiling in all local government controlled areas and roads unless the local government erects a sign authorising the activity or where it is approved under another local law approval. This change will ensure that this activity only occurs on sites that are acceptable in terms of safety and have the supporting infrastructure to protect any associated environmental values.</p>
<p>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</p> <p>Schedule 2 - <i>Restricted activities for local government controlled areas, facilities, infrastructure or roads</i></p> <p>Refer to Attachment 6 for full details on the proposed changes</p>	<p>Rock climbing is currently not listed as a prescribed activity or regulated under council's local laws</p>	<p>Include "rock climbing" as a restricted activity which will only be allowed where the local government erects a sign authorising rock climbing or where the activity is part of an approval issued under SLL1</p> <p><i>For example – rock climbing may be allowed as an activity under an approval for a temporary event</i></p>	<p>The amendment will prohibit rock climbing in all local government controlled areas and roads unless the local government erects a sign authorising the activity or where it is approved under another local law approval. This change will ensure that this activity only occurs on sites that are acceptable in terms of safety and have the supporting infrastructure to protect any associated environmental values.</p>
<p>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</p> <p>Schedule 2 - <i>Restricted activities for local government controlled areas,</i></p>	<p>Riding a horse on local government controlled areas and roads requires an approval under Local Law No.1 but is not restricted in Local Law No.4</p>	<p>Include riding a horse as a restricted activity which will only be allowed where the local government erects a sign authorising the riding of a horse or part of an approval issued under SLL1</p> <p><i>For example – riding a horse may be allowed as an activity under an approval for a</i></p>	<p>Rather than requiring approvals for riding horses on local government controlled areas and roads under Local Law No.1, the amendment will prohibit riding horses in all areas and roads unless permitted by signage or authorised under another approval</p>

Subordinate Local Law	Current Status	Proposed Change	Reason for change
<p><i>facilities, infrastructure or roads</i></p> <p>Refer to Attachment 6 for full details on the proposed changes</p>		<i>temporary event</i>	under Local Law No.1.
<p>Subordinate Local Law No. 5 (Parking) 2011</p> <p>Schedule 2 – declaration of off street parking areas</p> <p>Refer to Attachment 7 for full details on the proposed changes</p>	Currently Schedule 2 identifies 12 off street parking areas across the coast	Proposed amendments include an additional 56 maps outlining designated off street parking areas.	The new maps provide council with the ability (if required) to regulate and sign the off street parking areas. Please see Appendix B or Attachment B for full details on the identified off street parking areas.
<p>Subordinate Local Law No. 5 (Parking) 2011</p> <p>Schedule 2 – declaration of off street parking areas</p> <p>Refer to Attachment 7 for full details on the proposed changes</p>	Currently Beach Terrace at Mooloolaba is identified in the schedule as an off street parking area.	Remove Beach Terrace, Mooloolaba as an off street parking area as the area is considered on-road under the <i>Transport Operations (Road use management) Act 1995</i>	This proposed amendment provides consistency with what is on-road parking and off street parking.
<p>Subordinate Local Law No. 5 (Parking) 2011</p> <p>Schedule 3 – persons who may be issued with a parking permit</p> <p>Refer to Attachment 7 for full details on the proposed changes</p>	<p>Currently there are 3 areas that have been identified in the region as a residential parking permit area –</p> <ul style="list-style-type: none"> <li>• Nambour Hospital 3p</li> <li>• Lady Musgrave Drive, Mountain Creek and</li> <li>• Birtinya regulated parking area</li> </ul>	<p>Include –</p> <p>Residents within the Sippy Downs Regulated Parking Area as delineated in Map SLL 5.3.2, including residents of multi-unit complexes</p>	The proposed amendment is in response to the increase in student parking off the campus as a result of paid parking being introduced to Sunshine Coast University, which may necessitate timed parking restrictions on surrounding streets. Residents in this area will now be able to apply for a residential parking permit if council decides to regulate the area with timed parking zones.

### Legal

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

- Section 29-32 of the *Local Government Act 2009* and section 15 of the *Local Government Regulation 2012* and
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws
- Draft Amendment Subordinate Local Law No. 1 (Administration) 2016
- Draft Amendment Local Law No. 1 (Miscellaneous) 2016
- Draft Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016.

### **Policy**

There are no new policy implications in the following proposed local law amendments:

- Draft Amendment Subordinate Local Law No. 1 (Administration) 2016
- Draft Amendment Local Law No. 1 (Miscellaneous) 2016
- Draft Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016.

### **Risk**

Risks associated with the making of amendment local laws will be managed by:

- conducting effective community consultation;
- ensuring effective implementation of the amendment local law;
- utilising robust systems and processes to monitor the performance of the local laws.

### **Previous Council Resolution**

There are no previous resolutions in relation to the proposed amendments presented in this report.

### **Related Documentation**

- *Local Government Act 2009* and Regulations
- Sunshine Coast Regional Council Local Laws and Subordinate Local Laws 2011
- State Government Guidelines for Making Local Laws and Subordinate Local Laws
- Corporate Plan 2014-2019.

### **Critical Dates**

It is beneficial for council to commence the local law making process as soon as possible in order for the Local Law amendments to take effect by the 1 February 2016.

### **Implementation**

Following consideration of this report, actions relevant to the recommendation will be implemented and include:

- Commencement of Community Consultation from 1 November to 30 November 2015
- Undertake State Interest Checks on 1 November to 30 November 2015
- Undertake a Public Interest Review on 1 November to 30 November 2015
- Preparation of the website notice on proposed local law change.

**8.2.5 DISPOSAL OF AN EASEMENT - YANDINA BLI BLI ROAD, BLI BLI**

<b>File No:</b>	<b>DISP 0037</b>	
<b>Author:</b>	<b>Senior Property Officer</b> <b>Corporate Services Department</b>	
<b>Appendices:</b>	<b>App A - Survey Plan 265565 .....</b>	<b>151</b>
<b>Attachments:</b>	<b>Att 1 - Location Map .....</b>	<b>153</b>

**PURPOSE**

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, from the tender/auction process to allow registration of a water main easement and a sewerage easement over Council freehold land.

**EXECUTIVE SUMMARY**

The *Local Government Regulation 2012* provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land (e.g. easement). It provides that a disposal, other than by tender or auction, may only occur if an exception applies. Section 236(1)(b)(i) provides an exemption if the disposal is to a government agency.

Section 236(2) provides that a local government must decide by resolution that an exception applies.

Council was requested by Definium LWS Australia Pty Ltd on behalf of Reef Bill Pty Ltd to provide two easements to facilitate a development application. A locality map is provided as **Attachment 1**.

One easement is for a water main and the requested area is 88m<sup>2</sup> and the second easement is for sewerage and the area requested is for 596m<sup>2</sup>. Both easements will be in favour of Northern SEQ Distributor-Retailer Authority (Unitywater).

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "Disposal of an Easement - Yandina Bli Bli Road, Bli Bli "**
- (b) resolve, pursuant to section 236 (2) of the *Local Government Regulation 2012*, that an exception to dispose of two easements in Lot 950 on SP 185831 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 the interests are for a water main easement and a sewerage main easement as shown on SP 265565 (Appendix A).**

**FINANCE AND RESOURCING**

The impact on Council's freehold land was valued at \$3,000 with the cost of the valuation being \$2,200. Should Council resolve that an exception applies, Council will invoice the applicant for the value of the easement and the valuation costs.

All direct expenditure associated with these dealings, including the survey plan and easement documentation will be met by the applicant.

## CORPORATE PLAN

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

## CONSULTATION

### Internal Consultation

A request for comments on the impact of the proposed water main and sewerage main on Council's freehold land to facilitate the Parklakes 2 development was circulated to all relevant stakeholders, including the divisional Councillor. No objections were received from internal stakeholders, subject to nominated conditions and approval by Council.

Advice in relation to the exception provisions of the *Local Government Regulation 2012* has been received from the Manager Procurement and Contracts and a Solicitor from Legal Services.

### External Consultation

Council officers from Property Management have liaised with Definium LWS Australia Pty Ltd in relation to this matter.

### Community Engagement

Due to the internal administrative nature of this report there has been no community engagement.

## PROPOSAL

The applicant is proposing a 62 lot subdivision in two stages, (REC10/006). The development will require two easements, easement "A" for a water main containing an area of 88m<sup>2</sup> and Easement "B" for sewerage containing an area of 596m<sup>2</sup>, through Council's freehold property described as Lot 950 on SP 185831. Both easements will be in favour of Northern SEQ Distributor-Retailer Authority (Unitywater).

The *Local Government Regulation 2012* provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land (e.g. easement). It provides that a disposal, other than by tender or auction, may only occur if an exception applies. Section 236(1)(b)(i) provides an exemption if the disposal is to a government agency.

For an exception to apply, Council must decide in accordance with section 236(2) of the *Local Government Regulation 2012* that an exception applies.

A resolution that an exception applies will enable an easement to be entered into without the need to engage in a tender or auction process.

### Legal

Legal Services have been consulted on the section 236 exception process.

**Policy**

This report was developed in accordance with the procurement policy in relation to the disposal of Council assets.

**Risk**

There are no risk issues to address in relation to this report.

**Previous Council Resolution**

There is no previous resolution in relation to this request.

**Related Documentation**

There is no related documentation relevant to this report.

**Critical Dates**

While there are no specific critical dates for these easements, it is incumbent on Council to finalise easements expeditiously so that service providers and other land owners are provided with an acceptable level of service.

**Implementation**

Should Council resolve that an exception apply, the applicant will be invoiced for the land and valuation costs. Upon payment, Council will execute the easement document and the related survey plan.



**8.2.6 COMMUNITY FACILITY INFRASTRUCTURE AGREEMENT**

<b>File No:</b>	<b>Statutory Meetings</b>	
<b>Author:</b>	<b>Coordinator Property, Projects and Development Corporate Services Department</b>	
<b>Appendices:</b>	<b>App A - Lot 902 SP269561 .....</b>	<b>163</b>
<b>Attachments:</b>	<b>Att 1 - Car park layout plan .....</b>	<b>165</b>

**PURPOSE**

This report provides a status on the transfer of the “Coolum Residences” sales office, as a community facility in accordance with the Voluntary Infrastructure Agreement and conditions of the development approval.

The report also seeks Council’s approval to lease the facility for the continued use as a sales office in accordance with the original intent of the development approval to support land sales as an interim use.

**EXECUTIVE SUMMARY**

The approval for the Material Change of Use to establish the Coolum Hyatt Resort Community in 2007 and the Infrastructure Agreement requires the land owner to transfer the “Coolum Residences” sales office with the last stages of the residential development or by 31 December 2013 for the purposes of a community facility. In August 2012, the owner of the land, SH Coolum Pty Ltd, through their development manager (Lend Lease at that time) requested an extension of the use as a sales office and a deferral of the transfer as a community facility until December 2018.

At that time, support for the continuation of the use was considered reasonable as it met the original intent of the development approval and there was no short term need identified for a community facility. Negotiations were then to progress between the SH Coolum development manager and Council to resolve a suitable way forward for both parties in a complex and changing environment.

Over the past three (3) years there have been ongoing discussions/negotiations with the development managers on behalf of SH Coolum (Lend Lease and more recently their consultant KHA) in relation to the key issues exploring multiple scenarios to resolve all parties’ concerns.

Early in 2015 Council via Development Services sought to progress the transfer of the sales office to council which was underway, however had stalled due to a number of outstanding conditions. These meetings have now progressed and the transfer is scheduled for November 2015. Subsequently this report seeks to obtain council’s approval to lease the sales office to SH Coolum for the continuation as a sales office until December 2018.

This report recommends that the transfer of the sales office (community facility) to council be completed and that Council delegate authority to the Chief Executive Officer to negotiate a commercial lease arrangement for the continued use as a sales office with SH Coolum.

This proposal of this outstanding issue is considered a suitable outcome for both parties. Council is able to secure this valuable community asset and plan for its future transition in the community facility network and also enables SH Coolum to continue to use the sales office to promote and market Coolum Residences until the agreed date.

As there are no other neighbours to this property, we seek to dispose of this lease to SH Coolum as an adjoining owner under exemption of *Section 236 of Local Government Regulation 2012*.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Community Facility Infrastructure Agreement"
- (b) resolve that an exception under *Section 236 of Local Government Regulation 2012* applies to the disposal of a non-current asset (lease) in Lot 902 SP269561 (Appendix A) to an adjoining land owner and
- (c) authorise the Chief Executive Officer to negotiate and finalise a temporary Commercial Lease Agreement to SH Coolum Pty Ltd, subsequent to the transfer of Lot 902 SP269561 to Council.

## FINANCE AND RESOURCING

The sales office to be transferred to Council is located on 2,673m<sup>2</sup> of land that includes 301 square metres of office space in a single storey building with existing six allocated car spaces. The lot and building have an estimated value of \$1.5 Million. A condition of the development approval allows for the provision by the developer of an additional 27 car parks and upgrade road access and landscaping (Attachment A).

Also a condition of approval requires the transfer of the existing sales offices in good order and repair. An assessment by Council has identified the need to upgrade the sales office to achieve certification as a class 9b community facility at an estimated cost of approximately \$55,000 will be required if the facility is to be rented or leased for community purposes.

No funding has been allocated to the upgrade of the "Coolum Residences" sales office as a community facility in the current 10 year capital works program. The financial and resource implications of the pending transfer have been an important element in the discussions/negotiations.

As the cost implications of the upgrade and operational management costs have not been included in council budget, the negotiations have sought to achieve a win/win for both parties by minimising the cost implications to council and enabling the original intent for the sales office to be continued with the final stages of the development.

A commercial rental value of \$32,000 per annum plus outgoings for the 301m<sup>2</sup> building as a sales office has now been agreed by both parties through an independent valuation process.

This report recommends that a commercial lease with an annual net rental of \$32,000 per annum be finalised.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Service excellence.</i></b>
<b>Outcome:</b>	4.1 - Customer focused services
<b>Operational Activity:</b>	4.1.3 - Administer Council's local laws and relevant State legislation in a manner that supports Council's economic, community and environmental goals for the region and is consistent with statutory obligations

## CONSULTATION

Discussions with the development manager have been intermittent over the past three years, with Development Services Branch being the key point in contact in the management of the planning approval requirements. Discussions in regard to the use of the sales office short term, has involved a number of branches across the organisation. The consultation has focused on achieving the requirements of the conditions of approvals and agreements to ensure the most cost effective and appropriate outcome for council, the developer and the community.

### Internal Consultation

Internal Consultation has been undertaken as follows:

- Director Regional Strategy and Planning
- Manager Environment and Sustainability Policy
- Manager Development Services
- Coordinator Open Space and Social Policy
- Coordinator Development Audit and Response
- Manager Community Facilities and Planning
- Coordinator Property Projects and Developments
- Principal Property Officer
- Senior Property Officer
- Coordinator Portfolio Management
- Chief Legal Officer

An assessment was undertaken by Community Services Department in the early phase of negotiations to determine if there was demand for additional community facilities in the district in the short term, to assist in determining council's position in regard to the continued use as a sales office. It was determined at the time that any unmet need for a community facility could be addressed in the current network and subsequently there are a number of local planning projects underway in Cooloom to address community needs.

The Divisional Councillor, Cr O'Pray and adjoining Divisional Councillor, Cr Robinson have been informed at key milestones.

### External Consultation

External Property Consultants have been commissioned to assess and assist in negotiations with the lease rental.

No community engagement program has been conducted as part of preparation of this report. During 2006 - 2007 as part of the assessment and council decision making process for the original development application, there was significant community input. The community has actively monitored development in this location and continue to seek an update in regard to the status of the transfer.

## PROPOSAL

"Cooloom Residences" sales office was constructed in approximately 2005. The building is located on David Low Way at Yaroomba on proposed Lot 902 SP269561 with an area of 2673m<sup>2</sup>. The building is 301m<sup>2</sup> and features include:

- reception and hall
- office and kitchenette
- 3 small meeting rooms
- 1 small storage room
- 1 unisex disability toilet

The transfer of the sales office to council for a community facility was a key outcome for the local community at the time of development approval.

The development approval MCU05/0245 which was issued on 11 July 2007 and amended on 26 November 2013, includes condition 99 which states:

*“Within 12 months of the sealing of the survey plan for the last stages of residential development within the Preliminary Approval area or by 31 December 2013, whichever is the earlier, the applicant must transfer the land containing the existing Hyatt sales centre (including the building, access, all infrastructure and the car park) in good order and repair, along with an additional 20 car parking bays to council in fee simple for the purposes of the community centre”.*

The items in the Infrastructure Agreement as amended by the Deed of Novation, states, **“SHC must transfer to the Council the Community Centre Land prior to the earlier of the following dates:**

- 31 December 2013; or
- *The date the marketing and sales suite is no longer required for the marketing and sale of lots within the Hyatt Coolum Community.”*

The intent of the condition of approval and infrastructure agreement was to allow for the developer to use this facility as a sales office during the development phase, which was anticipated to be completed before or by 2013. The impacts of the Global Financial Crisis and economic circumstances, impacted the development in 2013, consequently the developer sought an extension of the use as a sales office to 30 November 2018.

There have been ongoing discussions since this time in a bid to finalise suitable arrangements to enable the use as a sales office to continue and to ensure the interests of council and the community were protected. These discussions sought to ensure that council and community are not negatively impacted by the continuation of the use of the facility as a sales office and to protect council and the community’s long term interests. Key issues to be addressed included:

- clarification that the community facility was not needed in the short term
- the cost implications to council (capital and operational) of the facility to be suitable for community use (certified class 9b)
- identification of market value of the potential rent/lease for the continuing use as a sales office
- enabling the existing use to continue to support the ongoing sales of Coolum Residences
- protecting the council/community asset and ensuring the conditions of approval were met in regard to car parking, access, landscaping and good repair of the building
- ongoing community interest in the development approvals in this location

Discussions have continued with the development manager with regard to the request and a range of options of how this could occur have been explored and early in 2015 council officers sought to get a final resolution of the matter and have been working with the development manager to attain a suitable outcome.

The following proposal has been agreed as the best way forward.

That the transfer of the sales office (Lot 902 SP269561) to Council, in accordance with the Infrastructure Agreement and conditions of approval proceed as a priority and the subsequent lease of the facility to SH Coolum for an amount equal to or better than market value for the site to 30 November 2018.

That the lease arrangement be subject to Council approval.

This proposal includes the deferment of the upgrade of the road access, car parking and associated landscaping works to be delivered prior to the lease expiry on 30 November 2018. Council's existing bonds under the Infrastructure Agreement that amount to \$1Million are currently being reviewed to adequately secure all the works.

In December 2018 the Council would be responsible for the upgrade of the building to a certification 9b for community use or could potentially secure a community organisation as a third party contributor to fund the upgrade as a lease arrangement.

This proposal means that the community would not have access to this facility until 2019. This is considered acceptable in the current financial and demand circumstances enabling Council to plan a transition into the management of the facility.

It has been determined that this proposal is in accordance *under Section 236 of Local Government Regulation 2012*, which guides council's disposal (lease) of a valuable non-current asset by conducting an open tender process, unless one of the existing exceptions applies. The proposal utilises an exception in regard to where the disposal is to the owner of adjoining land.

Following the sales office transfer to Council the only owner of land adjoining the sales office land parcel will be SH Coolum. The proposal also meets the other prerequisites required to exercise the exception, which include:

- The asset is not considered suitable for open tender, as giving a lease to any other organisation will significantly impact the delivery of the proposed development as currently approved and therefore not honour the original intent of the approval
- It is considered that the public interest is best served by allowing the use to continue and secure the land ownership and enable Council and community to plan for its future use
- The disposal is required to equal or better the market value. The agreed commercial lease arrangements have been agreed through recent market valuations by both parties

If council was not supportive of this proposal it is within council's rights as the land owner not to lease the sales office upon transfer, Council could invite tenders for the use of the facility. SH Coolum are aware that this decision sits with Council.

In conclusion, it is considered that the continuation of the use for sales office purpose is consistent with the original intent as detailed in the conditions of approval and infrastructure agreement can be achieved once the site has been transferred to council.

Allowing the continuation of the use will allow Council time to consider the longer term preferred use of the site and budget for the capital and operational cost.

Public access to the facility for community purposes would therefore commence post December 2018.

**Legal**

The existing Voluntary Infrastructure Agreement is a legal agreement. The developer is currently in contravention to this legal agreement in terms of the date of the transfer of the community facility site. The applicant has been notified of the requirements to undertake the transfer in accordance with the conditions of approval and the transfer is close to completion. Requirements in regard to permanent services to the site are currently underway.

*Section 236 of Local Government Regulation 2012* provides that council may only dispose of (lease) a valuable non-current asset by conducting an open tender process, unless one of the existing exceptions applies. An exception exists where the disposal is to the owner of the adjoining land. This exception could be applied to the existing circumstances as, following transfer of title, the only owner of land adjoining the parcel will be SH Coolum, and the other prerequisites required to exercise the exception have been met.

**Policy**

Social Infrastructure Strategy does not identify the proposed Coolum Residences community facility as a short term priority.

**Risk**

There has been a degree of risk with many of the options discussed over the 3 year period and it is recommended that securing the valuable asset into Council ownership minimises the risk.

A cost estimate by a RPEQ has been requested on the bonded works to ensure that Council has sufficient funds (1.5 times) to ensure the road access, car park and landscape works can be completed if required. The standard commercial lease conditions to ensure the building is maintained and returned in good order and repair is considered appropriate.

**Previous Council Resolution****Ordinary Meeting - 28 February 2007 (Maroochy Shire Council) - Council Resolution**

*That Council:*

1. *APPROVES pursuant To Section 3.1.6 of IPA 1997, with Conditions as reflected in the draft Decision Notice, Application No MCU05/0245 - Preliminary Approval for a Material Change of Use of Premises (Master Planned Community) to establish the Coolum Hyatt Resort Community: An Integrated Resort and Residential Community in Accordance with an amended Preliminary Approval Document, with variations different from those sought in the Application, pursuant to the provisions of Section 3.5.5 (Impact Assessable) of the Integrated Planning Act 1997;*
2. *Amend Condition 175 to read:  
The applicant must ensure that the development site is provided with reticulated water and sewerage, underground reticulated electricity, telecommunications services in accordance with the requirements of Maroochy Plan 2000 and sufficient fibre optic cabling to provide for all future requirements;*
3. *Council notes the effect of the above recommendation will:*
  - *Allow additional development over the Preliminary Approval Area within 5 precincts, including a consolidated resort precinct, redesigned golf course precinct, and 3 residential precincts accommodating up to 660 new dwelling units in accordance with an amended Preliminary Approval Document;*
  - *Limit the maximum building height within Precinct 3 (Beachside) Sub-Precinct 3F to 4 storeys/16 metres, within Precinct 5 (Central) Sub-Precinct 5B to 3 storeys/12 metres, and within Precinct 4 (Vantage) to 2 Storey/8.5metres;*

- *Ensure “no net loss” of Special Management Area vegetation within Precinct 3 (Beachside);*
  - *Establish minimum 15 metre wide vegetation buffers between proposed Beachside Sub-Precincts 3D, 3E, and 3F to ensure a vegetation connection between the Esplanade (fore-dune and dune) and the open space running north/south through the centre of Precinct 3 (Beachside);*
  - *Protect the rainforest and parabolic dune with vegetation covenants;*
  - *Protect the David Low Way, Tanah Street East and other landscape buffers with vegetation covenants;*
  - *Secure a minimum \$7 million resort refurbishment budget through a Deed of Agreement;*
  - *Secure the future of the redesigned 18 hole golf course through a Voluntary Infrastructure Agreement and covenant;*
  - *Secure other public infrastructure (eg intersection/roadworks upgrades; contributions to road network upgrades, contributions towards upgrading of the North Shore Sports Complex, contributions towards bushfire mitigation; dedication of the existing sales office in the future as a community centre; provision of a new life guard tower and ongoing life guard services, etc) through an executed Voluntary Infrastructure Agreement and raise from two hundred and fifty thousand to one million dollars the contribution to upgrading local roads in the area with appropriate amendments to condition 16;*
  - *Allow the first stage of the proposed development (Vantage Stage 2 – 52 residential lots) to proceed;*
4. *APPROVES with Conditions Application No. REC05/0190 for a Reconfiguration of a Lot (Vantage Stage 2 – 55 Lots consisting of a 53 Lot Moderate Urban Subdivision within A Community Title Scheme (which includes a 6677m<sup>2</sup> multiple dwelling unit Lot and Common Property) and two (2) Balance Lots (To Form Part of Precinct 1 (Resort) and Precinct 2 – (Golf Course) pursuant to the provisions of Section 3.5.5 (Impact Assessable) of the Integrated Planning Act 1997;*
5. *Delegates Authority to the Chief Executive Officer to determine all Requests for Negotiated Decision, Change to Development Approval (CDA), Change or Cancel Conditions (CCC) and Extension to the Currency Period;*
6. *Binds future Councils to respect the Covenants on Titles to protect the golf course by committing them to change the protections only through a public participation process, that is, not by a future Council acting alone*

**NOTATION:** *Council noted that any reference in the report stating, “Development in excess of 3 storeys east of the David Low Way or 4 storeys west of the David Low Way is not supported by officers”, should read, “Development in excess of 3 storeys west of the David Low Way or 4 storeys east of the David Low Way is not supported by officers”.*

#### **Related Documentation**

- Voluntary Infrastructure Agreement
- Decision Notice for the Preliminary Approval MCU05/0245
- Decision Notice for Reconfiguration of a Lot Approval REC13/0135 and REC09/0129

**Critical Dates**

The critical date was the date of transfer of the community facility land site being the expired date of 31 December 2013. It is considered critical that the applicant finalise the outstanding conditions of approval to enable the transfer to occur in accordance with the conditions of approval.

**Implementation**

That Council authorise the Chief Executive Officer to finalise the lease arrangements as per discussions held in confidential session.

The commercial lease be finalised and managed by Property Management Branch.

Funding for the upgrade and subsequent operations to be referred to the 2018/2019 budget, or alternatively an Expression of Interest for the use of the building be prepared.

Planning for the future use of the facility be commenced to enable a transition into a preferred community use and funding.



## 8.3 COMMUNITY SERVICES

### 8.3.1 MALENY RECREATION DRAFT MASTER PLAN 2015-2030

**File No:** ECM 15 October 2015

**Author:** Sport and Recreation Officer  
Community Services Department

**Appendices:** App A - Maleny Recreation Draft Master Plan 2015 - 2030 ..... 177

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#### **PURPOSE**

The purpose of this report is to seek Council's endorsement of the Maleny Recreation Draft Master Plan 2015-2030 (Appendix A) for the purposes of public exhibition and comment.

#### **EXECUTIVE SUMMARY**

The purpose of the Maleny Recreation Draft Master Plan 2015-2030 is to provide a long term vision (15 year horizon) for three key sport and recreation sites within the Maleny locality, consistent with community demand and the needs of clubs / organisations within this locality and the wider region. The Plan's focus area covers three sites including:

- Maleny Showgrounds
- Witta Sportsground
- Maleny Community Precinct (leased portion to the Maleny District Sports & Recreation Club (MDSRC)).

The key recommendations of the draft Master Plan include:

- Retention of soccer at the Maleny Showgrounds with capacity for a second full sized field to accommodate growth in this sport
- Construction of a proposed new building for the Maleny Bridge Club with options at the Maleny Community Precinct and Maleny Showgrounds
- Extension of community buildings including the Playhouse and Arts and Crafts facilities
- Potential development of a dog off-leash area and recreation node
- Provision for multi-use equestrian fields within the Maleny Community Precinct (portion leased to Maleny District Sport and Recreation Club – MDSRC)
- Additional tennis court at the Witta Sportsground
- Improved parking and access across all sites
- Support for the extension of walk/cycle pathways to connect Maleny Showgrounds to the Maleny Community Precinct.

The intent of the draft Master Plan is to inform the future development of the three sites over a period of up to 15 years, so that ad-hoc improvements are avoided and community use and long term viability are maximised.

Through the process of developing the draft Master Plan, consideration has been given to key Council strategies / plans, community needs, population projections, statutory policies and regulations.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Maleny Recreation Draft Master Plan 2015-2030”
- (b) endorse the “Maleny Recreation Draft Master Plan 2015-2030” (Appendix A) for public exhibition and
- (c) request the Chief Executive Officer to collate and consider feedback received as part of the public consultation undertaken and present the final version of the Master Plan for consideration by Council.

**FINANCE AND RESOURCING**

The costs of implementing the recommendations of the draft Master Plan are recognised as being beyond the capacity of Council to fund in its own right. The adoption of the draft Master Plan provides relevant stakeholders / community groups and Council with a strategic direction to implement improvements in a clear and focused way, and provides a foundation for grant applications and future facilities planning.

The indicative-only capital cost of short, medium and long term recommendations within the draft Master Plan are as follows:

Maleny Showgrounds:

- |                                    |                    |
|------------------------------------|--------------------|
| • Short term (within next 5 years) | \$ 605,000         |
| • Medium term (6 - 10 years)       | \$ 480,000         |
| • Long term (11 - 15 years)        | \$1,450,000        |
| • <b>Total</b>                     | <b>\$2,535,000</b> |

Witta Sportsground:

- |                |                   |
|----------------|-------------------|
| • Short term   | \$ 150,000        |
| • Long term    | \$ 300,000        |
| • <b>Total</b> | <b>\$ 450,000</b> |

Maleny Community Precinct:

- |                |                    |
|----------------|--------------------|
| • Short term   | \$ 505,000         |
| • Medium term  | \$ 215,000         |
| • Long term    | \$ 880,000         |
| • <b>Total</b> | <b>\$1,600,000</b> |

**Combined total of all three sites** **\$4,585,000**

Project funding has been allocated for the implementation of the Maleny Recreation Draft Master Plan through Council's 10 year Capital Works Program. Council's Capital Works Program (2015/16 – 2024/25 pending endorsement) includes:

- \$120,000 in 2015/16 for staged construction of Master Plan initiatives
- \$200,000 in 2016/17 for staged construction of Master Plan initiatives
- \$250,000 in 2017/18 for staged construction of Master Plan initiatives.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>A strong community</i></b>
<b>Outcome:</b>	2.1 - Safe and healthy communities
<b>Operational Activity:</b>	2.1.3.2 - Implement prioritised projects from community facility master plans

**CONSULTATION****Internal Consultation**

Internal consultation occurred throughout the development of the Maleny Recreation Draft Master Plan 2015-2030 with the following internal stakeholders:

- Divisional Councillor
- Community Facilities and Planning
- Development Services
- Economic Development
- Environment and Sustainability Policy
- Environmental Operations
- Parks and Gardens
- Project Delivery
- Property Management
- Transport and Infrastructure Policy
- Transport Infrastructure Management.

**External Consultation**

Consultation has also occurred with the following extensive list of external organisations throughout the development of the draft Master Plan:

- Maleny Show Society
- Maleny Arts and Crafts Group
- Maleny Community Gym
- Maleny Cricket Club
- The Range Croquet Club
- Maleny Tennis Club
- Maleny Equestrian Group
- Maleny Players
- Maleny Pony Club
- Maleny Rangers Football Club
- TS Centaur Australian Navy Cadets
- SES & Rural Fire Brigade
- Maleny Junior Rugby Union
- Witta Tennis Club
- Maleny District Sport and Recreation Club
- Maleny Golf Club
- Friends of Pattermore House
- Barung Landcare
- Unitywater
- Maleny District Greenhills Fund
- Maleny Bridge Club
- Responsible Dog Community Minded Citizens
- 5th Light Horse Regiment
- Maleny Neighbourhood Centre
- Maleny Polo Club

- Maleny State High School
- Maleny Swim Club
- Maleny Singers
- Witta Recreation Club
- Maleny Community Centre
- Maleny Chamber of Commerce
- Lake Baroon Catchment Care Group.

### **Community Engagement**

In order to capture broader community views, the following community engagement exercises occurred:

- Community survey
- Public exhibition session (IGA Maleny)
- Publicly advertised community consultation sessions at the Witta Sportsground, Maleny Showgrounds and Maleny Community Precinct.

Members of the Maleny community were provided opportunities to learn more about the intent of the master planning process and to express their views on sport and recreation in Maleny on any of the three study sites. An initial awareness display was held at the Maleny IGA on 6 December, 2014.

Further to the public exhibition session, 56 people responded formally to the community survey. Of these respondents, 64% were females; 85% were 50 years of age or older; and 55% were members of a sport and recreation club in Maleny.

Common themes of the community survey and public exhibition processes are summarised below:

- Strong support for walk/ cycle trails incorporated into the Maleny Community Precinct and an improved trails network more broadly within Maleny
- Improved traffic, access and car parking arrangements at all three study sites
- Protection of environmental areas at the Community Precinct, including existing natural areas such as the wetlands and Obi Obi Creek
- Strong support for the Community Precinct as recreational space and retention of environmental values
- Support for a dog-off-leash area
- Mixed support for the establishment of equestrian and other sport facilities and the expansion of golf at the Community Precinct.

As the project progressed and preliminary plans were prepared, stakeholder and community group input was sought (including schools) at three interactive workshops at the study sites where plans and findings were presented. Following these sessions, plans were further refined and consolidated into the Maleny Recreation Draft Master Plan as presented.

### **PROPOSAL**

As a result of ad-hoc development on sport and recreation land in the Maleny locality, Council engaged external consultants Strategic Leisure Group to undertake a master planning exercise of sport and recreation for the Maleny community.

The Maleny Recreation Draft Master Plan comprises three sites covering approximately 25 hectares. The sites include the Maleny Showgrounds, Witta Sportsground and a leased portion of the Maleny Community Precinct.

Maleny Showgrounds:

Maleny Showgrounds is a multi-purpose sport and recreation precinct supporting a diverse range of activities. The Showgrounds is centrally located approximately 1.1km's from the Maleny CBD. The Showgrounds is leased to the Maleny Show Society. A wide range of facilities cater for a variety of needs and services the following user groups:

- Maleny Show Society
- Maleny Arts and Crafts Group
- Maleny Community Gym
- Maleny Cricket Club
- The Range Croquet Club
- Maleny Tennis Club
- Maleny Equestrian Group
- Maleny Players
- Maleny Pony Club
- Maleny Rangers Football Club
- TS Centaur Australian Navy Cadets
- SES & Rural Fire Brigade.

Witta Sportsground:

Witta Sportsground is a multi-purpose sports precinct. Witta Sportsground is approximately 9.7km's from the Maleny CBD. The venue is predominantly situated on land owned freehold and managed by the Witta Recreation Club. The southern and western portions of the site are situated on State owned land held in trust by Council as a Reserve for recreation. The facility includes courts and fields which services the following user groups:

- Maleny Junior Rugby Union Club
- Maleny-Witta Touch Association
- Witta Tennis Club.

Maleny Community Precinct:

Maleny Community Precinct is a multi-purpose precinct supporting a diverse range of environmental, sport and recreation activities. The Community Precinct is situated approximately 2.6km's from the Maleny CBD. The southern and eastern boundaries of the Community Precinct are adjacent to Obi Obi Creek. The following user groups are located at the Community Precinct:

- Maleny District Sport and Recreation Club
- Maleny Golf Club
- Friends of Pattemore House
- Barung Landcare
- Unitywater
- Maleny District Greenhills Fund.

The purpose of the Maleny Recreation Draft Master Plan 2015-2030 is to determine:

- how the three sites contribute long term (over a 15 year horizon) to sporting and community provision for the Maleny locality and wider region
- priority facility requirements based on current and future sporting and community needs (over a 15 year horizon) in terms of active participants, spectators and administrators.

The Master Plan will determine the most appropriate levels and usage for the three sites and determine future requirements for facilities and infrastructure consistent with community demand, the needs of clubs / organisations, the Maleny locality and the wider region.

### Master Plan Elements

The development of the Maleny Recreation Draft Master Plan 2015-2030 has involved an extensive process to ensure alignment with community needs, population projections, statutory policies and regulations. Council's key strategies have also been considered in the development of the draft Master Plan and are addressed throughout this report.

The draft Master Plan considers:

- Functionality, configuration, usage and capacity of the site
- Current character of the landscape
- Needs across various sports and recreation uses, including current and future tenants
- Emerging trends and issues
- Levels of service and resources
- Catchment area and current and future population demographic demands
- Events and sport and recreation delivery
- Car parking, traffic and pedestrian movement/management requirements
- Community expectations and needs
- Council's *Sunshine Coast Sport and Active Recreation Plan 2011-2026* and *Sunshine Coast Open Space Strategy 2011*
- Relevant planning constraints and opportunities, including environmental, flood immunity, land zonings, development approval requirements, proposed infrastructure improvements, surrounding site etc.
- Current and proposed tenure arrangements.

Key recommendations of the draft Master Plan include:

- Retention of soccer at the Maleny Showgrounds with capacity for a second full sized field to accommodate growth in this sport
- Construction of a proposed new building for the Maleny Bridge Club
- Extension of community buildings including the Playhouse and Arts and Crafts facilities
- Potential development of a dog off-leash area and recreation node
- Provision for multi-use equestrian fields within the Maleny Community Precinct (portion leased to Maleny District Sport and Recreation Club – MDSRC)
- Additional tennis court at the Witta Sportsground
- Improve parking and access across all sites
- Support the extension of walk/cycle pathways to connect Maleny Showgrounds to the Maleny Community Precinct.

### Zoning

Under the current *Sunshine Coast Planning Scheme 2014*, the sites are designated as follows:

- Maleny Showgrounds – Sport and Recreation Zone
- Witta Sportsground – Sport and Recreation Zone
- Maleny Community Precinct – Community Facilities Zone.

### Legal

There are no legal implications to the development and endorsement of this report. However, upgrades will need to be considered in line with current and future tenure agreements.

### Policy

The *Sunshine Coast Open Space Strategy 2011* and the *Sunshine Coast Sport and Active Recreation Plan 2011-2026* form Council's policy position on sport and active recreation for the region. Both documents have been reviewed and used to guide the final recommendations of the Maleny Recreation Draft Master Plan 2015-2030.

The previous draft Maleny Showgrounds and Witta Sportsground Master Plans were finalised in 2008, however not presented to Council for endorsement. The *Maleny Community Precinct Master Plan 2010* was endorsed by Council in 2010. The plans sought to achieve a balance of uses on the site including increasing recreation and passive community activities. Since this time, a range of factors have influenced the need to update Council's strategic vision for these sites. These changes include:

- Adoption of the *Sunshine Coast Open Space Strategy 2011*. This document supports in part the implementation of the Maleny Recreation Draft Master Plan in addition to the following future directions:
  - Improving long-term financial viability through shared support infrastructure such as club houses, car parks and water re-use; planning for effective links to community by public transport, cycle and pedestrian paths; considering accessibility to the community for unstructured recreational activities; and advocating for appropriate investment in land, construction and maintenance to increase capacity of existing open space and minimise need for additional open space

Protecting and developing the existing district sports grounds across the Sunshine Coast.

- Adoption of the *Sunshine Coast Sport and Active Recreation Plan 2011-2026* provides recommendations including:
  - Develop two senior fields at the Maleny Sports Precinct to cater for the relocation of Maleny Football Club from the Showgrounds. It is understood playing field dimensions in the 2010 Community Precinct Master Plan – Sport and recreation Sub Precinct have allowed for possible future shared use by other sports (e.g. touch football)
  - When demand warrants the relocation of the Maleny Football Club to the Maleny Sports Precinct, master plan the Maleny Showgrounds to rationalise current use
  - In order to maximise Council's recent investment in improvements at Witta Recreation reserve (drainage, lighting, undergrounding of power lines), monitor capacity of this venue to cater for the future needs of touch and rugby union
  - If future demands exceed the capacity of the Witta Recreation Reserve, evaluate the cost effectiveness of acquiring adjoining land to expand this facility as opposed to further development of the Maleny Sports Precinct
  - Liaise with Maleny Netball Club and Maleny State High School to access the suitability and accessibility of the school's existing hard courts and indoor facility for community use by netball/basketball participants.

After extensive community consultation, the Maleny District Sport and Recreation Club (MDSRC) have expressed a desire to relocate some equestrian activities (i.e. show jumping, polocrosse and dressage) from the Maleny Showgrounds to the Maleny Community Precinct within their leased boundaries. The MDSRC have no intent to duplicate Pony Club activities currently held at the Maleny Showgrounds.

### **Risk**

- Failure to maintain an adequate level of service for sport and active recreation facilities may result in increased future costs and lead to community dissatisfaction.
- Master planning reduces the risk of ad-hoc development, which may be to the detriment of future service provision and uses.
- The raising of community expectations without adequate funding options available to implement recommendations could result in community dissatisfaction.

**Previous Council Resolution****Open Space Strategy – Special Meeting 7 March 2011  
Council Resolution (SM11/11)**

*That Council:*

- (a) *receive and note the report titled “Sunshine Coast Open Space Strategy 2011”;*
- (b) *adopt the Sunshine Coast Open Space Strategy 2011 (Appendix A) to guide Council and the community in future open space planning, management and decision making, subject to consideration in annual budget processes;*
- (c) *request the Chief Executive Officer to develop a detailed implementation and staging plan based on Councils’ long term financial model and other revenue sources, for future consideration by Council; and*
- (d) *thank the 47 submitters for their contribution to the preparation of the Sunshine Coast Open Space Strategy 2011.*

**Sport and Active Recreation Plan – Special Meeting 7 March 2011  
Council Resolution (SM11/9)**

*That Council:*

- (a) *receive and note the report titled “Sunshine Coast Sport and Active Recreation Plan 2011-2026”;*
- (b) *discontinue Caloundra City Council Recreation Policy [ref 727] and Noosa Council Recreation Policies [ref 03094 –R-4] (Appendix A);*
- (c) *adopt the Sunshine Coast Sport and Active Recreation Plan 2011-2026 (Appendix B) as amended;*
- (d) *develop a detailed and prioritised multi-year implementation plan based on councils’ long term financial model and other revenue sources; and*
- (e) *delegate to the Chief Executive Officer to make appropriate amendments to the “Sunshine Coast Sport and Active Recreation Plan 2011-2026” in consultation with divisional councillors in accord with established criteria and upgraded input information;*
- (f) *acknowledge and thank the wider community for their contribution in the development of the Sunshine Coast Sport and Active Recreation Plan 2011-2026; and*
- (g) *acknowledge and thank the staff from the Active and Healthy Communities branch of the Community Services Department for their contribution to the “Sunshine Coast Sport and Active Recreation Plan 2011-2026”.*

**Staging of the Maleny Community Precinct - Ordinary Meeting 6 October 2010  
Council Resolution (OM10/266)**

*That Council:*

- (a) *note the report titled “Staging of the Maleny Community Precinct”;*
- (b) *endorse the following additions to the Maleny Community Precinct Stage 1A plan detailed on page 111 of the final Maleny Community Precinct Master Plan Report:*
  - (i) *the development of the walking trail between the Maleny Riverside precinct and Gardiners Falls; and*
  - (ii) *access be provided to the lower sports field area;*
- (c) *agree that the \$1 million 2010/2011 capital works funding for the Maleny Community Precinct be allocated generally as detailed below:*

<i>Survey</i>	<i>\$ 30,000</i>
<i>Preparation of lease agreements</i>	<i>\$ 20,000</i>
<i>Planting, weed control and maintenance of precinct</i>	<i>\$ 80,000</i>
<i>Detailed design work</i>	<i>\$ 250,000</i>
<i>Construction works (incl. project management and fees)</i>	<i>\$ 620,000</i>
	<i>Total \$1,000,000</i>



- (d) *acknowledge that as a result of Council not proceeding with the sale of the residential land due to market conditions, the following commitments made by Caloundra City Council on 5 July 2007 can not be met for the foreseeable future:*
- (i) *a return (to Council) of the cost of land, including interest on the loan and purchase costs and all project costs to date;*
  - (ii) *\$1 million contribution towards the cost of establishing the golf course;*
  - (iii) *\$1 million to be distributed on a needs assessment basis amongst upgrading Witta Sports Club, Maleny Community Centre, Maleny Showgrounds and establishing a hinterland park/garden; and*
  - (iv) *\$1 million towards the cost of rehabilitation and walking trails; and*
- (e) *agree all future allocations after 2010/2011 for the development of the Maleny Community Precinct be applied for as part of Council's annual budget process, or through State or Federal Government funding applications, with consideration being given to any future council capital works expenditure on the precinct to be funded from land sales excepting works on Pattermore House which potentially can be funded from the Heritage Levy and works on wetlands can potentially be funded from the Environment Levy.*

### **Related Documentation**

- Maleny Showgrounds Draft Master Plan 2008
- Witta Sportsground Master Plan 2008
- Maleny Community Precinct Master Plan 2010
- Sunshine Coast Council Corporate Plan 2014-2019
- Sunshine Coast Council Planning Scheme 2014
- Sunshine Coast Open Space Strategy 2011
- Sunshine Coast Sport and Active Recreation Plan 2011-2026
- Sunshine Coast Sustainable Transport Strategy 2011-2031
- Sunshine Coast Access and Inclusion Plan 2011-2016
- Sunshine Coast Social Infrastructure Strategy 2011
- Sunshine Coast Waterways and Coastal Management Strategy 2011-2021
- Maleny District Sport and Recreation Club Business Plan 2013

### **Critical Dates**

There are no critical dates relevant to this report, other than delivery timeframes associated with Council's endorsed Capital Works program.

### **Implementation**

Public review and feedback will occur after Council's endorsement of the draft Master Plan. As detailed in the Community Engagement Plan, the Maleny Recreation Draft Master Plan 2015-2030 will be made available for public exhibition and comment for a period of 20 business days. Community consultation methods will include:

- Media release
- Council's webpage listing
- Community and stakeholder feedback forms (available on website and in hard copy)
- Local Councillor's column
- Community noticeboard display and feedback opportunity
- Community engagement session conducted at Maleny IGA, to be attended by Council officers, the consultant and local Councillor (if available)
- Continued engagement with targeted stakeholders and sport and community groups throughout the reserve.

Outside of the community engagement activities identified above, Council officers will also engage the relevant state agencies to obtain feedback on the draft Master Plan.

Feedback and advice received by Council within the specified consultation period will be collated, reviewed and provided to relevant stakeholders for consideration and will inform the development of the final Master Plan.

**8.3.2 CEMETERY SERVICES - PROPOSED MODIFICATION TO SCHEDULE OF FEES AND CHARGES****File No:** Statutory Meetings 15 October 2015**Author:** Director Community Services  
Community Services Department

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**PURPOSE**

The purpose of this report is to seek an amendment to the adopted 2015/16 Schedule of Fees and Charges in relation to additional overtime fees for Cemetery Services burial interments as per NOM OM15/160.

**EXECUTIVE SUMMARY**

NOM OM15/160 sought inter alia: "...staff to present for council's consideration, draft modifications to the Schedule of Fees and Charges that addresses the current inequity in overtime charges applied to services conducted throughout the Region due to the centralisation of Council's cemetery services at the Kulangoor Cemetery".

In response to Notice of Motion OM15/160 a modification is proposed to the adopted 2015/16 Schedule of Fees and Charges for Cemetery Services additional overtime fees relating to burial interments.

It is proposed that overtime not include return to base travel time associated with burials and instead that overtime fees will be incurred if the burial on-site works go beyond 4.00pm on Monday through to Friday. Overtime will continue to be charged on Saturdays.

Further, part (b) of the Notice of Motion OM15/160 requested that staff present to Council a communication strategy related the proposed amendment to the Fees and Charges. If the proposed changes are endorsed by Council, communication will be provided in writing to each funeral director that operates at Council's cemetery sites.

**OFFICER RECOMMENDATION****That Council:**

- (a) receive and note the report titled "Cemetery Services - Proposed Modification to Schedule of Fees and Charges" and
- (b) authorise the Chief Executive Officer to amend the 2015/16 Schedule of Fees and Charges to delete reference to back to base travel for additional overtime fees relating to Cemetery Services burial interments, namely Fee and Charge number 983 to read:

*Additional fees (relating to interments). Weekday O/T charge per 30 minutes or part thereof (relating to burial). Hours of work 7 am – 4 pm. Work on-site associated with the burial service outside of these working hours will incur overtime charges.*

## FINANCE AND RESOURCING

In its 2015/16 Schedule of Fees and Charges, Council adopted the following 'additional fees' relating to Cemetery Services burial interments.

Additional fees (relating to interments).	\$136.00
Weekday O/T charge per 30 mins or part thereof (relating to burial).	
Hours of work 7am-4pm.	
Work outside this will incur additional charge - back to base.	

In the 2014/15 financial year, plus year to date (approximately 15 months in total), there have been 16 instances of overtime additional fees charged to funeral directors (9 x Gregson and Weight, Caloundra; 2 x Gregson and Weight, Nambour; 3 x Gregson and Weight, Maroochydore; 1 x Gregson and Weight, Woombye; and 1 x Drysdale Funerals, Nambour). Total overtime invoiced for the 2014/15 financial year and YTD is \$4,907.95.

## CORPORATE PLAN

**Corporate Plan Goal:** *Service excellence*  
**Outcome:** 4.1 - Customer focused services  
**Operational Activity:** 4.1.4 - Implement the annual program of activities in the Sunshine Coast Cemetery Plan 2012-2027

## CONSULTATION

### Internal Consultation

The Community Response Branch of the Community Services Department were consulted in the development of this report.

### External Consultation

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

### Community Engagement

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

## PROPOSAL

Notice of Motion OM15/160 sought inter alia: "...staff to present for council's consideration, draft modifications to the Schedule of Fees and Charges that addresses the current inequity in overtime charges applied to services conducted throughout the Region due to the centralisation of Council's cemetery services at the Kulangoor Cemetery".

In response to Notice of Motion OM15/160 a modification is proposed to the adopted 2015/16 Schedule of Fees and Charges for Cemetery Services additional overtime fees relating to burial interments.

It is proposed that overtime not include return to base travel time associated with burials. It is proposed that overtime fees will be incurred if the burial on-site works go beyond 4.00pm on Monday through to Friday. Overtime will continue to be charged on Saturdays.

The existing process for the charging of overtime to funeral directors on the completion of a burial service includes the travel time of Council staff returning from the Council cemetery site to the Kulangoor Depot (31 - 89 Ackerman Rd, Kulangoor) to store vehicles and equipment. The Depot has been based at Kulangoor since amalgamation, as was outlined in the Council adopted *Sunshine Coast Cemetery Plan 2012-2027*. This centralisation is a response to the burial pattern of the region, noting that the majority of the burials occur at

Kulangoor Cemetery (42% of all burials in the last twelve months) and that the physical space and infrastructure for storing Cemetery Services materials and equipment is provided for at this site.

The proposal will require Council to modify the current Fee and Charge (number 983) wording from:

Current: *“Additional fees (relating to interments). Weekday O/T charge per 30 minutes or part thereof (relating to burial). Hours of work 7 am – 4 pm. Work outside this will incur additional charge - back to base”.*

to

Proposed: *Additional fees (relating to interments). Weekday O/T charge per 30 minutes or part thereof (relating to burial). Hours of work 7 am – 4 pm. Work on-site associated with the burial service outside of these working hours will incur overtime charges.*

In response to part (b) of the Notice of Motion resolution (OM15/160) requesting that staff “present to Council a communication strategy related to (a) above to ensure clarity for all funeral directors Region wide”, it is noted that the proposed amendment to the Fees and Charges, if endorsed, will be communicated in writing to each funeral director that operates at Council’s cemetery sites. This is the current practice of communication with funeral directors and given the operational nature of this matter is considered sufficient under the circumstances.

### **Legal**

There are no legal implications relevant to this report.

### **Policy**

There are no policy implications associated with this report.

### **Risk**

There is a risk that if the Schedule of Fees and Charges are not amended, that further overtime fee disputes may arise until such time that the matter is satisfactorily resolved.

### **Previous Council Resolution**

#### **Notice of Motion – Cemetery Charges – Ordinary Meeting 17 September 2015**

##### **Council Resolution (OM15/159)**

*That Council waive the overtime charges invoiced to Gregson and Weight Funeral Directors, for the funeral services/cemetery fees associated with the interment of Ms Diane Elworthy to the value of \$136 (at the Caloundra Lawn Cemetery, 14 August 2015) and Mr Allan Thomas Conwell to the value of \$218 (at the Caloundra Lawn Cemetery, 24 April 2015).*

#### **Notice of Motion – Cemetery Charges – Ordinary Meeting 17 September 2015**

##### **Council Resolution (OM15/160)**

*That Council:*

- (a) request staff to present for council’s consideration, draft modifications to the Schedule of Fees and Charges that addresses the current inequity in overtime charges applied to services conducted throughout the Region due to the centralisation of Council’s cemetery services at the Kulangoor Cemetery and further and*
- (b) present to council a communication strategy related to (a) above to ensure clarity for all funeral directors Region wide.*

**Notice of Motion – Cemetery Charges – Ordinary Meeting 17 September 2015  
Council Resolution (OM15/161)**

*That Council request the Chief Executive Officer to arrange an independent review of the information provided to council in relation to Item 9.2.2 Notice of Motion – Cemetery Charges.*

**Related Documentation**

- 2015/16 Revenue Policy
- Schedule of Fees and Charges 2015/16
- Sunshine Coast Cemetery Plan 2012-2027

**Critical Dates**

There are no critical dates relevant to this report. However, endorsement of the proposed amendments to the Schedule of Fees and Charges will prevent any further instances of overtime fee disputes and will enable Council to communicate changes to funeral directors in a timely manner.

**Implementation**

If the proposed amendments to the 2015/16 Fees and Charges is endorsed, current Fee and Charge (number 983) wording will require updating to reflect the proposed wording as provided in the Recommendation section of this report.

Furthermore, if endorsed, these changes will be communicated in writing to each funeral director that operates at Council's cemetery sites.

## 8.4 INFRASTRUCTURE SERVICES

### 8.4.1 CRUMMUNDA PARK LANDSCAPE PLAN

**File No:** 22926

**Author:** Landscape Architect / Urban Designer  
Infrastructure Services Department

**Appendices:** App A - Crummunda Park Landscape Plan draft ..... 247

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#### PURPOSE

This report provides council with the background information about the proposed Landscape Plan for Crummunda Park, Wurtulla, for the purposes of gaining endorsement.

#### EXECUTIVE SUMMARY

Crummunda Park is a popular 2.4 hectare linear park located on the Wurtulla side of the Wurtulla and Currimundi suburb border and forms part of the northern bank of Currimundi Lake. Crummunda Park is a popular location for residents and visitors to visit due to its relaxed, shady and natural look and feel. The 2m wide path that runs from Nicklin Way to Currimundi Lake Conservation Reserve forms part of the Coastal Pathway network. This path does not currently meet the requirements espoused in either the Active Transport Plan or the Coastal Pathway Masterplan.

The park is classified as State Reserve for Park & Recreation under the control of council as trustee by Queensland State Government and is a District Level Recreation Park under Sunshine Coast Council's Planning Scheme.

Following internal and external consultation, the Landscape Plan for Crummunda Park has been prepared to reduce the risk of short term ad-hoc development ensuring future improvements align with council's and the community's long term vision for the park.

The Landscape Plan identifies a number of objectives for the park derived from the consultation and council's current strategies and plans. The proposed layout addresses the ever increasing demand on the park by actively seeking to reclaim open space, reducing maintenance requirements through design outcomes and infrastructure selection, which in turn reduces running costs of the park. Proposed projects include but are not limited to:

- Upgrade of the Coastal Pathway to 3m
- New pedestrian path link and carpark extension
- Upgrade to Mandara Dr picnic area
- Upgrade of playground
- New shelter
- Upgrade and relocation of exercise equipment
- Upgrade to central picnic area
- Upgrade to Bareki St picnic area
- New track pad beach access path
- New link paths.

The Landscape Plan is to be delivered through a staged process of priority works subject to council's budget approval process.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Crummunda Park Landscape Plan” and
- (b) adopt the Crummunda Park Landscape Plan dated 29 June 2015 (Appendix A), to guide the future development of the park, subject to funding being available in future annual budgets, as outlined in Council’s adopted 10 year Capital Works Program, or through external State or Federal grant programs.

## FINANCE AND RESOURCING

The development of Crummunda Park will require funding from the Capital Works Program or other sources such as State or Federal grants to fully develop this park in accordance with this Landscape Plan. The following budgets are currently scheduled in the Capital Works Program for the development of Crummunda Park:

2016/2017 Parks Capital Works Program	\$100,000
2017/2018 Parks Capital Works Program	\$150,000
2018/2019 Parks Capital Works Program	\$100,000
2019/2020 Parks Capital Works Program	\$100,000

**Crummunda Park Total Budget** **\$450,000**

## CORPORATE PLAN

**Corporate Plan Goal:** *An enviable lifestyle and environment*

**Outcome:** 3.2 - Well-managed and maintained open space, waterways and foreshore assets

**Operational Activity:** 3.2.4 - Manage the region’s high quality urban and rural open space network

## CONSULTATION

A draft Landscape Plan for Crummunda Park was distributed to the Division 3 Councillor Cox and relevant personnel with considerable focus on Infrastructure Services Operational Staff. As the main custodians of the park, officers were asked to review the plan in relation to their core business. Following their feedback, the plan was amended to its current format.

### Internal Consultation

Internal consultation was sought from the following:

- Councillor Peter Cox (Division 3)
- Infrastructure Services
  - Director Infrastructure Services
  - Manager Parks and Gardens
    - Coordinator Landscape Design & Planning
      - Principal Landscape Architect & Urban Designer
      - Senior Arborist
    - Coordinator Parks Operations and Contracts
      - Parks Service Delivery Leader
    - Coordinator Parks Operations & Arboriculture
  - Manager Civil Asset Management
  - Manager Project Delivery



- Coordinator Recreation Projects
- Manager Waste & Resource Management
- Manager Environmental Operations
- Manager Transport Infrastructure Management
  - Supervisor Design Services
  - Principal Place Project Officer

Summary of responses from internal stakeholders and feedback incorporated into design:

- Parks Operations provided feedback in regard to proposed embellishments on impacts on maintenance
- Transport Infrastructure Management provided feedback on car parking options
- Parks and Gardens management provided feedback on the design of the hardscape and tree management.

### **External Consultation**

Relevant approvals and permits will be obtained as required during the detailed design and staged construction.

An Aboriginal and Torres Strait Islander cultural heritage search was carried out and there is currently no registered Cultural Heritage body for the area 30W93214.

Consultation with Department Environmental and Heritage Protection, the Department of Natural Resources and Mines and the Department of Transport and Main Roads will be sort during detailed design if required.

### **Community Engagement**

In February 2015 a project news and questionnaire was distributed to the surrounding property owners (approximately 300) requesting input into the planning for the upgrade of the park. The questionnaire ascertained what residents valued about the park, concerns surrounding the park and what potential upgrades they believed to be appropriate. 47 responses including additional letters were received and collated.

Summary of the response:

27 property owners would like to see the park upgraded  
13 property owners would like to see the park remain as is

Property owners most value:

- location adjacent to lake
- quiet and not crowded
- natural look and feel
- open spaces and walking tracks
- picnic facilities
- abundance of wildlife.

Upgrade elements in order of priority as indicated by responses:

1. additional park setting and shelters
2. additional park furniture, tables, seats, waste bins, bike racks
3. upgrade of footpaths
4. additional amenity planting.

The main areas of concern are:

- litter and weeds
- paths not wide enough for pedestrians and cyclists
- insufficient picnic facilities
- no non-motorised watercraft launch area

- lack of maintenance.

## **PROPOSAL**

Crummunda Park is a popular 2.4 hectare linear park located on the northern bank of Currimundi Lake. Crummunda Park is a popular location for residents and visitors alike due to its relaxed, shady and natural elements.

The park is classified by Queensland State Government as Reserve for Park & Recreation under the control of council as trustee and further classified by the Sunshine Coast Council Planning Scheme Priority Infrastructure Plan Map - Open Space, Community Facilities and Recreation Trails Network as a district level recreation park.

Designated as a district park the primary use is for recreation, social, cultural and leisure activities and provides complementary values of landscape amenity and biodiversity conservation. As a district recreation park Crummunda Park is able to provide a more diverse range of nature based recreation opportunities and experiences that may encourage longer stays.

The purpose of this Landscape Plan is to define the future planning blueprint for the park to avoid ad-hoc development through the implementation of the following objectives:

### **Amenities**

- Maintain existing toilet block
- Improve lighting and sight lines around toilet block to align with Crime Prevention Through Environmental Design (CPTED) principles.

### **Art**

- Retain and refurbish (where required) existing art works located within park.

### **Lighting**

- Transition existing lights to low energy LED lighting to reduce running cost.

### **Open Space**

- Retain natural woodland feel of park.

### **Parking**

- Remove western internal carpark to improve safety near playground.

### **Paths**

- Widen existing coastal path to 3m wide to allow for safe pedestrian and cycle use
- Provide link paths across park to improve access for persons with mobility difficulties
- Provide reinforced turf access path to lake edge for easier non-motorised water craft launching.

### **Picnic Seating & Bbq's**

- Upgrade existing BBQ facilities from single to double units to increase capacity
- Locate picnic settings under existing shade trees
- Upgrade picnic setting to aluminium to decrease maintenance
- Include DDA compliant seating in areas adjacent to disabled car parks.

### **Picnic Shelters**

- Upgrade picnic shelters with skillion roof structures to minimise visual impact on adjacent residents and increase capacity.

### **Playgrounds**

- Upgrade play equipment to allow for use by a variety of different ages and abilities

- Condense playgrounds into one location
- Install park seating around playgrounds.

**Planting**

- Remove weed species
- Revegetate lake edge to assist in bank stabilisation.

**Lake Access**

- Improve river access points for swimming and non-motorised water craft to reduce bank erosion.

**Legal**

There are no legal implications relevant to this report.

**Policy**

As a park, the Crummunda Park Landscape Plan is primarily directed by the preferred strategic outcomes described in the Open Space Strategy (2011), however other strategies and plans that influenced the proposed Landscape Plan include:

- Sustainable Transport Strategy 2011-2031
- Active Transport Strategy 2011-2031
- Waterways & Coastal Management Strategy 2011
- Recreation Trail Plan 2012
- Community Events and Celebrations Strategy 2010
- Biodiversity Strategy 2010
- Energy Transition Plan 2010-2020
- Climate Change and Peak Oil Strategy 2010 – 2020
- Access and Inclusion Plan 2011-2016

**Risk**

Council's risk exposure is considered to be reduced through:

- Utilising Crime Prevention Through Environmental Design (CPTED) principles
- Design to legislative requirements to avoid Council's exposure to a potential claim under the Disability Discrimination Act (DDA)
- Community consultation during design development and construction process and appropriate landscape planning, reduces the risk of short term ad-hoc development, ensuring future improvements align with the long term vision for the park and ensures good budget management practices.

**Previous Council Resolution**

Caloundra City Council – Coastal Walk Master Plan endorsed 28 May 2003.

**Related Documentation**

There is no related documentation relevant to this report.

**Critical Dates**

There are no critical dates relevant to this report.

**Implementation**

- Place the endorsed 2015 La Balsa Park Landscape Plan on the council website.
- Continue with the implementation of the Landscape Plan in accordance with capital works funding.

**8.4.2 LA BALSA PARK LANDSCAPE PLAN**

<b>File No:</b>	<b>23978</b>
<b>Author:</b>	<b>Landscape Architect / Urban Designer Infrastructure Services Department</b>
<b>Appendices:</b>	<b>App A - La Balsa Park Landscape Plan draft .....265</b>

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**PURPOSE**

This report provides council with the background information about the proposed Landscape Plan for La Balsa Park, Buddina, for the purposes of gaining endorsement.

**EXECUTIVE SUMMARY**

La Balsa Park is a 1.5 hectare linear park located on the southern bank of the Mooloolah River and runs along Harbor Parade near Pt Cartwright in Buddina. La Balsa Park is a popular park for local residents and visitors due to its proximity to the water and facilities such as the coastal pathway, boat ramp, picnic tables, BBQ's and playgrounds. Due to the popularity of surrounding locations like Mooloolaba, there is an ever increasing demand on the park including visitors looking for a more relaxed family friendly location with sufficient parking.

The park is classified as State Reserve for Park & Recreation under the control of council as trustee by Queensland State Government and a District Level Recreation Park Sunshine Coast Council Planning Scheme.

Following internal and external consultation, the Landscape Plan for La Balsa Park has been prepared to reduce the risk of short term ad-hoc development and to ensure future improvements align with council's and the community's long term vision for the park.

The Landscape Plan identifies a number of objectives for the park derived from the consultation and council's current strategies and plans. The proposed layout addresses the ever increasing demand on the park by actively seeking to reclaim open space, reducing maintenance requirements through design outcomes and infrastructure selection, which in turn reduces running costs of the park. Proposed projects include but are not limited to:

- Car & trailer parking formalisation
- Fishing platform extension
- Relocation of boat ramp toilet block
- New picnic shelters
- Youth playground
- Celebration Circle
- Main picnic node reconfiguration
- Toddler playground upgrade.

The Landscape Plan is to be delivered through a staged process of priority works subject to council's budget approval process.

**OFFICER RECOMMENDATION**

**That Council:**

- receive and note the report titled "La Balsa Park Landscape Plan" and**
- adopt the La Balsa Park Landscape Plan dated 29 June 2015 (Appendix A), to guide the future development of the park, subject to funding being available in future annual budgets, as outlined in Council's adopted 10 year Capital Works Program, or through external State or Federal grant programs.**

## FINANCE AND RESOURCING

The development of La Balsa Park will require funding from the Capital Works Program or other sources such as State or Federal grants to fully develop this park in accordance with the Landscape Plan. The following budgets are currently scheduled in the Capital Works Program for the development of La Balsa Park:

2015/2016 Parks Capital Works Program	\$70,000
2017/2018 Parks Capital Works Program	\$190,000
2018/2019 Parks Capital Works Program	\$450,000
2019/2020 Parks Capital Works Program	\$150,000

**La Balsa Park Total Budget** **\$860,000**

## CORPORATE PLAN

**Corporate Plan Goal:** *An enviable lifestyle and environment*

**Outcome:** 3.2 - Well-managed and maintained open space, waterways and foreshore assets

**Operational Activity:** 3.2.4 - Manage the region's high quality urban and rural open space network

## CONSULTATION

A draft Landscape Plan for La Balsa Park was distributed to the Division 4 Councillor Thomson and relevant personnel with considerable focus on Infrastructure Services Operational Staff. As the main custodians of the park, officers were asked to review the plan in relation to their core business. Following their feedback, the plan was amended to its current format.

### Internal Consultation

Internal consultation was sought from the following:

- Councillor Chris Thompson (Division 4)
  - Infrastructure Services
  - Director Infrastructure Services
  - Manager Parks and Gardens
    - Coordinator Landscape Design & Planning
      - Principal Landscape Architect & Urban Designer
      - Senior Arborist
    - Coordinator Parks Operations and Contracts
      - Parks Service Delivery Leader
    - Coordinator Parks Operations & Arboriculture
  - Manager Civil Asset Management
  - Manager Project Delivery
    - Coordinator Recreation Projects
  - Manager Waste & Resource Management
  - Manager Environmental Operations
  - Manager Transport Infrastructure Management
    - Supervisor Design Services
    - Principal Place Project Officer
- Corporate Services
  - Asset Management Facilities Officer

Summary of responses from internal stakeholders and feedback incorporated into design:

- Parks Operations provided feedback regarding proposed embellishments and impacts on maintenance
- Transport Infrastructure Management provided feedback on car parking and boat trailer parking options
- Parks & Gardens management provided feedback on the design of the hardscape and tree management.

**External Consultation**

Relevant approvals and permits will be obtained as required during the detailed design and staged construction.

An Aboriginal and Torres Strait Islander cultural heritage search was carried out and there is currently no registered Cultural Heritage body for the area 200CG814425 and 711CG3122.

Consultation with Department Environmental and Heritage Protection, the Department of Natural Resources and Mines and the Department of Transport and Main Roads will be sort during detailed design if required.

**Community Engagement**

In February 2015 a project news and questionnaire was distributed to the surrounding property owners (approximately 1,200) requesting input into the planning for the upgrade of the park. The questionnaire ascertained what residents valued about the park, concerns surrounding the park and what potential upgrades they believed to be appropriate. 207 responses including additional letters were received and collated.

Summary of the response:

134 property owners would like to see the park upgraded  
42 property owners would like to see the park remain as is

Property owners most value:

- Location adjacent to river
- Natural look and feel
- Open space and walking tracks
- Picnic facilities
- The park is a dog off leash area.

Upgrade elements in order of priority as indicated by responses:

1. Additional shade trees and amenity planting
2. Additional park setting and shelters
3. Upgrade of lighting at picnic nodes and playgrounds
4. Upgrade of playground and exercise equipment
5. Upgrade of footpaths
6. Upgrade of toilet and shower facilities
7. Upgrade of boat ramp and trailer parking facilities
8. Additional park furniture
9. Rationalisation of car parking.

The main areas of concern are:

- Dogs off leads near children and irresponsible dog owners
- Paths not wide enough for pedestrians and cyclists
- Not enough shade
- Boat trailer parking not sufficient
- Insufficient lighting.

## PROPOSAL

La Balsa Park is a popular 1.5 hectare linear park located on the bank of the Mooloolah River. The park is popular with local residents and visitors for its relaxed and natural look and feel.

The park is classified by Queensland State Government as Reserve for Park & Recreation under the control of council as trustee and further classified by the Sunshine Coast Council Planning Scheme Priority Infrastructure Plan Map - Open Space, Community Facilities and Recreation Trails Network as a district level recreation park.

Designated as a district park the primary use is for recreation, social, cultural and leisure activities and provides complementary values of landscape amenity and biodiversity conservation. As a district recreation park La Balsa Park is able to provide a more diverse range of nature based recreation opportunities and experiences that may encourage longer stays.

The purpose of this Landscape Plan is to define the future planning blueprint for the park to avoid ad-hoc development through the implementation of the following objectives:

### Amenities

- Refurbish existing toilet block to prolong use
- Relocate small toilet block near boat ramp to a more accessible location to align with Crime Prevention Through Environmental Design (CPTED) principles.

### Lighting

- Transition existing lights to low energy LED lighting to reduce running cost.

### Open Space

- Retain the open natural feel of park
- Improve visual amenity by re-turfing degraded areas and planting in nodal areas.

### Parking

- Formalise car and boat trailer parking to increase car parking capacity.

### Paths

- Widen coastal path along river and park interface to 3m to allow for safe pedestrian and cycle use in line with its function as the coastal pathway
- Extend pedestrian path links by connecting to existing street networks
- Provide link paths across park to improve access for persons with mobility difficulties
- Improve river access points for swimming and non-motorised water craft.

### Picnic Seating & BBQs

- Upgrade existing BBQ facilities from single to double units to increase capacity.
- Relocate picnic setting node areas to facilitate larger, uncluttered open space areas
- Locate picnic settings under existing shade trees

### Picnic Shelters

- Retain existing Lions Club shelter and refurbish in line with La Balsa Park palette to prolong life
- Remove existing underutilised and run down raised 'wedding' shelter platform and replace with ground level celebration circle to increase capacity and improve amenity
- Upgrade picnic shelters with skillion roof structures to minimise visual impact on adjacent residents and increase capacity.

### Playgrounds

- Consolidate 3 existing playgrounds into 2 areas

- Upgrade play equipment to allow for use by a variety of ages and abilities
- Install park seating around playgrounds
- Plant shade trees around playground to minimise need for shade sails.

### **Planting**

- Remove weed tree species (e.g. *Syagrus romanzoffiana* - Cocus palm)
- Introduce shade trees in key locations where existing views are already obscured or sit outside of key view lines.

### **Signs**

- Upgrade entry sign to include interpretive signage depicting the story of the 'La Balsa' raft.

The Landscape Plan is to be delivered through a staged process of priority works subject to councils budget approval process.

### **Legal**

There are no legal implications relevant to this report.

### **Policy**

As a park, the La Balsa Park Landscape Plan is primarily directed by the preferred strategic outcomes described in the Open Space Strategy (2011), however other strategies and plans that influenced the proposed Landscape Plan include:

- Sustainable Transport Strategy 2011-2031
- Active Transport Strategy 2011-2031
- Waterways & Coastal Management Strategy 2011
- Recreation Trail Plan 2012
- Community Events and Celebrations Strategy 2010
- Biodiversity Strategy 2010
- Energy Transition Plan 2010-2020
- Climate Change and Peak Oil Strategy 2010 – 2020
- Access and Inclusion Plan 2011-2016

### **Risk**

Councils risk exposure is considered to be reduced through:

- Utilising Crime Prevention Through Environmental Design (CPTED) principles
- Design to legislative requirements to avoid Councils exposure to a potential claim under the Disability Discrimination Act (DDA)
- Community consultation during design development and construction process and appropriate landscape planning reduces, the risk of short term ad-hoc development, ensuring future improvements align with the long term vision for the park, and ensures good budget management practices.

### **Previous Council Resolution**

Caloundra City Council – Coastal Walk Master Plan endorsed 28 May 2003

### **Related Documentation**

There is no related documentation relevant to this report.

### **Critical Dates**

There are no critical dates relevant to this report.



**Implementation**

- Place the endorsed 2015 La Balsa Park Landscape Plan on the council website.
- Continue with the implementation of the Landscape Plan in accordance with capital works funding.

**8.6 OFFICE OF THE MAYOR AND THE CEO****8.6.1 AUDIT COMMITTEE MEETING 7 SEPTEMBER 2015**

<b>File No:</b>	<b>Statutory Meetings</b>	
<b>Author:</b>	<b>Manager Audit and Assurance</b> <b>Office of the Mayor and Chief Executive Officer</b>	
<b>Appendices:</b>	<b>App A - Audit Committee Charter.....</b>	<b>283</b>
	<b>App B - Internal Audit Charter .....</b>	<b>287</b>
<b>Attachments:</b>	<b>Att 1 - Audit Committee Minutes 7 September 2015 .....</b>	<b>293</b>

**PURPOSE**

To provide Council with information on matters reviewed at the Audit Committee Meeting held 7 September 2015 (*Section 211 Local Government Regulation 2012*) and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

**EXECUTIVE SUMMARY**

The Audit Committee is a mandatory Advisory Committee of Council established in accordance with Section 105 of the Local Government Act 2009. The Committee is comprised of Mr Peter Dowling (External Chair), Mr Len Scanlan (External Member), Cr Chris Thompson and Cr Christian Dickson.

The Audit Committee agenda was distributed electronically to all Councillors on 31 August 2015 with agenda reports categorised as Chief Executive Update, External Audit, Governance and Risk, and Internal Audit reports.

In addition to the standard Audit Committee reports, the Draft Financial Statements 2014/2015, Fraud Risk Management, the Audit Committee and Internal Audit Charters were reviewed.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled “Audit Committee Meeting 7 September 2015 ” and**
- (b) endorse the Audit Committee Charter (Appendix A) and the Internal Audit Charter (Appendix B).**

**FINANCE AND RESOURCING**

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

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>A public sector leader</i></b>
<b>Outcome:</b>	5.2 - A financially sustainable organisation
<b>Operational Activity:</b>	5.2.2 - Ensure council's finances are well managed and systems are in place to analyse performance, generate revenue, reduce costs and manage contracts

## CONSULTATION

### Internal Consultation

Acting Chief Executive Officer  
Directors

### External Consultation

External members of the Audit Committee

### Community Engagement

There has been no community engagement

## PROPOSAL

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

The Committee is comprised of Mr Peter Dowling (External Chair), Mr Len Scanlan (External Member), Cr Chris Thompson and Cr Christian Dickson. The Audit Committee agenda has previously been distributed electronically to all Councillors.

The overall objective of the Audit Committee is to assist the Council and the Chief Executive to discharge their duties, in particular:

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

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

The matters reviewed at the 7 September 2015 Audit Committee Meeting were as follows.

### Acting Chief Executive Officer's Update

- Update of significant issues being addressed by Council.

**External Audit Reports**

- Queensland Audit Office 2014/15 Interim Audit Report was presented with the Audit Office confirming their preliminary assessment of the overall control environment as strong.
- The general purpose financial statements for 2014/15 were reviewed by the Audit Committee prior to being given to the Auditor-General.

**Governance Reporting**

- Work Health and Safety report covering safety indicators. Two reportable incidents occurred in June/July 2015 with an overall downward trend in lost time injury days being reported.
- Governance and Risk report covering strategic and operational risks, Business Continuity Plans, Complaints Management, Risk Awareness Project and Governance Awareness Program.
- Fraud Risk Management Update outlined Council's approach to Fraud Risk Management and the results of the Queensland Audit Office report on Fraud Management in Local Government were noted.

**Internal Audit Reports**

The following reviews were undertaken and reports presented at the meeting.

- Cemeteries
- Aquatic Centres
- Sunshine Coast Stadium Sports Facilities – Financial Controls
- Asset Capitalisation Processes – Parks and Gardens
- Purchasing – Regional Strategy and Planning

In 2014-2015, sixteen reviews were completed with the results confirming the overall control environment as strong and that the conduct of the 2015-2016 internal audit plan is progressing as scheduled. Management's implementation of the 17 internal and external audit recommendations is being monitored by the Audit Committee.

The annual review of the Audit Committee and Internal Audit Charters was completed by the committee and recommended for Council's endorsement (Charters were previously endorsed by Council 16 October 2014).

**Legal**

There are no legal implications with this report

**Policy**

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

**Risk**

Specific risks have been detailed in the various agenda reports.

**Previous Council Resolution**

Audit Committee and Internal Audit Charters were previously endorsed by Council 16 October 2014.

**Related Documentation**

Audit Committee Agenda for 7 September 2015 was issued to Councillors 31 August 2015.

**Critical Dates**

There are no critical dates associated with this report.

**Implementation**

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

## 8.6.2 PROPOSED AMENDMENTS TO STANDING ORDERS SUNSHINE COAST COUNCIL 2015

<b>File No:</b>	<b>Statutory Meetings</b>
<b>Author:</b>	<b>Team Leader Meeting Management Office of the Mayor and Chief Executive Officer</b>
<b>Appendices:</b>	<b>App A - Standing Orders Sunshine Coast Council 2015.....321</b>
<b>Attachments:</b>	<b>Att 1 - Strategy Policy 2011 .....343 Att 2 - Standings Orders Sunshine Coast Council 2015 - Track Changes .....345</b>

### PURPOSE

This report presents for council's consideration and adoption, amendments to the "Standing Orders Sunshine Coast Council 2015" to assist with the orderly and proper conduct of council meetings. The proposed amendments ensure the Standing Orders will align with current legislation and accommodate minor administrative amendments.

### EXECUTIVE SUMMARY

The *Local Government Act 2009* (the Act) and the *Local Government Regulation 2012* (the Regulation) provide a framework for conducting the business of council at council meetings.

Sunshine Coast Council's Standing Orders were last updated in 2011 where changes were made to ensure alignment to the legislation. Prior to that, changes were made by resolution of Council in February of 2009 relating to the recording of votes for each decision. The Standing Orders Sunshine Coast Council 2015 (**Appendix A**) incorporates these amendments and reflects recent legislated changes.

The Regulation has introduced changes such as the adjournment of a meeting if a quorum is not present within 15 minutes (previously 30 minutes) and participation at a meeting via teleconferencing. These amendments have been included noting the local government must approve any teleconferencing arrangement.

Minor amendments have been made to procedural motions to remove reference (with regard to the deferral of an item) "for not more than two months". If a specific date is not included in the resolution, the matter would then be referred to the next Ordinary Meeting of Council.

The Strategic Policy adopted in 2011 (**Attachment 1**) is no longer required under current legislation and Council's approval is required to delete the policy from council's strategic policy register.

### OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Proposed Amendments to Standing Orders Sunshine Coast Council 2015"
- (b) adopt the Standing Orders Sunshine Coast Council 2015 (Appendix A)
- (c) note Strategic Policy 2011 Standing Orders is no longer required and delete same from the Strategic Policy Register and
- (d) authorise the Chief Executive Officer to make minor administrative amendments to the Standing Orders Sunshine Coast Council 2015 (Appendix A) to ensure the Standing Orders remain consistent with the Local Government Act and Local Government Regulations.

## FINANCE AND RESOURCING

The review of the Standing Orders has been accommodated within the operational budget for Meeting Management (Office of Mayor and Chief Executive Officer).

## CORPORATE PLAN

**Corporate Plan Goal:** *A public sector leader*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S28 - Elected council - providing community leadership, democratic representation, advocacy and decision-making

## CONSULTATION

Consultation for the suggested amendments to the standing orders has occurred with:

- Mayor and all Councillors
- Chief Executive Officer
- Executive Leadership Team
- Manager Corporate Governance
- Chief Legal Officer

### External Consultation

The Standing Orders for several comparable Councils were reviewed as research for this review. The majority of other councils reviewed still utilise model local laws which are out of date and reference superseded legislation.

### Community Engagement

There has been no community engagement necessary to undertake the review and update of the Standing Orders.

## PROPOSAL

The *Local Government Act 2009* (the Act) and the *Local Government Regulation 2012* (the Regulation) provide a framework for conducting the business of council at council meetings.

Sunshine Coast Council's Standing Orders were last updated in 2011 where changes were made to ensure alignment to the legislation. Prior to that, changes were made by resolution of council in February of 2009 relating to the recording of votes for each decision. The Standing Orders Sunshine Coast Council 2015 (**Appendix A**) incorporates these amendments and reflects recent legislated changes.

The Regulation has introduced changes such as the adjournment of a meeting if a quorum is not present within 15 minutes (previously 30 minutes) and participation at a meeting via teleconferencing. These amendments have been included noting the local government must approve any teleconferencing arrangement.

The Strategic Policy adopted in 2011 (**Attachment 1**) is no longer required under current legislation and council's approval is required to delete the policy from council's strategic policy register.

Where details relating to the conduct of meetings are included in the Act or the Regulation they are referenced but not reiterated in the standing orders. Duplications have been removed and consultation with councillors has enabled amendments throughout the document to reflect current practice.

Minor amendments have been made to procedural motions to remove reference (with regard to the deferral of an item) "for not more than two months". If a specific date is not included in the resolution, the matter would then be referred to the next Ordinary Meeting of Council.

It is also recommended that Council authorise the Chief Executive Officer to make any future minor changes in relation to the legislation to accommodate legislative reprints, publishing and renumbering. Any significant amendments would see the Standing Orders return to Council for consideration.

### Legal

This report meets the requirements of sections 255 to 277 of the *Local Government Regulation 2012*.

### Policy

This report proposes the deletion of 'Strategic Policy 2011 Standing Orders' from the Strategic Policy Register as it is no longer required.

### Risk

The adoption of the "Standing Orders Sunshine Coast Council 2015" will ensure that Council complies with legislative requirements.

### Previous Council Resolution

**Council Resolution** (OM11/298) – Ordinary Meeting 7 December 2011

*That Council:*

- (a) *receive and note the report titled "Strategic Policy - Standing Orders";*
- (b) *adopt the Strategic Policy Standing Orders (Appendix A); and*
- (c) *adopt the Standing Orders of the Sunshine Coast Regional Council 2011 (Appendix B).*

**Council Resolution** (OM11/182) – Ordinary Meeting 3 August 2011

*Council resolved that the Sunshine Coast Regional Council Local Law No 2 (Meetings) 2008 had been reviewed and had been identified as redundant.*

**Council Resolution** (OM09/065) – Ordinary Meeting 19 February 2009

*That Council amend Clause 24 "Method of taking vote" as contained within the Sunshine Coast Regional Council Standing Orders for Meetings 2008 by:*

1. *deleting sub-clauses (4), (5), (6) and (7) relating to divisions on motions;*
2. *inserting new sub-clause (4) "the chief executive officer shall record the names of the members voting in the affirmative and of those voting in the negative (including abstaining); and*
3. *inserting new sub-clause (5) "the chairperson shall declare the result of a vote as soon as it has been determined.*
4. *adding new Clause 24 (4) and (5) to Section 37 relating to Standing Committees.*

### Related Documentation

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Corporate Plan 2014-2019*

### Critical Dates

There is no critical date for this decision, other than noting that the Standing Orders need to align with current Legislation.



**Implementation**

Hard copies of the Act, Regulation and Standing Orders will be available at all council meetings to ensure compliance with the legislation.

The Standing Orders Sunshine Coast Council 2015 will be made available to the public along with other statutory documentation, on the council website.

**9 NOTIFIED MOTIONS****9.1 NOTICES OF RESCISSION**

Nil

**9.2 NOTICES OF MOTION**

Nil

**9.3 FORESHADOWED NOTICES OF MOTION**

Nil

**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 REGIONAL STRATEGY AND PLANNING****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ENVIRONMENT LEVY LAND ACQUISITION PROGRAM****File No:** Statutory Meetings**Author:** Manager Environment and Sustainability Policy  
Regional Strategy & Planning Department

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This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

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The Environment Levy land acquisition program assists council to provide '*healthy natural ecosystems and protected remnant vegetation*' as part of the organisational approach towards the delivery of an enviable lifestyle and environment for the Sunshine Coast community.

Council's Environment Levy Land Acquisition Program is a key action of the Sunshine Coast Biodiversity Strategy 2010-2020. Since 2008, Council has acquired close to 950ha of land through the Environment Levy program, with Council managing approximately 5,500 hectares of land for conservation purposes.

The acquisition of land parcels identified in this report would assist to deliver strategic conservation outcomes by protecting locally, regionally and nationally threatened biodiversity values (including vegetation communities that are not well represented in the existing conservation network), helping to maintain ecological connectivity and habitat functionality, consolidating existing Council environmental reserves and improving resourcing and management outcome efficiencies.

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**11.2 CORPORATE SERVICES**

**11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - LEASE OF PROPERTY - SURPLUS LAND**

**File No:** Statutory Meetings  
**Author:** Project and Development Officer  
Corporate Services Department

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This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

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**11.3 COMMUNITY SERVICES**

Nil

**11.4 INFRASTRUCTURE SERVICES**

**11.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - AUTOMATIC WASTE COLLECTION SYSTEM BUSINESS CASE**

**File No:** Statutory Meetings  
**Author:** Manager Waste and Resource Management  
Infrastructure Services Department

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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.

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**11.5 CORPORATE STRATEGY AND DELIVERY**

**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAJOR AND REGIONAL EVENTS SPONSORSHIP APPLICATIONS**

**File No:** Statutory Meetings  
**Author:** Senior Major Events Liaison Officer  
Corporate Strategy and Delivery Department

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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.

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**11.5.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST AIRPORT LEASE OF TERMINAL DESKS**

**File No:** Statutory Meetings  
**Author:** Supervisor Commercial Property  
Corporate Strategy and Delivery Department

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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.

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**11.6 OFFICE OF THE MAYOR AND THE CEO**

Nil



**12 NEXT MEETING**

The next Ordinary Meeting will be held on 12 November 2015 in the Council Chambers, 1 Omrah Avenue, Caloundra.

**13 MEETING CLOSURE**