

# Agenda

## **Ordinary Meeting**

**Thursday, 24 June 2021**

**commencing at 11:00am**

**Council Chambers, 1 Omrah Avenue, Caloundra**



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**1 DECLARATION OF OPENING**

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

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

That the Minutes of the Ordinary Meeting held on 27 May 2021 be received and confirmed.

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

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

- (a) immediately inform the meeting of the prescribed conflict of interest including the particulars stated in section 150EL(4) of the Act and
- (b) pursuant to section 150EM(2) of the Act must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is being discussed and voted on.

**6.2 DECLARABLE CONFLICTS OF INTEREST**

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

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

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

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

**7 PRESENTATIONS / COUNCILLOR REPORTS**



**8 REPORTS DIRECT TO COUNCIL****8.1 APPLICATION OF NATIONAL COMPETITION POLICY 2021/2022**

File No: Council Meetings

Author: Coordinator Commercial Analysis  
Business Performance Group

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**PURPOSE**

The purpose of this report is to make recommendations for the application of National Competition Policy reforms for the 2021/2022 financial year.

**EXECUTIVE SUMMARY**

The key recommendations for the 2021/2022 financial year resulting from the annual review of the application of National Competition Policy reforms to Council's business activities are outlined in this report.

The International Broadband Submarine Cable Network has been assessed to determine whether or not to identify this function as a business activity. Assessments of other functions including off-street parking are continuing and will be the subject of a future report to Council.

The recommended business activity structure for 2021/2022 is as follows:

- Apply Full Cost Pricing to the Waste & Resources Management significant business activity
- Apply the Code of Competitive Conduct to Sunshine Coast Holiday Parks and Quarries business activities.
- International Broadband Submarine Cable Network not be identified as a business activity of Council.

The reform options and key differences between Full Cost Pricing, Commercialisation, Code of Competitive Conduct, and cost-recovery pricing principles are outlined in **Attachment 1**.

Legislative requirements and the process for business activity identification are illustrated in **Attachment 2**.

Business activity full cost pricing performance for 2019/2020 is shown in **Attachment 3**.

**OFFICER RECOMMENDATION**

That Council:

- receive and note the report titled "Application of National Competition Policy 2021/2022"
- apply Full Cost Pricing to the Waste and Resource Management significant business activity for the 2021/2022 financial year in accordance with section 44(1)(b) of the *Local Government Act 2009*

- (c) apply the Code of Competitive Conduct to the following business activities, for the 2021/2022 financial year, in accordance with section 47 of the *Local Government Act 2009*:
- (i) Sunshine Coast Holiday Parks; and
  - (ii) Quarries
- (d) not apply the Code of Competitive Conduct to the International Broadband Submarine Cable Network, in accordance with section 47 of the *Local Government Act 2009* as:
- (i) Council considers this an economic development project being a mechanism to future proof telecommunications capacity and access on the Sunshine Coast
  - (ii) Council will not be able to influence price setting and
  - (iii) costs and prices of the project are already isolated, documented, and transparent and
- (e) request the Chief Executive Officer to provide a further report to Council by the end of September 2021 on the outcome of the current assessments of other business activities of Council.

## FINANCE AND RESOURCING

The finance and resourcing implications of applying the National Competition Policy reforms primarily relate to competitive neutrality and cost reflective pricing for Council's business activities.

## CORPORATE PLAN

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

## CONSULTATION

### Internal Consultation

- Manager Business and Innovation
- Manager Civil Asset Management
- Chief Financial Officer
- Manager Waste and Resources Management
- Manager Sport & Community Venues
- Manager Transport Infrastructure Management
- Coordinator Sunshine Coast Holiday Parks
- Quarry Manager
- Parking and Transport Manager.

### External Consultation

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



## PROPOSAL

In the mid to late 1990s, a suite of market and economic reforms were introduced to stimulate growth and job creation in Australia. For local governments in Queensland these reforms revolved around the following:

1. The extension of the trade practices laws prohibiting anti-competitive activities to all businesses including local government businesses
2. The introduction of competitive neutrality so that private businesses could compete on an equal footing with those owned by local government
3. The review and reform of all laws that restrict competition
4. Specific reform and price monitoring of the water industry.

National Competition Policy reforms are applied to various identified 'business activities' of the Council. **Attachment 1** outlines the reform options and the key differences between Commercialisation, Full Cost Pricing, Code of Competitive Conduct, and cost recovery pricing principles.

**Attachment 2** sets out the legislative requirements, threshold analysis of Council's business activities and the process for annual business activity identification.

During the course of the 2020-2021 Council completed the International Broadband Submarine Cable Network initiative and it was assessed as a potential business activity.

**Attachment 3** shows business activity full cost pricing performance based on 2019/2020 audited actual results.

### Classification of Council's Business Activities

Business activities are classified against expenditure thresholds set each financial year. For significant business activities, expenditure for this purpose is the operating expenditure less depreciation and any expenditure to achieve competitive neutrality which is not actually incurred plus loan redemption payments. The 2021/2022 thresholds are as follows:

- Significant business activities (SBA) have expenditure over the \$9.9 million threshold
- Business activities (BA) have expenditure over the \$350,000 threshold.

The classification of Council's business activities are listed in the Table 1 below for 2020/2021 and 2021/2022.

*Table 1: Current and Proposed Business Activity Classification*

Business Activity	2020/2021	2021/2022
	Current Classification	Proposed Classification
Waste and Resources Management	SBA	SBA
Sunshine Coast Holiday Parks	BA	BA
Quarries	BA	BA

A public benefit assessment is required when business activities move classification from a business activity to a Significant Business Activity. A public benefit assessment determines which reform option will achieve the greatest net community benefit.

### Summary Outcomes of Business Activity Review

The recommended 2021/2022 business activity structure based on the annual business activity review and identification conducted in accordance with the legislation is to:

1. apply the Full Cost Pricing in accordance with section 44(1)(b) of the *Local Government Act 2009* to the Waste and Resource Management significant business activity
2. apply the Code of Competitive Conduct to the Sunshine Coast Holiday Parks and Quarries business activities, in accordance with sections 47 of the *Local Government Act 2009 and*
3. not apply the Code of Competitive Conduct to the International Broadband Submarine Cable Network in accordance with sections 47 of the *Local Government Act 2009*.

Council opened the new ParknGo Mooloolaba Central eight-storey car park on 23 December 2020. Funds raised throughout the year by paid parking will service the construction loan as well as the operation and maintenance of the facility. Parking operations has been contracted out to Wilson Parking and Council maintains control over pricing and access. Council also established an at-grade paid parking facility in the Maroochydore City Centre in January 2021. The Maroochydore City Centre development is also likely to see future development of multi-storey off-street parking facilities. The assessment of off-street parking as a business activity is continuing and will be presented to Council in a subsequent report along with an update on other activities that are or are proposed to be reviewed.

Council has facilitated the landing of a new international submarine cable to Maroochydore following an international submarine cable contract agreed between Sunshine Coast Council and RTI Connectivity Pty Ltd (RTI-C). The project includes the installation of a 550km undersea fibre optic cable which connects the Sunshine Coast to the 7000km Japan-Guam-Australia South submarine cable. The cable which is laid out or buried under the sea floor, connects to the cable landing station adjacent to the new Maroochydore City Centre. RTI-C control pricing and access to the network. As such the International Broadband Submarine Cable Network is not a business activity of Council.

### **Council's Annual Budget**

The intent of the legislation is to enhance transparency regarding the financial performance of business activities, requiring them to be reported separately from other Council activities in the budgeted financial reports. Income and expense statements are to be published in the budget separately for commercialised business units, significant business activities operating under full cost pricing, as well as other business activities. Details regarding community service obligations are also required to be published for each business activity.

The budget process for significant business activities and business activities under the code of competitive conduct includes the following key stages:

- Revenue requirements are determined from long term financial plans and full cost pricing models (that includes recovery of efficient operating costs, return of capital and return on capital).
- Activity based costing analysis is undertaken to determine outputs for products and services provided by each business activity
- An overarching price strategy is determined regarding accepted level of cost recovery.
- Council is informed regarding price strategy for each business activity to achieve full cost recovery.
- Approved pricing strategy and activity-based costing outputs used to inform increases in utility charges / fees and charges.

### **Council's Annual Report**

The annual report of Council must include information relating to the identification and performance of business activities. This information is contained in the body of the financial

statements in line with legislative requirements, which in turn are published as part of Council's annual report.

### Legal

In accordance with Chapter 3 of the *Local Government Act 2009* and the *Local Government Regulation 2012*, Council is required each year to identify any new 'financially significant' business activities and to identify its business activities.

**Attachment 2** describes the current statutory requirements.

This report responds to the statutory obligation of Council in relation to the identification of business activities and the application of appropriate competition policy reform options.

### Policy

The organisational policy on Competition Reform Compliance sets out a framework outlining annual compliance requirements in relation to the application of competition policy principles to Council's nominated business activities in accordance with applicable legislative requirements.

### Risk

Failure to conduct the assessments required in the *Local Government Act 2009* and the *Local Government Regulation 2012* could leave Council exposed to competitive conduct complaints in respect of its business activities that are competing with the private sector, including potential legal and reputational risks for Council.

### Previous Council Resolution

Council resolved at the Ordinary Meeting of 11 June 2020 as follows:

#### Special Meeting 11 June 2020 (SM20/12)

*That Council:*

- (a) *receive and note the report titled "**Application of National Competition Policy 2020/2021**"*
- (b) *apply Full Cost Pricing to the Waste and Resource Management significant business activity for the 2020/2021 financial year in accordance with section 44(1)(b) of the Local Government Act 2009*
- (c) *apply the Code of Competitive Conduct to the following business activities, for the 2020/2021 financial year, in accordance with section 47 of the Local Government Act 2009:*
  - (i) *Sunshine Coast Holiday Parks*
  - (ii) *Quarries.*

### Related Documentation

There is no related documentation relevant to this report.

### Critical Dates

This recommendation needs to be adopted each financial year per legislative requirements.

### Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will apply the revised National Competition Policy reforms for the 2021/2022 financial

year. As the recommended business activity structure for 2021/2022 is the same as the business activity structure currently in place, there are no significant changes in process required.

## 8.2 2021/2022 PROCUREMENT POLICY AND PROCUREMENT AND DISPOSAL FRAMEWORK

<b>File No:</b>	<b>Council meetings</b>
<b>Author:</b>	<b>Manager Business and Innovation Business Performance Group</b>
<b>Appendices:</b>	<b>App A - Procurement Policy .....31</b> <b>App B - Contract Manual .....43</b> <b>App C - Contracting Plan.....69</b> <b>App D - Local Preference in Procurement Guideline.....81</b> <b>App E - Social Benefit in Procurement Guideline .....87</b> <b>App F - First Nations Procurement Guideline .....93</b> <b>App G - Innovation &amp; Market-Led Proposal Guideline .....97</b> <b>App H - Significant Contracting Plan - Sunshine Coast City Hall - Fit Out ..... 107</b> <b>App I - Significant Contracting Plan - Microsoft Enterprise Licences .....111</b> <b>App J - Significant Contracting Plan - Pavement Marking Services .....113</b> <b>App K - Significant Contracting Plan - Lifeguard Services ..... 117</b> <b>App L - Significant Contracting Plan - Kawana Waters Regional Aquatic Centre .....121</b> <b>App M - Significant Contracting Plan - Nambour Landfill Expansion .....125</b>

### PURPOSE

The purpose of this report is to present for the consideration of Council the 2021/22 Procurement Policy and related documents forming Council's procurement and disposal framework.

### EXECUTIVE SUMMARY

The *Local Government Act 2009* (the Act) and the *Local Government Regulation 2012* (the Regulation) outline the procurement and disposal frameworks through which Council must conduct procurement of goods and services and disposal of non-current assets.

The Regulations require Council's Procurement Policy and the procurement and disposal framework to be reviewed and adopted on an annual basis. The documents forming part of this framework are:

- Procurement Policy
- Contract Manual
- Contracting Plan
- Local Preference in Procurement Guideline
- Social Benefit Procurement Guideline
- First Nations Procurement Guideline
- Innovation and Market-Led Engagement Guideline
- Significant Contracting Plan/s

The proposed procurement and disposal framework comply with all legislative obligations. It provides an appropriate framework for conducting effective and efficient contracting activities.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “2021/2022 Procurement Policy and Procurement and Disposal Framework”
- (b) adopt the proposed procurement and contracting as the procurement and disposal framework:
  - (i) Procurement Policy (Appendix A)
  - (ii) Contract Manual (Appendix B)
  - (iii) Contracting Plan (Appendix C)
  - (iv) Local Preference in Procurement Guideline (Appendix D)
  - (v) Social Benefit Procurement Guideline (Appendix E)
  - (vi) First Nations Procurement Guideline (Appendix F)
  - (vii) Innovation and Market-Led Engagement Guideline (Appendix G) and
- (c) adopt Significant Contracting Plans for the following:
  - (i) Design and Construct – Sunshine Coast City Hall Fitout (Appendix H)
  - (ii) Microsoft Enterprise Licences (Appendix I)
  - (iii) Pavement Marking Services (Appendix J)
  - (iv) Lifeguard Services (Appendix K)
  - (v) Kawana Waters Regional Aquatic Centre (Appendix L) and
  - (vi) Nambour Landfill Expansion (Appendix M).

## FINANCE AND RESOURCING

The Procurement Policy and procurement and disposal framework will be administered by the Business and Innovation Branch of Business Performance Group. Resourcing is within the branch and no additional funding is required to implement or administer the framework.

Budget for each of the projects to which a Significant Contracting Plan relates, will be secured following adoption of the Sunshine Coast Council 2021/22 budget.

## CORPORATE PLAN

- Corporate Plan Goal:** *An outstanding organisation*
- Outcome:** 5.6 - Information, systems and process underpin quality decisions and enhance the customer experience
- Operational Activity:** 5.6.3 - Enhance the Organisational Performance framework and supporting system to monitor ongoing delivery of strategic priorities and assist decision making.

## CONSULTATION

### Councillor Consultation

- Councillor T Landsberg - Economy Portfolio Councillor
- Councillor J O'Pray - Economy Portfolio Councillor

### Internal Consultation

During the operation of the current procurement and disposal framework and development of this framework, engagement has occurred with various officers for all levels of the organisation. Specific engagement has occurred with:

- A/Group Executive, Business Performance
- Group Executive, Economic & Community Development
- Chief Financial Officer
- Manager, Digital & Information Services
- Manager, Audit and Assurance
- Manager, Project Delivery
- Manager, Property Management
- Manager, Economic Development
- Manager, Community Planning & Development
- Manager, Sport & Community Venues
- Coordinator, Contracts and Supply Services
- Senior Advisor, First Nations Partnerships
- Project Director, Sunshine Coast City Hall and Workplaces
- Contracts Delivery Manager, Civil Asset Management
- Coordinator, Sports Venues and Development
- Team Leader, Multi-Sport Complexes and Aquatics
- Project Officer, Urban Projects

A Communications Plan will be developed to inform internal stakeholders.

### External Consultation

External Legal Advice was sought when Council first adopted the Strategic Contracting Procedures. The Procurement Policy and procurement and disposal framework remains consistent with that external legal advice.

A Communications Plan will be developed to inform the local community of the adoption of the policy and framework. This includes presentation at Supplier Briefings and other business and community engagement opportunities.

### Community Engagement

No community consultation was required in the preparation of this report.

## PROPOSAL

The *Local Government Act 2009* (the Act) and the *Local Government Regulation 2012* (the Regulation) outline the procurement and disposal frameworks through which Councils may conduct procurement of goods and services, and disposal of non-current assets.

### Strategic Contracting Procedures

The Regulation provides two frameworks through which Council may conduct procurement of goods and services and the disposal of surplus assets. The two frameworks are:

- Strategic Contracting Procedures
- Default Contracting Procedures

Council is bound to use the DCP unless it adopts the Strategic Contracting Procedures.

At the Ordinary Meeting of 17 May 2018, Council resolved to adopt the Strategic Contracting Procedures to empower Council to pursue improved contracting outcomes. The Strategic Contracting Procedures have been reviewed and adopted each year since.

### Council's Procurement and Disposal Framework

The Regulations require Council's Procurement Policy and the procurement and disposal framework to be reviewed and adopted on an annual basis. The documents forming part of this framework are:

#### Procurement Policy

The Procurement Policy (Appendix A) is the central document in establishing a procurement and disposal framework. The Regulation requires any Procurement Policy to outline the principles the Council will apply in its procurement activities, including stating how it will meet the Sound Contracting Principles provided in the Act.

#### Contract Manual

The Contract Manual (Appendix B) outlines how Council will conduct procurement and disposal activities for both the procurement of goods and services and the disposal of non-current assets. The Regulation requires that a Contract Manual must:

- Apply the Sound Contracting Principles
- Be consistent with and support the achievement of the strategic directions provided in Council's 5-year corporate plan
- Be consistent with the Contracting Plan
- Include a policy that outlines how Council will dispose of low value assets.

The 2021/22 Contract Manual addresses these requirements and provides an overarching guide for the procedures Council will follow when conducting procurement and disposal activities. Whether contracting for the supply of goods and services, or when disposing of non-current assets, Council will generally engage a competitive process designed to realise value to Council.

The Regulation prohibits the Strategic Contracting Procedures from being applied to disposal activities relating to land. Disposal of land, or an interest in land, whether by sale, lease, or other form of disposal, will still be conducted under the provisions of the Regulations.

#### Contracting Plan

The Contracting Plan is a document which outlines the types of contracts that Council proposes to enter into during the financial year, including principles and strategies for performing those contracts within the various markets being approached. The Contracting Plan must be consistent with, and support achievement of the strategic directions outlined in the Corporate Plan.



The Contracting Plan (Appendix C) complies with the requirements of the *Local Government Regulation 2012*.

### **Supporting Guidelines**

The procurement and disposal framework is supported by four guidelines. Details of the guidelines are as follows:

#### **Local Preference in Procurement Guideline**

The Local Preference in Procurement Guideline (Appendix D) was developed to support Council's Regional Economic Development Strategy 2013-2033.

The current Local Preference in Procurement Guideline has guided Council's preference for engaging with local suppliers. This has resulted in Council spending more than \$241 million with local suppliers for the current financial year (to 1 May 2020), which represents 75% of the available procurement spend.

#### **Social Benefit Procurement Guideline**

The Social Benefit Procurement Guideline (Appendix E) was developed to support Council's Sunshine Coast Community Strategy 2019 - 2041.

Social Benefit Suppliers have social missions centered on benefitting a group of people who are considered disadvantaged in the local community. The guideline seeks to support SBS's through strategies that:

- Direct procurement processes with Social Benefit Supplier's
- Encourage principle contractors to engage/sub-contract to Social Benefit Suppliers

#### **First Nations Procurement Guideline**

The First Nations Procurement Guideline (Appendix F) supports pursuit of Council's recently adopted Reconciliation Action Plan 2021-22. The guideline seeks to support First Nation People through strategies that:

- Direct procurement processes targeted at First Nation Businesses
- Encourage principle contractors to engage/sub-contract with First Nation Businesses
- Drive employment of First Nation People
- Address business development opportunities

#### **Innovation and Market-Led Engagement Guideline**

The Innovation and Market-Led Guideline (Appendix G) is unique to our Council. The guideline will create a pathway for specialised engagements of contractors:

- Providing innovative solutions
- Market Led Proposals (similar to the State Government Framework)

The guideline contains appropriate checks and balances to ensure compliance with legislation and community expectations.

#### **Significant Contracting Plan/s**

The Regulation requires Council to identify all Significant Contracts and prepare a Significant Contracting Plan for each.

Significant Contracts are contracts that:

- have an anticipated value of \$5 million or more and/or
- are deemed Significant Contracts by the Procurement and Contract Performance Team following assessment under the Procurement Profiling Matrix, and Risk Assessment Calculator, which includes an assessment of the market relating to the contract.

The Regulation requires a Significant Contracting Plan to be a document which states:

- the objectives of the significant contract
- how the objectives are to be achieved
- how achievement of the objectives will be measured
- any alternative ways of achieving the objectives
- why the alternative ways were not adopted
- proposed contractual arrangements for the activity
- a risk analysis of the market in which the contract is to happen.

The following projects/services have been identified as Significant Contracts and therefore require a Significant Contracting Plan:

- Design and Construct – Sunshine Coast City Hall Fitout (Appendix H)
- Microsoft Enterprise Licences (Appendix I)
- Pavement Marking Services (Appendix J)
- Lifeguard Services (Appendix K)
- Kawana Waters Regional Aquatic Centre (Appendix L)
- Nambour Landfill Expansion (Appendix M).

### **Supporting Strategies and Programs**

Council continues to deliver support programs, including:

- **Suppliers Briefings** - Council has conducted two Supplier Briefings in the past year. The Supplier Briefing outlines Council plans for the coming year with regards contracting for capital works delivery and goods and services generally. The Supplier Briefings also provide information to business on Council's safety requirements, procurement processes and communication plans.
- **Doing Business with Council workshops** - Council delivers these workshops to interested parties at least six times per year. The workshops assist mostly local attendees in explaining how to best reply to Invitations to Tender and Request for Quotes from Council.
- **Communication and Procurement Platforms** – Council will continue to communicate and conduct procurement with business and community through various platforms and methods. These include the Q-Tender and Open Windows platforms through which we advertise and receive tenders and quotes. Other relevant platforms include the Council Tender Alert Service, Sunshine Coast Business Gateway and Information Sessions.

### **Legal**

External legal advice has previously been sought regarding the format and content of proposed the Procurement Policy and the procurement and disposal framework. This advice supports the policy and framework as being compliant and appropriate for Council.

### **Policy**

The Procurement Policy and documents comprising the procurement and disposal framework will provide a structured framework for Council's procurement and disposal contracting activities and ensure compliance with the relevant legislation.

**Risk**

The Procurement Policy and documents comprising the procurement and disposal framework mitigates the risks associated with undertaking contracting activities for the procurement of goods and services and disposal of assets.

**Previous Council Resolution****Ordinary Meeting 23 July 2020 (OM20/79)**

*That Council:*

- (a) *receive and note the report titled “2020/2021 Contracting Plan and Significant Contracting Plans”*
- (b) *adopt the proposed:*
  - (i) *Contracting Plan (Appendix A) and Significant Contracting Plans as follows:*
  - (ii) *Mooloolaba Foreshore Revitalisation Project (Appendix B)*
  - (iii) *Supply of Fuel Card (Appendix C)*
  - (iv) *Open Space Turf and Vegetation Maintenance (Appendix D)*
  - (v) *Landscape Maintenance (Appendix E) and*
  - (vi) *Waste Collection Services (Appendix F).*

**Special Meeting 11 June 2020 (SM20/13)**

*That Council:*

- (a) *receive and note the report titled “2020/2021 Procurement Policy and Procurement and Contracting Framework” and,*
- (b) *adopt the proposed procurement and contracting framework for 2020/21 as follows:*
  - (i) *Procurement Policy (Appendix A)*
  - (ii) *Contract Manual (Appendix B)*
  - (iii) *Local Preference in Procurement Guideline (Appendix C)*
  - (iv) *Social Benefit Procurement Guideline (Appendix D)*
  - (v) *First Nations Procurement Guideline (Appendix E)*
  - (vi) *Innovation and Market-Led Engagement Guideline (Appendix F).*

**Ordinary Meeting 20 June 2019 (OM19/93)**

*That Council:*

- (a) *receive and note the report titled “2019/2020 Procurement Policy and Procurement and Contracting Framework”*
- (b) *adopt the Strategic Contracting Procedures framework for 2019/20 as follows:*
  - (i) *Procurement Policy (Appendix A)*
  - (ii) *Contract Manual (Appendix B) and*
  - (iii) *Contracting Plan (Appendix C) and Significant Contracting Plans (Appendix D, E, F, G, H and I).*

**Ordinary Meeting 21 June 2018 (SM18/9)**

*That Council:*

- (a) receive and note the report titled "2018/19 Contracting Plan"*
- (b) adopt the 2018/19 Contracting Plan which is to remain in force from 1 July 2018 to 30 June 2019 (Appendix A)*
- (c) adopt the Significant Contracting Plan for Retail Electricity Services - Street Lighting (Appendix B)*
- (d) adopt the Significant Contracting Plan for Street Sweeping Services (Appendix C) and*
- (e) adopt the Significant Contracting Plan for Tree Maintenance Services (Appendix D).*

**Ordinary Meeting 14 June 2018 (OM18/95)**

*That Council:*

- (a) receive and note the report titled "2018/2019 Procurement Policy"*
- (b) adopt the 2018/2019 Procurement Policy (Appendix A).*

**Ordinary Meeting 14 June 2018 (OM18/94)**

*That Council:*

- (a) receive and note the report titled "2018/2019 Contracting Manual" and*
- (b) adopt the 2018/19 Contracting Manual which is to remain in force from 1 July 2018 to 30 June 2019.*

**Ordinary Meeting 17 May 2018 (OM18/62)**

*That Council:*

- (a) receive and note the report titled "Strategic Contracting Procedures" and*
- (b) apply Chapter 6 Part 2 Strategic Contracting Procedures of the Local Government Regulation 2012 to its contracts, following adoption by Council of:*
  - (i) a contracting plan; and*
  - (ii) a contracting manual**which will not be more than one year after the date of this resolution.*

**Related Documentation**

*Local Government Act 2009*

*Local Government Regulation 2012*

Various Internal Audit Reports for the 2019/20 financial year.

**Critical Dates**

The *Local Government Regulation 2012* requires Council review its Procurement Policy annually and adopt a Contracting Plan for each financial year.

The Contracting Plan and Significant Contracting Plans may only be adopted after the budget for the year is adopted.

**Implementation**

The Procurement Policy and documents comprising the procurement and disposal framework will commence on 1 July 2021 and will continue use of the Strategic Contracting Procedures for Council.

Chief Executive Officer will ensure that:

- Council conducts its procurement and contracting activities in a manner consistent with the Procurement Policy and the procurement and disposal framework
- Each contracting activity, which has a Significant Contracting Plan, is undertaken in a manner consistent with the plan.

### 8.3 MAY 2021 FINANCIAL PERFORMANCE REPORT

<b>File No:</b>	<b>Financial Reports</b>
<b>Author:</b>	<b>Coordinator Financial Services Business Performance Group</b>
<b>Attachments:</b>	<b>Att 1 - Monthly Financial Performance Report.....133</b>
	<b>Att 2 - 2020/21 Capital Grant Funded Project Report May 2021</b>
	<b>.....143</b>

#### PURPOSE

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

#### EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 31 May 2021 in terms of the operating result and delivery of the capital program.

#### Operating Performance

**Table 1: Operating Budget as at 31 May 2021**

	<b>Original Budget \$000</b>
Total Operating Revenue	465,069
Total Operating Expenses	460,733
<b>Operating Result</b>	<b>4,336</b>

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

#### OFFICER RECOMMENDATION

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

#### FINANCE AND RESOURCING

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

#### CORPORATE PLAN

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

## CONSULTATION

### Portfolio Councillor Consultation

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

### Internal Consultation

This report has been written in conjunction with advice from:

- Acting Group Executive Business Performance
- Acting Chief Financial Officer

### External Consultation

No external consultation is required for this report.

### Community Engagement

No community engagement is required for this report.

### Legal

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

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

### Policy

Sunshine Coast Council's 2020/21 Investment Policy and  
Sunshine Coast Council's 2020/21 Debt Policy.

### Risk

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

### Previous Council Resolution

#### Special Meeting Budget 25 June 2020 (SM20/16)

That Council adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2020/21 financial year incorporating:

- the statement of income and expenditure*
- the statement of financial position*
- the statements of changes in equity*
- the statement of cash flow*
- the relevant measures of financial sustainability*
- the long term financial forecast*
- the Debt Policy (adopted by Council resolution on 11 June 2020)*
- the Revenue Policy (adopted by Council resolution on 11 June 2020)*
- the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*

- x. *the Revenue Statement*
- xi. *Council's 2020/21 Capital Works Program, endorse the indicative four-year program for the period 2022 to 2025, and note the five-year program for the period 2026 to 2030*
- xii. *the rates and charges to be levied for the 2020/21 financial year and other matters as detailed below in clauses 3 to 12 and*
- xiii. *endorse the full time equivalent establishment as per the Sunshine Coast Council Establishment 2020/2021 report.*

**Related Documentation**

2020/21 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.



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**8.4 QUEENSLAND AUDIT OFFICE - FIRST INTERIM MANAGEMENT REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2021**

**File No:** Financial Management  
**Author:** Coordinator Financial Accounting  
Business Performance Group  
**Attachments:** Att 1 - Queensland Audit Office 2021 First Interim Report ..... 151

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**PURPOSE**

The attached report from the Queensland Audit Office (QAO) outlines the results of the first interim audit which was conducted in March this year.

This Queensland Audit Office First Interim Management Report was presented to the 24 May 2021 Audit Committee.

Section 213(3) of the *Local Government Regulation 2012* requires that the report be presented at the next Ordinary Meeting of Council.

**EXECUTIVE SUMMARY**

Council has a statutory obligation to prepare "General Purpose" Financial Statements on an annual basis, culminating in audit certification in October, before publication in Council's Annual Report.

The Queensland Audit Office audit Council's annual financial statements to ensure the statements give a true and fair view of Council's financial position, financial performance and cash flows for the relevant year, and that they comply with the *Local Government Act 2009*, the *Local Government Regulation 2012* and Australian Accounting Standards.

The annual audit process for the 2020/21 financial year consists of 5 parts as follows:-

- Planning (December 2020)
  - Confirmation of deliverables and timelines for the audit process
- 1<sup>st</sup> Interim Audit (March 2021)
  - Includes an assessment of the control environment to determine whether it supports an audit strategy that can rely upon these controls
  - Covers the period 1 July 2020 to 28 February 2021
- 2<sup>nd</sup> Interim Audit (June 2021)
  - Covers the period 1 March 2021 to 31 May 2021
- Audit of Asset Valuations to ensure they reflect fair value (July 2021)
- Final audit of financial statements (September 2021)

Following the final audit, Queensland Audit Office provide their Closing Report, Certification and Final Management Report in October 2021 which includes their audit opinion as well as a summary and status of any issues identified during the course of the audit.

Council has consistently received an unmodified audit opinion meaning the annual financial statements, in all material aspects, give a true and fair view of Council's financial position, financial performance and cash flows for the relevant year, and that they comply with the applicable legislation and Australian Accounting Standards.

The results of all Queensland local government audits are included in the Auditor General's annual report to Parliament on the results of local government audits.

1<sup>st</sup> Interim Audit

The Queensland Audit Office performed an interim audit of Council's financial systems and processes during March 2021. The Interim Report (Attachment 1) provides the overall status of the audit and summarises the principal matters that arose during the course of the audit.

The First Interim Audit considered the design and implementation of Council's internal controls and whether they were operating effectively. As well as testing the areas of revenue, expenditure, payroll and IT systems, work was also undertaken over areas of audit significance such as revenue recognition of infrastructure charges.

Results of the interim audit are summarised as follows:-

Item	Result
1. Internal control assessment	Partially effective
2. Financial reporting issues	Nil
3. Areas of audit significance	On track
4. Milestones	On track

**The interim audit result confirmed Council's overall control framework as partially effective meaning, that while outstanding matters are still being addressed, the environment supports an audit strategy that can rely upon these controls.**

The First Interim Audit is the second audit visit in Queensland Audit Office's annual external audit plan for Council's 2020/21 financial statements. Queensland Audit Office will return to Council in June 2021 for a Second Interim visit, in July 2021 to review the asset valuations, and again in September 2021 to finalise the audit of the 2020/21 financial statements.

## OFFICER RECOMMENDATION

**That Council receive and note the report titled "Queensland Audit Office - First Interim Management Report for the financial year ended 30 June 2021".**

## FINANCE AND RESOURCING

The estimated audit fee for the financial year is \$250,000 and this is provided for in Council's budget.

## CORPORATE PLAN

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

## CONSULTATION

### Portfolio Councillor Consultation

The Portfolio Councillors have received advice of this report through the Audit Committee process.

### Internal Consultation

Internal consultation was held with the following areas:

- People and Culture
- Business and Innovation
- Digital and Information Services
- Finance

- Development Services
- Urban Growth
- Audit Committee.

### **External Consultation**

External consultation has been held with Queensland Audit Office as well as external members of Council's Audit Committee.

### **PROPOSAL**

The Queensland Audit Office performed an interim audit of Council's financial systems and processes during March 2021. The Interim Report (Attachment 1) provides the overall status of the audit and summarises the principal matters that arose during the course of the audit. This audit involved assessing the design and implementation of Council's internal controls, and whether they were operating effectively, and included work undertaken on of areas of audit significance.

Detailed results of the audit are as follows:-

#### **1. Internal control assessment**

Queensland Audit Office categorise internal control issues as either Significant Deficiencies (requiring immediate action to resolve), Deficiencies (requiring resolution in a timely manner), or Other Matters (business improvement opportunities which may be implemented at management's discretion).

- Queensland Audit Office identified one Significant Deficiency and two Deficiencies associated with the new payroll system, as well as one Deficiency associated with domain administrator service accounts. The Significant Deficiency was resolved during April with the Deficiencies on track for resolution by 31 July 2021.
- Council also has a prior year Deficiency associated with delays in recording of contributed assets which is due for resolution by 30 June 2021. Although improvements have been made to internal processes, Council continues to experience delays in the provision of information from external parties, particularly during this time of increased property growth in the region.
- Queensland Audit Office also identified three Other Matters which Council is committed to resolving. These relate to finance system user access review, contracts, and active directory password setting. These were all resolved during April.

The "partially" effective rating is the result of one significant deficiency being identified. This issue has now been resolved.

#### **2. Financial reporting issues**

Financial reporting issues are identified and assessed based on their risk of causing a material misstatement in one or more components of the financial statements.

The risks of potential misstatement are categorized as:-

- High – requiring immediate management action to resolve
- Medium – management action is expected to be taken in a timely manner
- Low – action is taken at management's discretion.

**Queensland Audit Office did not identify any financial reporting issues.**

#### **3. Areas of audit significance**

Queensland Audit Office have identified items that they consider to be significant risks to the financial statements, due to their size or complexity, and as such will undertake specific targeted testing of these items which are as follows:

- 1) Valuation of infrastructure assets
- 2) Revenue recognition of infrastructure charges and contributed assets
- 3) Occurrence and appropriateness of procurement
- 4) Valuation of investment in associate
- 5) Accounting for major projects and transactions.

**Progress against these areas is on track.**

#### **4. Milestones**

The Queensland Audit Office external audit plan contains a series of measurable milestones in terms of Council's financial reporting and audit deliverable deadlines.

**All agreed key financial reporting and audit deliverable milestones have been met.**

If issues are identified as the audit progresses, they will be included in Queensland Audit Office's future reports.

**The interim audit result confirmed Council's overall control framework as partially effective meaning that while the outstanding matters are still being addressed, the environment supports an audit strategy that can rely upon these controls.**

#### **Legal**

Section 213(3) of the *Local Government Regulation 2012* requires this Queensland Audit Office Interim Report to be presented at the next available Ordinary Meeting of Council.

#### **Policy**

There are no internal policy documents relating to this report. It is a legislative requirement – refer Sections 212 and 213 of the *Local Government Regulation 2012*.

#### **Risk**

Council has a statutory obligation to prepare general purpose financial statements that are subject to audit by the Auditor-General or their contracted representative.

#### **Previous Council Resolution**

##### **Ordinary Meeting 25 June 2020 (OM20/63)**

*That Council receive and note the report titled "Queensland Audit Office - Interim Management Report for the financial year ended 30 June 2020".*

##### **Ordinary Meeting 17 September 2020 (OM20/101)**

*That Council receive and note the report titled "Queensland Audit Office - Second Interim Report for the financial year ended 30 June 2020".*

#### **Critical Dates**

Queensland Audit Office will return to Council in June 2021 to conduct a second interim audit, July 2021 to complete the audit of valuation of Council's infrastructure assets, and again in September 2021 to complete the final audit of the 2020/21 financial statements.

Council certification of the 2020/21 financial statements and current year financial sustainability statement is due by 7 October 2021.

**Implementation**

All identified issues will be stored in Council's corporate reporting system with implementation to be monitored by the Audit Committee.

**8.5 AUDIT COMMITTEE MEETING 24 MAY 2021**

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Manager Audit and Assurance Office of the CEO</b>
<b>Appendices:</b>	<b>App A - Audit Committee Minutes 24 May 2021 .....173 App B - 2021-2022 Internal Audit Annual Work Plan ..... 193</b>

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**PURPOSE**

To provide Council with information on matters reviewed at the Audit Committee Meeting held on the 24 May 2021 (*Section 211 Local Government Regulation 2012*) and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

**EXECUTIVE SUMMARY**

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

The Audit Committee agenda was distributed electronically to all Councillors on 17 May 2021 with agenda reports categorised as Office of the CEO, External Audit, Audit and Assurance, and Governance Reporting.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Audit Committee Meeting 24 May 2021” and
- (b) endorse the Audit Committee Minutes 24 May 2021 (Appendix A) and the 2021 – 2022 Internal Audit Work Plan (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>An outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S29 - Governance: providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

## CONSULTATION

### Councillor Consultation

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

### Internal Consultation

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

### External Consultation

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

## PROPOSAL

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

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

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

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

The matters reviewed at the 24 May 2021 Audit Committee Meeting are recorded per agenda sequence below:

## **4.1 Office of the CEO**

### *4.1.1 Chief Executive Officer's Update*

The Chief Executive Officer was pleased to provide an organisational performance update to the Audit Committee for the period since January 2021 meeting. The report covers financial performance, operational plan activity and includes significant project achievements.

### *4.1.2 Cyber Security Program Update*

Item 4.1.2 Cyber Security Program Update was deferred until the September 2021 Audit Committee Meeting. However, the Audit Committee raised a number of cyber security queries that they would like considered and responded to in the September presentations.

### *4.1.3 Asset Management Update*

The purpose of this report is to provide a progress report on the implementation of the Confirm Asset Information System. It was noted that Phase 3 of the project was on schedule to be completed 30 June and that the data integration testing was progressing well.

A number of independent reviews were underway which will provide input to developing the pathway forward.

The Committee requested that project financials be presented at the next Audit Committee including total project costs, the original budget proposed to complete the project and the outcomes of phase 3 in addressing data integrity and improving functionality.

## **4.2 External Audit**

### *4.2.1 Annual Financial Statement Risk and Planning Assessment*

Queensland Audit Office (QAO) presented the results of the First Interim Audit 2020 – 2021. It was noted that the significant deficiency associated with payroll segregation of duties has been addressed to the satisfaction of Queensland Audit Office.

The self-assessment using Queensland Audit Office's financial statement preparation maturity model determined that processes sit between established and optimised which was viewed as a sound result.

Necessary information from external bodies is not received in a timely manner which has resulted in significant delays in preparing for contributed asset recognition in financial reporting. There was some discussion regarding future recognition based on estimations to be recorded in the current financial year should the required information not be available in time.

The Queensland Auditor General report to Parliament on the Results of Local Government Financial Audits 2020 was discussed with a focus on recommendations for Councils as well as the as recommendations to the Department of State Development, Infrastructure, Local Government and Planning around:

- Councils needed to improve valuation and asset management practices
- The Department to make changes to sustainability ratios



### **4.3 Audit and Assurance**

#### *4.3.1 Payroll*

Detailed presentation was provided including the processes to actively manage excess leave balances. It was acknowledged that COVID-19 was a major factor in the increase in leave balances.

#### *4.3.2 Insurance and Claims Management Operations in Corporate Governance Branch*

The audit recommendations were discussed as well as the actions underway to update risk registers.

#### *4.3.3 Audit and Assurance Status Report*

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

Update on listed actions past the nominated completion date were presented by the responsible officers.

#### *4.3.4 2021 – 2022 Internal Audit Work Plan*

The process to formulate the risk based 2021 – 2022 Internal Audit Work Plan was presented with the plan being recommended to Council.

### **4.4 Governance Reporting**

#### *6.4.1 Work Health and Safety Report*

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

It was noted that a review of safety procedures associated with external contractors is underway.

The overdue actions were noted, and it was requested that future reports advise if there are any concerns within the overdue actions.

Council include updates in its Work Health and Safety Report to the Audit Committee on systemic changes recommended from investigations of critical incidents.

#### *4.4.2 Governance and Risk Report*

This report presents an update to the Audit Committee on governance and risk activities undertaken by the Corporate Governance Branch since the January 2021 Audit Committee Meeting.

### **Legal**

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

### **Risk**

Specific risks have been detailed in the various agenda reports.

### **Previous Council Resolution**

Audit Committee Charter was endorsed at the Council Ordinary Meeting 25 February 2021.

**Ordinary Meeting 25 February 2021 (OM21/19)**

*That Council:*

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

**Related Documentation**

Audit Committee Agenda was distributed electronically to all Councillors on 17 May 2021.

**Implementation**

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

**8.6 DISPOSAL (EASEMENT) OF COUNCIL OWNED LOT 8003 SP305387**

File No: F2020/62992

Author: Senior Property Officer  
Business Performance Group

Attachments: Att 1 - Lot 8003 SP305387 aerial map .....205  
 Att 2 - Easement DL SP306955.....207  
 Att 3 - Lot 8003 SP305387 sewer infrastructure plan.pdf .....209

**PURPOSE**

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, from the requirement to undertake a tender or auction process to register a sewerage easement in favour of Unitywater. The easement is for sewerage purposes over Council freehold land located at 2 Flintwood Crescent, Palmview and legally described as Lot 8003 SP305387.

**EXECUTIVE SUMMARY**

There is a requirement for the registration of a sewerage easement, in favour of Unitywater, over Council land owned under a nomination of trust for Park purposes located at 2 Flintwood Crescent, Palmview legally described as Lot 8003 SP305387. The purpose of the easement is to accommodate existing sewer infrastructure as shown on **Attachment 1 – Lot 8003 SP305387 aerial map**, **Attachment 2 – Easement DL SP306955** and **Attachment 3 – Lot 8003 SP305387 sewer infrastructure plan**.

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

This report seeks an exemption for the purpose of granting a sewerage easement, in favour of Unitywater, over part of Council owned Lot 8003 SP305387, being approximately 146m<sup>2</sup>.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Disposal (Easement) of Council owned Lot 8003 SP305387”
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest in land over Lot 8003 SP305387 other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and
- (c) note that Unitywater is a government agency.

**FINANCE AND RESOURCING**

Property Management Branch have commissioned a compensation assessment for the diminished value of the encumbered land, and that assessed has valued the compensation at \$550 including GST.

Costs associated with facilitating the easement will be approximately \$5,000 (including GST) and include the preparation of a survey plan, relevant easement documentation (i.e. Form 9 – Easement), compensation assessment, and registration fees payable to the Titles Office to register the dealing. These costs are to be borne by the developer of ‘Stage 8’ of the Harmony Estate development, being Avid Property Group.

## **CORPORATE PLAN**

**Corporate Plan Goal:** *Service excellence*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S22 - Property management: comprehensive management of Council’s land and building assets to ensure that Council’s property dealings are optimised, centrally managed, and support Councils objectives.

## **CONSULTATION**

### **Councillor Consultation**

- Councillor C Dickson – Division 6 Divisional & Service Excellence Portfolio Councillor
- Councillor W Johnston – Service Excellence Portfolio Councillor.

### **Internal Consultation**

- Strategic Planner, Strategic Planning
- Coordinator Kawana Waters and Palmview, Development Services
- Environment Project Officer, Environment and Sustainability Policy
- Manager, Transport and Infrastructure Planning
- Stormwater Services Manager, Transport Infrastructure Management
- Coordinator Asset Strategy, Civil Asset Management
- Road Corridor Technical Officer, Civil Asset Management
- Manager, Parks & Gardens
- Technical Officer Open Space Planning, Parks & Gardens
- Project Officer, Environmental Operations
- Manager, Customer Response
- Coordinator Strategic Property, Strategic Property
- Head of Property, Property Management
- Coordinator Land Management, Property Management
- Senior Property Officer, Property Management
- Solicitor, Legal Services.

### **External Consultation**

Council’s Property Management Branch has liaised with the Principal – Survey of RPS Group in relation to the registration of the sewerage easement.

### **Community Engagement**

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

**PROPOSAL**

There is a requirement for the registration of a sewerage easement, in favour of Unitywater, over Council land owned under a nomination of trust for Park purposes located at 2 Flintwood Crescent, Palmview legally described as Lot 8003 SP305387. The purpose of the easement is to accommodate existing sewer infrastructure as shown on **Attachment 1 – Lot 8003 SP305387 aerial map**, **Attachment 2 – Easement DL SP306955** and **Attachment 3 – Lot 8003 SP305387 sewer infrastructure plan**. The extent of the proposed sewerage easement area and the existing sewer infrastructure is also shown on **Figure 1. Lot 8003 SP305387 aerial map**, **Figure 2. Easement DL SP306955** and **Figure 3. Lot 8003 SP305387 sewer infrastructure plan** below.



**Figure 1. Lot 8003 SP305387 aerial map**

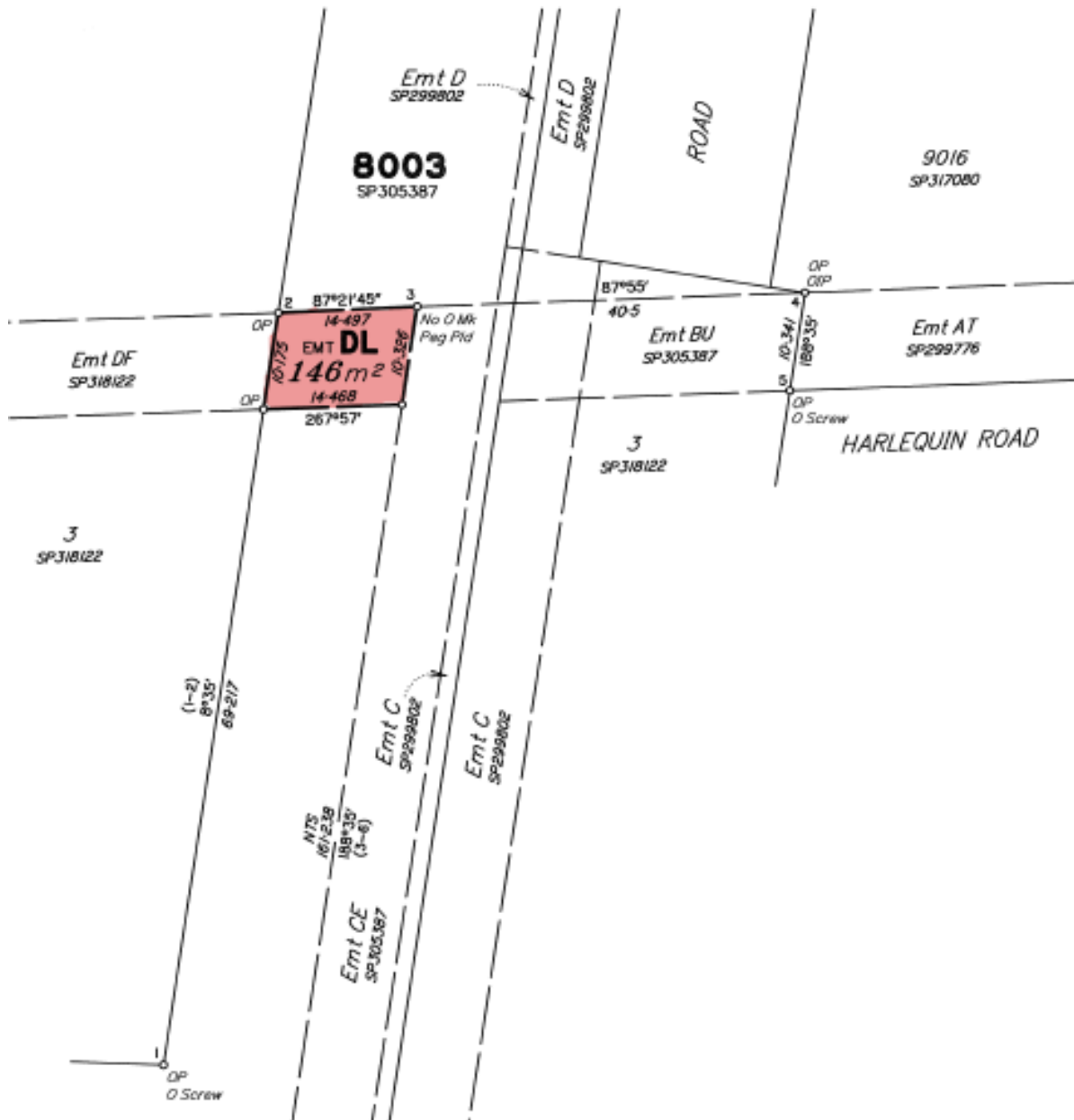


Figure 2. Easement DL SP306955



**Figure 3. Lot 8003 SP305387 sewer infrastructure plan**

RPS Group, on behalf of their client, Avid Property Group, is seeking Council's consent for the registration of the sewerage easement over part of Lot 8003 SP305387 as part of 'Stage 8' of the Harmony Estate development. Lot 8003 SP305387 was transferred to Council under a nomination of trust for drainage purposes under instrument number 719363368 in April 2019 for park purposes and did not include a sewerage easement for a section of pipe installed prior to the transfer of Lot 8003 SP305387 to Council. Lot 8003 is part of a future and larger 'District Recreation Park', required to be dedicated by Avid Property Group, under the Palmview Infrastructure Agreement.

Both RPS Group and Avid Property Group were not aware of the sewer infrastructure installation when 'Stage 8' was released, or that the sewer infrastructure was intended to extend to, and service, the future stages 11 through to 14 of the Harmony Estate development. The sewerage infrastructure is generally in accordance with the *Palmview Structure Plan Area Infrastructure Agreement 2010*. The registration of the sewerage easement will enable the connection of the sewer infrastructure in readiness for the future stages 11 through to 14 of the Harmony Estate development.

The *Local Government Regulation 2012* stipulates that a disposal, other than by tender or auction, may occur if an exception applies. Section 236(1)(b)(i) provides for an exception if

the disposal is to a government agency, in this instance, Unitywater. Section 236(2) provides that a Local Government must decide by resolution than an exception may apply.

This report seeks an exception for the purpose of granting a sewerage easement, in favour of Unitywater, over part of Council owned Lot 8003 SP305387, being approximately 146m<sup>2</sup>.

### **Legal**

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

### **Policy**

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

### **Risk**

The risk associated with this matter is that Council would not have a registered record of infrastructure within Lot 8003 SP305387. Furthermore, Unitywater would not have legal rights to access the sewer infrastructure under the protection of the *South East Queensland Water (Restructuring) Act 2007*.

### **Previous Council Resolution**

There are no previous Council Resolutions relevant to this report.

### **Related Documentation**

Council's standard terms document dealing number 714904857 for easements in favour of Unitywater on Council freehold land will be registered on Title.

### **Critical Dates**

There are no critical dates relevant to this report, however RPS Group and Avid Property Group have requested that the matter be finalised as soon as possible.

### **Implementation**

If Council resolves that an exception to Division 4 Section 236 of the *Local Government Regulation 2012* applies, the easement documentation and survey plan will be executed by Council's Delegated Officer and registered at the Titles Office.



**8.7 DISPOSAL OF COUNCIL OWNED LOT 508 RP881915**

**File No:** F2019/52376

**Author:** Senior Property Officer  
Business Performance Group

**Attachments:** Att 1 - Lot 508 RP881915 aerial map .....217

**PURPOSE**

The purpose of this report is to seek a Council resolution pursuant to section 54 of the *Land Title Act 1994* that Sunshine Coast Regional Council as the registered land owner of Lot 508 RP881915 dedicates Lot 508 RP881915 as a road for public use by the registration of a dedication notice. Lot 508 RP881915 located at Lake Vista Drive, Peregrin Beach, being a Council owned Access Restriction Strip under a nomination of trust for town planning purposes.

**EXECUTIVE SUMMARY**

Lot 508 RP881915 is a 2m<sup>2</sup> Access Restriction Strip owned by Council under a nomination of trust for town planning purposes. Lot 508 currently restricts legal access to the adjacent privately owned and rurally zoned Lot 3 RP226782.

Lake Vista Drive was not constructed to its end (to provide access to Lot 3 RP226782), as it was only designed to service the new Rural residential lots, and not designed to be suitable for use by large vehicles or machinery (as expected to be associated with rural uses). This is further evidenced by the location of the turnaround area provided for waste collection vehicles, at the location that the smaller lots obtain driveway access.

In December 2019, the registered landowner of Lot 3 RP226782 submitted a development application for a Material Change of Use (MCU) to develop eight (8) short-term accommodation cabins on the 19ha Lot located at 90 Lake Vista Drive, Peregrin Beach. The development application included a request for Council’s landowner’s consent for legal access over Lot 508 RP881915.

Legal access to Lot 3 RP226782 is via Nyell Road to the north-west, however, a physical barrier has been installed by Council at the start of Nyell Road to prevent vehicular access beyond the barrier. Nyell Road is currently unsealed, unmaintained, densely vegetated and is currently not trafficable. Therefore, Lot 3 RP226782 has for some time been accessed via Lake Vista Drive and over Lot 508 RP881915.

In February 2020, an internal ‘Request for Comments’ process was undertaken by Council’s Property Management Branch, and as a result of the feedback received from the stakeholders consulted, Council granted landowner’s consent to the applicant to access Lot 3 RP226782 over Lot 508 RP881915, and to lodge a development application with Council for assessment against the *Sunshine Coast Planning Scheme 2014*.

The purpose of this report is to seek a Council resolution pursuant to section 54 of the *Land Title Act 1994* that Sunshine Coast Regional Council as the registered land owner of Lot 508 RP881915 dedicates Lot 508 RP881915 as a road for public use by the registration of a dedication notice. Lot 508 RP881915 located at Lake Vista Drive, Peregrin Beach, being a Council owned Access Restriction Strip under a nomination of trust for town planning purposes.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Disposal of Council owned Lot 508 RP881915”; and
- (b) resolve, pursuant to section 54 of the *Land Title Act 1994* that Sunshine Coast Regional Council as the registered land owner of Lot 508 RP881915 dedicates Lot 508 RP881915 as a road for public use by the registration of a dedication notice.

**FINANCE AND RESOURCING**

Costs associated with disposing of Lot 508 RP881915 and subsequently dedicating the land as road reserve are expected to be approximately \$3,000 (including GST). The preparation of a survey plan and registration fees payable to the Titles Office to register the survey plan will be paid by the adjacent landowner.

**CORPORATE PLAN**

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

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

**Operational Activity:** S22 - Property management: comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

**CONSULTATION****Councillor Consultation**

- Councillor M Suarez – Division 9 Divisional Councillor
- Councillor W Johnston – Service Excellence Portfolio Councillor
- Councillor C Dickson – Service Excellence Portfolio Councillor

**Internal Consultation**

- Strategic Planner, Strategic Planning
- Environment Project Officer, Environment and Sustainability Policy
- Technical Officer Open Space Planning, Parks & Gardens
- Project Officer, Environmental Operations
- Head of Property, Property Management
- Coordinator Land Management, Property Management
- Senior Property Officer, Property Management
- Solicitor, Legal Services
- Appeals Management Lead, Development Services
- Principal Planner (Appeals), Development Services
- Principal Development Planner, Development Services
- Coordinator Strategic Property, Strategic Property
- Senior Property Officer, Strategic Property.

## External Consultation

Council's Property Management Branch have liaised with the landowner's consultant engaged to prepare and lodge the development application, being RG Strategic Australia.

## Community Engagement

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

Access over Lot 508 RP881915 by the adjoining landowner of Lot 3 RP226782 is relevant to a development application submitted to Council in June 2019 (MCU19/0138). The development application was a code assessable application and public notification was not required by planning legislation. However, submissions were received and contemplated by Council's Development Services Branch in the assessment of the application.

## PROPOSAL

Lot 508 RP881915 is a 2m<sup>2</sup> Access Restriction Strip owned by Council under a nomination of trust for town planning purposes as shown on **Attachment 1 – Lot 508 RP881915 aerial map** and in **Figure 1. Lot 508 RP881915 aerial map** below. Lot 508 currently restricts legal access to the adjacent privately owned and rurally zoned Lot 3 RP226782.



**Figure 1. Lot 508 RP881915 aerial map**

The purpose of Lot 508 RP881915 is to prevent access being provided to Lot 3 RP226782 as this land obtained access from Nyell Road at the time that the then 'Rural residential' estate to the south of Lot 3 was established. This occurred in 1993/1994 at the time the land was gazetted to be included in the 'Rural residential' zone.

Lake Vista Drive was not constructed to its end (to provide access to Lot 3 RP226782), as it was only designed to service the new Rural residential lots, and not designed to be suitable for use by large vehicles or machinery (as expected to be associated with rural uses). This is further evidenced by the location of the turnaround area provided for waste collection vehicles, at the location that the smaller lots obtain driveway access.

In December 2019, the registered landowner of Lot 3 RP226782 submitted a development application for a Material Change of Use (MCU) to develop eight (8) short-term accommodation cabins on the 19ha Lot located at 90 Lake Vista Drive, Peregian Beach. The

development application included a request for Council's landowner's consent for legal access over Lot 508 RP881915.

Legal access to Lot 3 RP226782 is via Nyell Road to the north-west, however, a physical barrier has been installed by Council at the start of Nyell Road to prevent vehicular access beyond the barrier. Nyell Road is currently unsealed, unmaintained, densely vegetated and is currently not trafficable. Therefore, Lot 3 RP226782 has for some time been accessed via Lake Vista Drive and over Lot 508 RP881915.

In February 2020, an internal 'Request for Comments' process was undertaken by Council's Property Management Branch and as a result of the feedback received from stakeholders that were consulted, Council granted landowner's consent to the applicant to access Lot 3 RP226782 over Lot 508 RP881915 and lodge a development application with Council for assessment against the *Sunshine Coast Planning Scheme 2014*.

A summary of Council's decision to grant landowner's consent over Lot 508 RP881915 to the adjoining landowner of Lot 3 RP226782 for access over the Access Restriction Strip is listed below:

- the creation of Access Restriction Strips has not been supported since the commencement of the repealed *Integrated Planning Act 1997*
- Access Restriction Strips created prior to the commencement of the *Integrated Planning Act 1997* should be consistent with current planning law
- Lot 508 RP881915 is owned by Council under a nomination of trust for town planning purposes and therefore Council's position is not one of a typical property owner of land held in fee simple but is within the frame of town planning control
- The trust for Lot 508 RP881915 imposes an obligation on Council to act consistently with the purpose of planning legislation and the *Sunshine Coast Planning Scheme 2014*
- Legal precedent has determined that 'town planning' purposes is tantamount to 'road' purposes
- Access to Lot 3 RP226782 has been occurring historically via Lake Vista Drive, Peregrin Beach, over Lot 508 RP881915 for some time, even if informally
- Legal access to Lot 3 RP226782 is via Nyell Road, which is unusable and Council would have to extensively clear Nyell Road of dense vegetation and make significant improvements to the road to make it serviceable
- The granting of landowner's consent for the applicant to access Lot 3 RP226782 through Council's Lot 508 RP881915 does not pre-determine the outcome of any development application, it only allows the land to be considered as part of the application (as road reserve)

Should a development application which conditions access via Lake Vista Drive be approved and acted upon, Lot 508 RP881915 should be dedicated and opened as road reserve, as Council's legal opinion is that the town planning purpose for which Lot 508 RP881915 is held in trust will no longer apply.

Council approved the development application (MCU19/0138) on 7 August 2020 and the applicant filed an appeal in Queensland's Planning and Environment Court against the development approval conditions on 4 November 2020. The court appeal has been adjourned to 30 June 2021 to allow Council to make a decision in relation to the disposal of Lot 508 RP881915 at the June 2021 Ordinary Meeting.

The purpose of this report is to seek a Council resolution pursuant to section 54 of the *Land Title Act 1994* that Sunshine Coast Regional Council as the registered land owner of Lot 508 RP881915 dedicates Lot 508 RP881915 as a road for public use by the registration of a dedication notice. Lot 508 RP881915 located at Lake Vista Drive, Peregrin Beach, being a

Council owned Access Restriction Strip under a nomination of trust for town planning purposes.

**Legal**

Legal Services have been consulted in relation to this report.

**Policy**

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

**Risk**

There are no risks relevant to this report.

**Previous Council Resolution**

There are no previous Council Resolutions relevant to this report.

**Related Documentation**

There is no related documentation relevant to this report.

**Critical Dates**

The *CM Walsh Holdings Pty Ltd v Sunshine Coast Regional Council* Queensland Planning and Environment Court appeal has been adjourned to 30 June 2021, and therefore, it is critical that Council makes a decision in relation to the disposal of Lot 508 RP881915 at the June 2021 Ordinary Meeting in order to inform the Court's decision in relation to the adjoining landowner's appeal.

**Implementation**

If Council resolves pursuant to section 54 of the *Land Title Act 1994* that Sunshine Coast Regional Council as the registered land owner of Lot 508 RP881915 can dedicate Lot 508 RP881915 as a road for public use by the registration of a dedication notice, the survey plan will be executed by Council's Delegated Officer and registered at the Titles Office.

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**8.8 DISPOSAL (LEASE) OF COUNCIL OWNED LOT 102 SP299796****File No:** F2021/30752**Author:** Senior Property Officer  
Business Performance Group**Attachments:** Att 1 - Lot 102 SP299796 aerial map .....225

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**PURPOSE**

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, from the requirement to tender or auction for the dispose of part of Lot 102 SP299796 located at Kawana Way, Birtinya as the applicant is the adjoining land owner. The Lot is Council freehold land, owned for car parking purposes, and the proposal is to enter into a Lease with Be Associated Limited for car parking purposes.

**EXECUTIVE SUMMARY**

Lot 102 SP299796 as shown on **Attachment 1 – Lot 102 SP299796 aerial map** was transferred to Council from Stockland Buddina Pty Ltd in August 2018, as per clause 13B of the *Kawana Waters Development Agreement*. The terms of the land transfer to Council include that the site is to be used for car parking purposes for at least 15 years after the transfer date to Council. Stockland Buddina Pty Ltd has granted verbal 'in-principle' support for the proposed car parking facility, and will provide written confirmation in due course.

An internal 'Request for Comments' process was undertaken by Council's Property Management Branch in May 2020, seeking Council feedback in relation to a similar request from Be Associated Limited to use Lot 102 SP299796 for car parking purposes. Be Associated Limited is the operating entity of the adjacent Vitality Village development recently constructed in Birtinya, and they were advised in August 2020 that Council had no immediate plans for the site, and had no objection to the construction of a car parking facility within Lot 102 SP299796, subject to Be Associated Limited entering into a Lease agreement with Council based on an independent commercial market rental assessment.

Project Urban have since submitted an application for landowner's consent on behalf of Be Associated Limited to support an Operational Works, Material Change of Use and Reconfiguration of a Lot development application to be lodged with Council's Development Services Branch for assessment against the *Sunshine Coast Planning Scheme 2014*.

Council's landowner's consent was granted in May 2021 to allow Be Associated Limited to lodge the development application with Council. The development application is for the development and use of approximately 1,636m<sup>2</sup> of Council freehold land, legally described as Lot 102 SP299796, adjacent to the 'Vitality Village' for car parking purposes. Council has no objection, 'in principle', to the proposed design prepared by Walsh Consulting Engineers, subject to the below conditions:

- construction of the car parking facility must include direct vehicular access from Discovery Court, Birtinya via an access on the frontage of Lot 102 SP299796 in the location nominated in the applicable Kawana Waters Master Plan; and
- the car parking facility must be located close to the Discovery Court, Birtinya frontage of Lot 102 SP299796 to ensure street visibility and improve public safety.

The proposed car parking design provides car parking spaces for approximately 74 motor vehicles and six (6) motorcycles. Be Associated Limited will fund the car park construction and will be required to enter into a Lease agreement with Council for the ongoing use of the car park. Ultimately, the car park will become Council's asset to manage and maintain upon

expiry of any tenure agreement entered into between Council and Be Associated Limited. The proposed Lease term is for five (5) years plus a three (3) year Option.

### OFFICER RECOMMENDATION

**That Council:**

- (a) **receive and note the report titled “Disposal (Lease) of Council owned Lot 102 SP299796” and**
- (b) **resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest (Lease) in part of Lot 102 SP299796, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(c)(iv) the land is disposed of to a person who owns adjoining land, being Be Associated Limited.**

### FINANCE AND RESOURCING

Costs associated with Council entering into a Lease agreement with Be Associated Limited are expected to be approximately \$5,000. The preparation of a Lease agreement, commercial market rental assessment, survey plan and registration fees payable to the Titles Office to register the Lease and survey plan will be borne by the applicant, being Be Associated Limited.

Council has obtained an independent commercial market rental assessment to assess the commercial market rental and Lease agreement incentives applicable to the use Lot 102 SP299796 for car parking purposes. To offset 50% of the design and planning costs associated with the preparation of the car parking facility layout design and construction costs, estimated to be approximately \$240,000 (as determined by an independent Engineering firm, being Walsh Consulting Engineers), Council will look to offer Be Associated Limited a Lease agreement incentive of \$1 per annum for the first three (3) years. The annual rental will then revert to a market rate of approximately \$40,000 per annum, assessed in accordance with an independent commercial market rental assessment obtained by Council and prepared by Savills Valuations Pty Ltd.

### CORPORATE PLAN

**Corporate Plan Goal:** *Service excellence*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S22 - Property management: comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

### CONSULTATION

#### Councillor Consultation

- Councillor P Cox – Division 3 Divisional Councillor
- Councillor T Landsberg – Economic Development Portfolio Councillor
- Councillor J O'Pray – Economic Development Portfolio Councillor

#### Internal Consultation

- Strategic Planner, Strategic Planning
- Coordinator Kawana Waters and Palmview, Development Services
- Senior Development Planner, Development Services

- Manager, Transport & Infrastructure Planning
- Transport Capital Works Manager, Transport Infrastructure Management
- Coordinator, Stormwater Management, Transport Infrastructure Management
- Coordinator, Asset Strategy, Civil Asset Management
- Road Corridor Technical Officer, Civil Asset Management
- Manager, Customer Response
- Head of Property, Property Management
- Coordinator Land Management, Property Management
- Senior Property Officer, Property Management
- Solicitor, Legal Services
- Coordinator Strategic Property, Strategic Property.

### External Consultation

Council's Property Management Branch and Strategic Property team have consulted with the applicant, being Be Associated Limited, and Project Urban as the applicant's consultant engaged to prepare and lodge the development application.

### Community Engagement

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

### PROPOSAL

Lot 102 SP299796 as shown on **Attachment 1 – Lot 102 SP299796 aerial map** and in **Figure 1. Lot 102 SP299796 aerial map** below was transferred to Council from Stockland Buddina Pty Ltd in August 2018 as per clause 13B of the *Kawana Waters Development Agreement*. The terms of the land transfer to Council include that the site is to be used for car parking purposes for at least 15 years after the transfer date to Council. Stockland Buddina Pty Ltd has granted verbal 'in-principle' support for the proposed car parking facility.





**Figure 1. Lot 102 SP299796 aerial map**

An internal 'Request for Comments' process was undertaken by Council's Property Management Branch in May 2020 seeking Council feedback in relation to a similar request to use Lot 102 SP299796 for car parking purposes received from Be Associated Limited. Be Associated Limited is the operating entity of the adjacent Vitality Village development recently constructed in Birtinya. Be Associated Limited was advised in August 2020 that Council had no immediate plans for the site and that Council had no objection to the construction of a car parking facility within Lot 102 SP299796 subject to Be Associated Limited entering into a Lease agreement with Council based on an independent commercial market rental assessment.

Project Urban have since submitted an application for landowner's consent on behalf of Be Associated Limited to support an Operational Works, Material Change of Use and Reconfiguration of a Lot development application to be lodged with Council's Development Services Branch for assessment against the *Sunshine Coast Planning Scheme 2014*.

Council's landowner's consent was granted in May 2021 to allow Be Associated Limited to lodge the development application with Council. The development application is for the development and use of approximately 1,636m<sup>2</sup> of Council freehold land, legally described as Lot 102 SP299796, adjacent to the 'Vitality Village' for car parking purposes. Council has no objection, 'in principle', to the proposed design prepared by Walsh Consulting Engineers, subject to the below conditions:

- construction of the car parking facility must include direct vehicular access from Discovery Court, Birtinya via an access on the frontage of Lot 102 SP299796 in the location nominated in the applicable Kawana Waters Master Plan; and
- the car parking facility must be located close to the Discovery Court, Birtinya frontage of Lot 102 SP299796 to ensure street visibility and improve public safety.

The proposed car parking facility design provides car parking spaces for approximately 74 motor vehicles and six (6) motorcycles. Be Associated Limited will fund the car park construction and will be required to enter into a Lease agreement with Council for the ongoing use of the car park. Ultimately, the car park will become Council's asset to manage and maintain upon expiry of any tenure agreement entered into between Council and Be Associated Limited. The proposed Lease term is for five (5) years plus a three (3) year Option.

Council has obtained an independent commercial market rental assessment to assess the commercial market rental and Lease agreement incentives applicable to the use Lot 102 SP299796 for car parking purposes. To offset 50% of the design and planning costs associated with the preparation of the car parking facility layout design and construction costs, estimated to be approximately \$240,000 (as determined by an independent Engineering firm, being Walsh Consulting Engineers), Council will look to offer Be Associated Limited a Lease agreement incentive of \$1 per annum for the first three (3) years. The annual rental will then revert to a market rate of approximately \$40,000 per annum, assessed in accordance with an independent commercial market rental assessment obtained by Council and prepared by Savills Valuations Pty Ltd.

Be Associated Limited only require the car park for use during business hours, being 7 a.m. to 7 p.m. Monday to Friday, and therefore, it is proposed that the car park is made available to the public outside of these hours and on public holidays.

**Legal**

Legal Services have been consulted in relation to this report.

**Policy**

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

**Risk**

There are no risks relevant to this report.

**Previous Council Resolution**

There are no previous Council Resolutions relevant to this report.

**Related Documentation**

There is no related documentation relevant to this report.

**Critical Dates**

There are no critical dates relevant to this report, however, Be Associated Limited would like to commence construction of the car parking facility and enter into a Lease agreement with Council as soon as possible.

**Implementation**

If Council resolves that an exception to Division 4 Section 236 of the *Local Government Regulation 2012* applies, the Lease agreement and survey plan will be executed by Council's Delegated Officer and registered at the Titles Office.

**8.9 DISPOSAL (EASEMENT) OF COUNCIL OWNED LOT 80 SP305312**

<b>File No:</b>	<b>F2021/46043</b>
<b>Author:</b>	<b>Senior Property Officer Business Performance Group</b>
<b>Attachments:</b>	<b>Att 1 - Lot 80 SP305312 aerial map .....233</b>
	<b>Att 2 - Draft survey plan SP321134 .....235</b>

**PURPOSE**

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, from the requirement to undertake a tender or auction process to register a volumetric electrical easement in favour of Energex Limited. The easement is for electrical purposes over Council freehold land located at 54 First Avenue, Maroochydore and legally described as Lot 80 SP305312.

**EXECUTIVE SUMMARY**

There is a requirement for the registration of a volumetric electrical easement, in favour of Energex Limited, over Council freehold land located at 54 First Avenue, Maroochydore and legally described as Lot 80 SP305312. The purpose of the easement is to accommodate electrical infrastructure, being the electrical room and trench, as shown on **Attachment 1 – Lot 80 SP305312 aerial map** and **Attachment 2 – Draft survey plan SP321134** for Sunshine Coast City Hall.

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

This report seeks an exemption for the purpose of granting a volumetric electrical easement, in favour of Energex Limited, over part of Council owned Lot 80 SP305312, being approximately 538m<sup>3</sup>.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled “Disposal (Easement) of Council owned Lot 80 SP305312”**
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest in land over Lot 80 SP305312 other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and**
- (c) note that Energex Limited is a government agency.**

**FINANCE AND RESOURCING**

Costs associated with facilitating the easement include the preparation of a survey plan, relevant easement documentation (i.e. Form 9 – Easement) and registration fees payable to the Titles Office to register the dealing. The Easement is located entirely within Lot 80 SP305312 for the purpose of supplying electricity to enable the functionality of Council’s Sunshine Coast City Hall, therefore compensation for the value of the land encumbered by

this easement is not a consideration. All expenditure associated with these dealings, including the survey plan and easement documentation preparation and Titles Office registration fees, will be borne by Council.

## CORPORATE PLAN

**Corporate Plan Goal:** *Service excellence*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S22 - Property management: comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Council's objectives.

## CONSULTATION

### Councillor Consultation

- Councillor J Natoli – Division 4 Divisional Councillor
- Councillor C Dickson – Service Excellence Portfolio Councillor
- Councillor W Johnston – Service Excellence Portfolio Councillor

### Internal Consultation

- Principal Project Officer (Sunshine Coast City Hall)
- Head of Property, Property Management
- Coordinator Land Management, Property Management
- Manager, Business and Innovation
- Solicitor, Legal Services

### External Consultation

Council's Sunshine Coast City Hall project team has liaised with MinStaff Survey, McNab and Project Urban in relation to the proposed volumetric easement in favour of Energex Limited.

### Community Engagement

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

## PROPOSAL

There is a requirement for the registration of a volumetric electrical easement, in favour of Energex Limited, over Council freehold land located at 54 First Avenue, Maroochydore and legally described as Lot 80 SP305312. The purpose of the easement is to accommodate electrical infrastructure, being the electrical room and trench, as shown on **Attachment 1 – Lot 80 SP305312 aerial map, Figure 1 – Lot 80 SP305312 aerial map, Attachment 2 – Draft survey plan SP321134 and Figure 2 – Draft survey plan SP321134** for Sunshine Coast City Hall. The easement area encompasses the external extents of a trench to the Sunshine Coast City Hall building and the internal dimensions of the electrical room that is located within the footprint of the building. The electrical room is proposed to accommodate two (2) Energex transformers.



Figure 1 – Lot 80 SP305312 aerial map

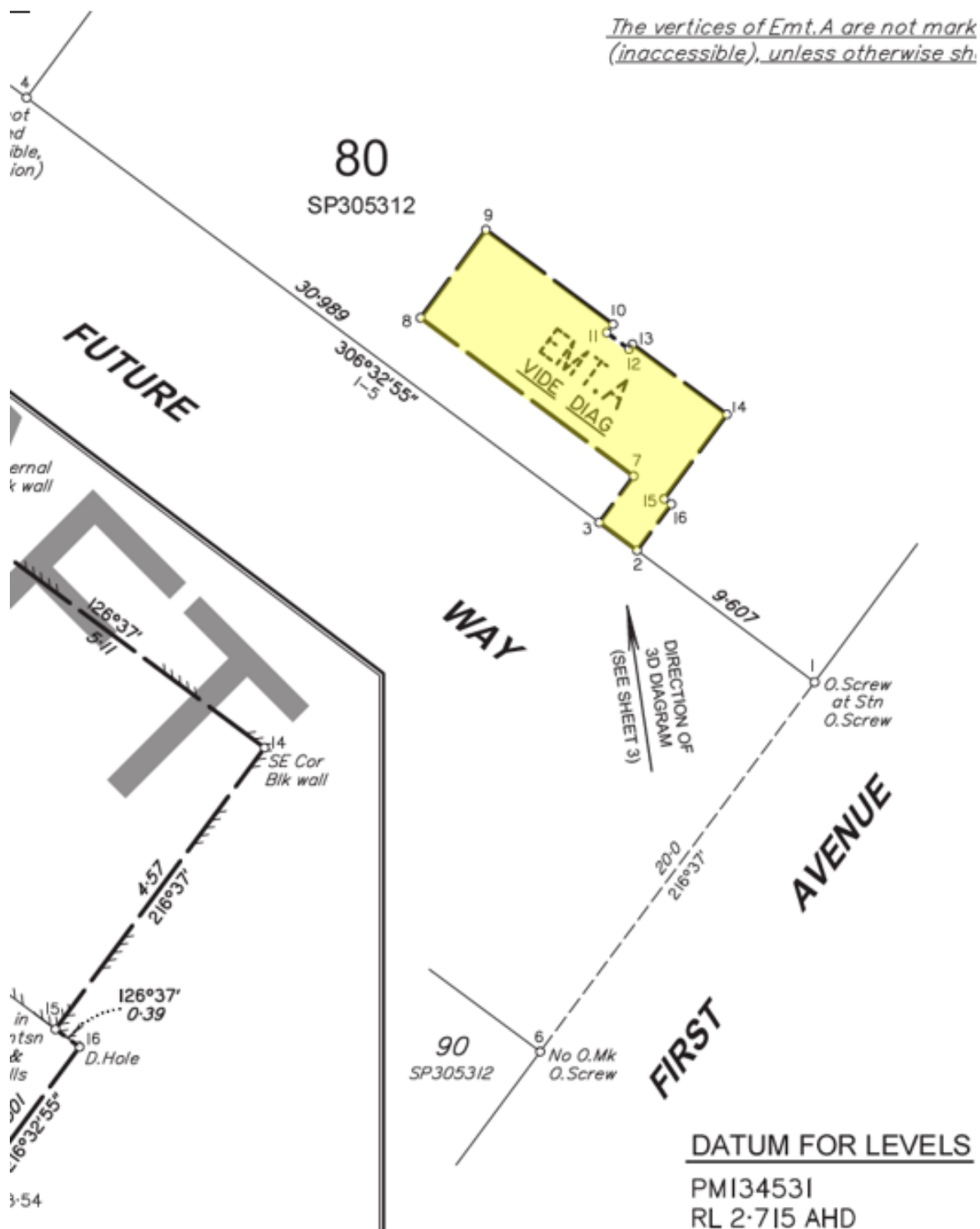


Figure 2 – Draft survey plan SP321134

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

This report seeks an exemption for the purpose of granting a volumetric electrical easement, in favour of Energex Limited, over part of Council owned Lot 80 SP305312, being approximately 538m<sup>3</sup>.

**Legal**

Legal Services have been consulted in relation to this report and will prepare all easement documentation to enable the registration of the volumetric electrical easement at the Titles Office.

**Policy**

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

**Risk**

The risk associated with this matter is that Energex Limited would not have a registered record of the electrical infrastructure within Lot 80 SP305312. Furthermore, Energex Limited would not have legal rights to access and maintain the electrical infrastructure within Lot 80 SP305312.

**Previous Council Resolution**

There are no previous Council Resolutions relevant to this report.

**Related Documentation**

The volumetric electrical easement will be registered at the Titles Office in accordance with Energex Limited's standard terms document, being dealing number 713599598.

**Critical Dates**

To terminate temporary power to the site, which is currently facilitated by generators, and switch to permanent power connection, Energex Limited requires a registered easement for their infrastructure.

In accordance with the construction program, McNab has generators on site, and included in the funding profile. McNab provided Council with 4 weeks notice to sign the survey documents for the easement, unaware of the requirement to seek a Council resolution.

If a permanent power supply is not connected, temporary power by generator will continue, and additional cost for generators will be forwarded to Council as a variation. Additionally, the construction program is now requiring works in the already formed sections of the building at lower levels which can not currently be powered by the existing generators. Without permanent electricity connection for Lot 80 SP305312, parts of the site will continue to be unpowered and the construction program will need to be updated to cater for a delivery delay.

**Implementation**

If Council resolves that an exception to division 4 section 236 of the *Local Government Regulation 2012* applies, the survey plan and easement documentation will be executed by Council's Delegated Officer and registered at the Titles Office.

## 8.10 MANAGEMENT PLAN FOR DOMESTIC ANIMALS (CATS AND DOGS) 2021– 2030

<b>File No:</b>	<b>F2017/15926</b>
<b>Author:</b>	<b>Coordinator Response Services Customer Engagement &amp; Planning Services Group</b>
<b>Appendices:</b>	<b>App A - Management Plan for Domestic Animals (Cats and Dogs) 2021 - 2030.....249</b>
<b>Attachments:</b>	<b>Att 1 - Management Plan for Domestic Animals (Cats and Dogs) 2021 - 2030 Snapshot.....293 Att 2 - Management Plan for Domestic Animals (Cats and Dogs) Action Plan 2021 - 2030 .....299</b>

### PURPOSE

The purpose of this report is to seek Council endorsement for the Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs) 2021 – 2030 (Appendix A).

### EXECUTIVE SUMMARY

The Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs) 2021 – 2030 (the Plan) aims to address all aspects of responsible pet ownership in our region by exploring pet's relationship to people, the value and impact of pets and the ability to create places for all to enjoy. The Plan reconfirms Council's commitment to growing the culture of responsible pet ownership by guiding and supporting pet owners to understand their responsibilities to their pets and the community. Effective animal management is vital to ensuring the harmonious co-existence between people, pets and places.

The Plan has been refreshed and updated to provide easy to read, clear and relatable information regarding pet owners' responsibilities in managing their pets to minimise impacts to the broader community. The document emphasises key partnerships in relation to animal management and through the 3 established outcomes (People, Pets and Places) continues to promote responsible pet ownership through education initiatives and providing safe and sustainable spaces for the whole community. The Plan focusses on Council working closely with the community to achieve the overall outcomes.

Initial consultation was undertaken with internal stakeholders as well as Council's animal rehoming partners. This consultation highlighted the importance of acknowledging the needs of all areas of the community by ensuring a balanced approach to the needs of pet owners and non-pet owners alike. Council undertook a six-week engagement program with the community on the draft focus points developed through this initial consultation, this feedback provided further valuable input for the draft Plan. A second round of community consultation was then undertaken on the final draft Plan and Council received over 500 submissions from community members. This feedback was incorporated into the final Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs) 2021 – 2030 and resulted in the development of a Plan Snapshot for quick reference and easier reading (Attachment 1).

The feedback also assisted with the development of the Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs) Action Plan 2021 - 2030 (Attachment 2).



## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Management Plan for Domestic Animals (Cats and Dogs) 2021– 2030” and
- (b) endorse the Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs) 2021 – 2030 (Appendix A).

## FINANCE AND RESOURCING

The Plan was developed within the existing operational budget.

The actions resulting from the Plan will be accommodated within the current staff resourcing and will be funded by Animal Management Restricted Cash in accordance with the *Animal Management (Cats and Dogs) Act 2008, section 53*.

The *Animal Management (Cats and Dogs) Act 2008, section 53* states that registration fees must be used to administer the *Animal Management (Cats and Dogs) Act 2008* and to administer local laws relating to the management of dogs. Registration fees are utilised to meet the outcomes of the strategy through funding of the Animal Pound operations, education programs and events as well as the regulation of the *Animal Management (Cats and Dogs) Act 2008* regarding dog attacks, regulated dogs and the management of dogs in the community under the local laws.

Activities relating to responsible cat ownership will be accommodated within the current program and budget process.

## CORPORATE PLAN

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

## CONSULTATION

### Councillor Consultation

Consultation has been undertaken with all Councillors.

### Internal Consultation

The draft Plan was developed in consultation with the following internal stakeholders:

- Parks and Gardens, Built Infrastructure
- Community Planning and Development, Economic and Community Development
- Corporate Governance, Office of Mayor and CEO
- Environmental Operations, Liveability and Natural Assets
- First Nations Partnerships Team, Economic and Community Development.

## External Consultation

Consultation was conducted with targeted external partners, including: Sunshine Coast Animal Refuge (SCARS) RSPCA and 4PAWS Animal Rescue. Council works closely with these partners to rehome animals and acknowledges the strong community ties and networks these partners have developed. These partners have an expansive and current knowledge of community challenges, concerns, and opportunities.

## Community Engagement

Community engagement is an integral part of the development of the Plan.

### *Initial Community Consultation*

A survey was undertaken with the community during the initial development of the draft Plan from 20 July to 31 August 2020. The purpose of this survey was to validate the key areas of focus identified by the original stakeholder consultation from a broad sector of the community, and to understand what responsible pet ownership means to the Sunshine Coast. The survey was also designed to test which pet education programs were reaching the community.

Council invited both pet owners and non-pet owners to provide feedback in relation to 'responsible pet ownership'. The engagement activities were promoted through social media platforms, local resident's associations, and local surf clubs.

Engagement activities included:

- 19 Pop-up events at locations across the region (Table 1)
- a 'Have your Say' webpage providing a link to the survey to enable the community to complete and provide feedback
- hard copy surveys made available to the community through the Libraries, pet shops, vets, and community health centres

**Table 1:** Pop-up events – initial consultation

<b>Date</b>	<b>Location</b>	<b>Division</b>
28/07/2020	Woorim Park, Golden Beach	2
31/07/2020	Buderim Village Park	7
1/08/2020	Ballinger Beach, Currimundi	3
4/08/2020	La Balsa Park, Buddina	4
6/08/2020	Bright Water Community Lake, Bright Water	6
7/08/2020	Beerwah Market Place, Beerwah	1
8/08/2020	Grande Pde Dog Off Leash Park, Parrearra	4
9/08/2020	Moffat Beach Park, Moffat Beach	2
12/08/2020	Village Green Park, Montville	5
13/08/2020	Petrie Park, Nambour	10
15/08/2020	Tesch Park, Maleny	5
16/08/2020	Bokarina Beach Access 246, Bokarina	3
19/08/2020	Bradman Ave, Maroochydore	7
21/08/2020	Tickle Park, Coolum Beach	9
22/08/2020	Sippy Downs Dog Off Leash Park, Sippy Downs	6
25/08/2020	Federation Park, Palmwoods	5
28/08/2020	Parklakes, Bli Bli	9
28/08/2020	Elizabeth Daniels Dog Off Leash Park, Buderim	6
30/08/2020	Mooloolaba Spit, Mooloolaba	4

Over 1100 submissions were received from the community with the key messages being to focus on:

- more education to ensure pet owners are aware of the requirements for keeping a pet
- ensuring pet owners are accountable for the actions of their pet whether it be noise, nuisance, or waste
- increasing programs around cat ownership
- continued management of community safety and
- protecting local fauna from the impact of pets through education and regulation

This feedback was incorporated into the draft Plan, particularly the Plan objectives, and provided valuable input during the development of the Action Plan (Attachment 2).

#### *Final Community Consultation*

A community engagement plan was developed to ensure a broad reach to all in our community. This consultation provided an opportunity for the community to review the final draft Plan and input into the development of the supporting Action Plan (Attachment 2).

Engagement activities occurred over a six-week period from 20 February 2021 to 31 March 2021 and included:

- invitations to 'Have your say' via an online survey (COVID-19 restrictions)
- advertising campaign to promote public consultation via social media, Councillor newsletters, Council website, radio, and news
- unstaffed displays at libraries and community and neighbourhood centres and
- 26 Pop-up events in public spaces, managed in accordance with the current COVID-19 restrictions (Table 2).

**Table 2:** Pop-up events – Final community consultation

<b>Date</b>	<b>Location</b>	<b>Division</b>
20/02/2021	Community Lake Park, Bright Water	6
21/02/2021	Tesch Park, Maleny	5
24/02/2021	Peddle Park, Baringa	1
26/02/2021	Alexandra Parade, Alexandra Headland	4
27/02/2021	Harmony Blvd Park, Palmview	6
28/02/2021	Ballinger Beach, Currimundi	3
05/03/2021	Tickle Park, Coolum Beach	9
05/03/2021	Ridgehaven park, Aroona	3
06/03/2021	Mapleton Lilyponds, Mapleton	10
07/03/2021	Cotton Tree Park, Maroochydore	8
10/03/2021	Buderim Village Park, Buderim	7
10/03/2021	Woorim Park, Golden Beach	2
11/03/2021	Beerwah Market Place, Beerwah	1
12/03/2021	Moffat Beach Park, Moffat Beach	2
13/03/2021	The Avenue Park, Peregian Springs	9
13/03/2021	Elizabeth Daniels dog park, Buderim	6
14/03/2021	North Shore Rd, Twin Waters	8
19/03/2021	La Balsa Park, Buddina	4
19/03/2021	Viridian dog park, Birtinya	3
21/03/2021	Muller Park, Bli Bli	9
24/03/2021	Federation Park, Palmwoods	5
25/03/2021	Cumberland Way Park, Buderim	7

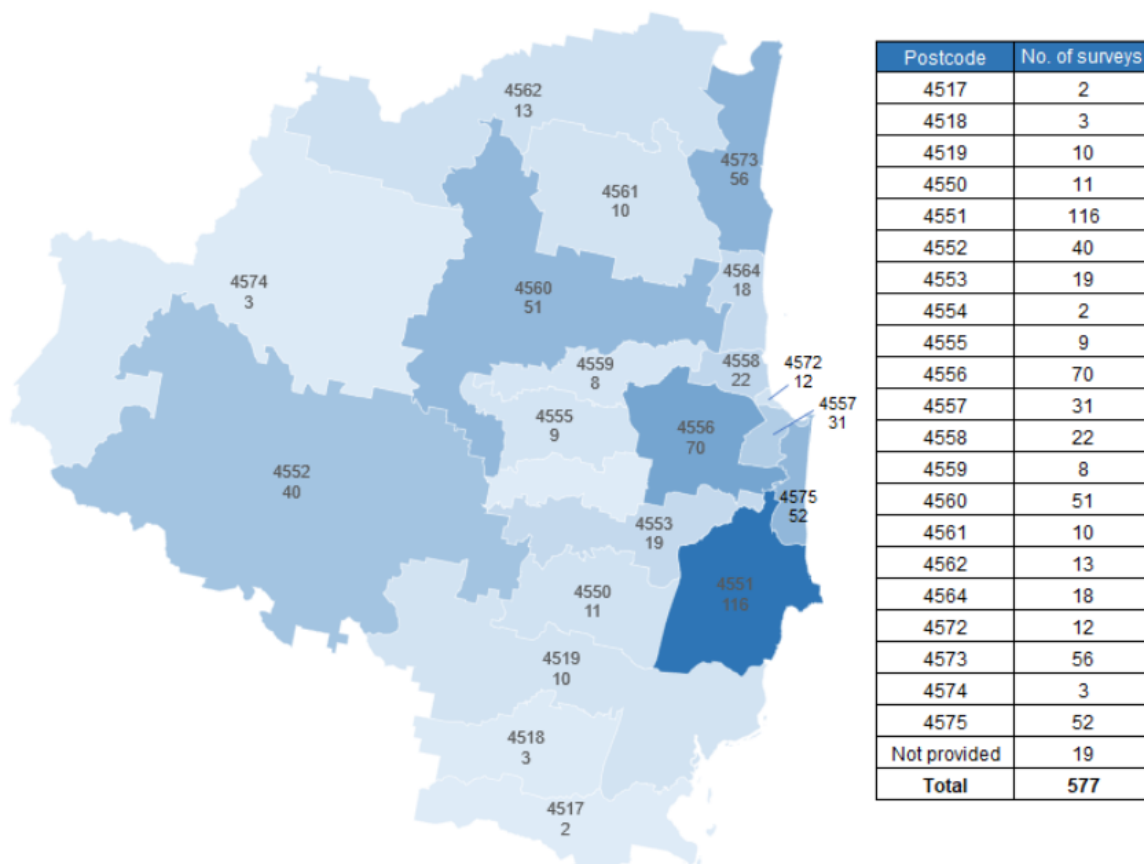
Date	Location	Division
25/03/2021	Grand Pde dog park, Parrearra	4
26/03/2021	Petrie Park, Nambour	10
27/03/2021	Village Green Park, Montville	5
28/03/2021	Martin Rungert Park, Mooloolah Valley	5

Targeted stakeholder engagement was undertaken with the following groups. These groups were invited to share the ‘Have your say’ survey link with their networks:

- veterinaries
- Multicultural Advisory Group
- First Nations People
- Dogs Queensland
- Department of Education – schools
- dog obedience schools
- Organisation Sunshine Coast Association of Residents (OSCAR) and
- local animal welfare and rescue groups – SCARS, 4Paws and RSPCA.

A total of 577 surveys were received from the community from across the region (Figure 1).

Figure 1 – Number of surveys completed per Postcode



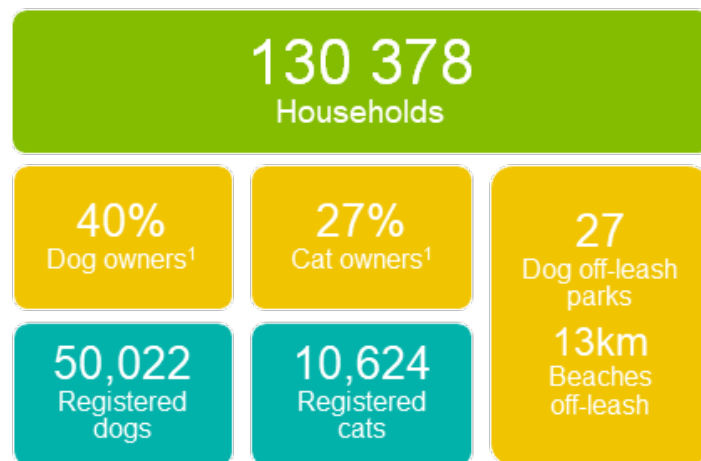
The surveys provided the below input which was captured in the Plan (Appendix A), incorporated into the Action Plan (Attachment 2) or the Plan Snapshot (Attachment 1):

- continued beach patrol and monitoring program
- increasing responsible cat ownership education
- continued and increased responsible pet ownership community education programs
- requests for more off leash exercise areas with focus of safe and inclusive places
- supporting the messages relating to “adopt not shop”
- partnerships with qualified dog trainers that provide responsible pet ownership messages
- requests for more dog waste bag dispensers
- requests for a shorter version of the plan (Attachment 1).

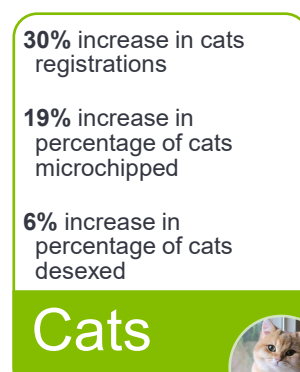
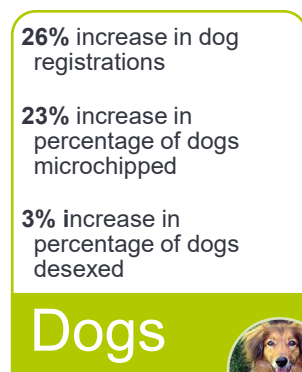
**PROPOSAL**

The current Sunshine Coast Domestic Animal Management (Cats and Dogs) Strategy 2014-2020 was developed and endorsed by Council on 16 October 2014 and concluded on 31 December 2020.

During the life of the strategy which ended in December, compliance activities and community education have been key to creating a culture of self-compliance within the community. A designated Education Officer designs and delivers education programs to the community. The key achievements under the objectives of the previous strategy are highlighted below:



<sup>1</sup> Animal Medicines Australia 2019, Pets in Australia: A national survey of pets and people  
<sup>2</sup> 2021-2041 Queensland Treasury, Queensland Government population projections, 2018 ed., medium series  
<sup>3</sup> Based on Animal Medicines Australia 2019, Pets in Australia: A national survey of pets and people



The Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs) 2021 – 2030 builds on the work achieved by Council to date and refreshes Council’s focus on animal management for the next 10 years. The Plan is provided as Appendix A to this report.

The purpose of the 2021-2030 Plan is to:

- Empower responsible pet ownership through education
- Provide service excellence in animal management
- Ensure places and spaces are safe, sustainable, accessible and environmentally friendly
- Build capacity for Council and the community to work together
- Guide and strengthen partnerships with 4PAWS, SCARS and the RSPCA and
- Cultivate creative and innovative approaches and technologies that support the harmonious co-existence between people, pets and places.

The Plan identifies three key outcomes:

1. **Informed educated people** - Council recognises that our community is made up of people who have differing relationships and experiences with pets and animals and that the diverse needs and preferences of the community are to be valued and respected.
2. **Happy healthy pets** - Happy healthy pets are less likely to cause a nuisance and put others safety at risk.

3. **Safe and inclusive places** - Council are committed to improving the liveability of our region, providing safe and accessible places that everyone can enjoy.

Preparation of the 2021-2030 Plan has considered the forecast increase in cat and dog ownership across the region in correlation with the projected population growth and the challenges of pet ownership with increasing housing density.

To ensure delivery of the three key outcomes, an Action Plan has been developed (Attachment 2). The action detailed will continue to be implemented over the next ten years with a review annually to ensure Council is meeting the changing needs of the community under the guidance of the Plan (Appendix A).

Feedback provided by the community requesting a summary of the Plan has also led to the development of a Plan Snapshot (Attachment 1) to improve visibility of the key goals and messages of the Plan.

On adoption of the Plan (Appendix A) officers will publish the Plan and continue to build on the culture of responsible pet ownership within our community by commencing with the delivery of the actions outlined in the Action Plan (Attachment 2).

### Legal

The Plan has been prepared with consideration to State legislation, in particular the *Animal Management (Cats and Dogs) Act 2008* and the *Sunshine Coast Regional Council Local Law No. 2 (Animal Management) 2011* and *Sunshine Coast Regional Council Subordinate Local Law No. 2 (Animal Management) 2011*.

### Policy

The Plan aligns with and supports the goal of Service Excellence as set out in the Sunshine Coast Corporate Plan 2020-2024. The Sunshine Coast Community Strategy 2019-2041 provides a long-term strategic pathway for how our community will become strong, healthy, smart, connected and inclusive where together we thrive. The Plan supports this existing approach.

Consideration has also been given to the Compliance and Enforcement Policy 2018.

### Risk

There is a risk that without an endorsed Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs), an uncoordinated and unresponsive approach to the future delivery and support of animal management operations may occur. This may hinder the progression of responsible pet ownership practice within the community.

Other risks may include:

<b>Risk</b>	<b>Consequence</b>
Failure to adopt a Management Plan for Domestic Animals (Cats and Dogs) for the next 10 years.	Inability to communicate pet ownership responsibilities and expectations to the community.
No clear communication of Council's commitment to the community in relation to responsible pet ownership and the management of domestic animals.	Risk to public safety in the management of animals in public spaces. No clear pathway to partner with external rehoming and animal welfare organisations.
Not meeting the obligations of the State legislation - <i>Animal Management (Cats and Dogs) Act 2008</i> .	Risk to public safety in the management of animals in public spaces.

**Previous Council Resolution**

The current Sunshine Coast Domestic Animal Management (Cats and Dogs) Strategy 2014-2020 was developed and endorsed by Council on 16 October 2014.

**Ordinary Meeting 16 October 2014 (OM14/143)**

*That Council:*

- (a) *receive and note the report titled “Domestic Animal Management (Cats and Dogs) Strategy 2014-2020” and*
- (b) *adopt the Domestic Animal Management (Cats and Dogs) Strategy 2014-2020 as amended (Appendix A).*

**Related Documentation**

The policies, strategies and legislation which guide and inform the Sunshine Coast Council Management Plan for Domestic Animals (Cats and Dogs) 2021-2030 include:

## Federal

- *Customs Act 1901*
- *Australia New Zealand Food Standards Code – Standard 3.2.2. – Food Safety Practices and General Requirements 2012*
- *Disability Discrimination Act 1992*

## State

- *Local Government Act 2009*
- *Guide, Hearing and Assistance Dogs Act 2009*
- *Animal Care and Protection Act 2001*
- *Anti-Discrimination Act 1991*
- *Animal Management (Cats and Dogs) Act 2008*

## Local

- *Sunshine Coast Council Corporate Plan 2020 – 2024*
- *Sunshine Coast Council Environment and Liveability Strategy 2017*
- *Sunshine Coast Community Strategy 2019-2041*
- *Sunshine Coast Planning Scheme 2014*
- *Biosecurity Plan 2017*
- *Open Space Landscape Infrastructure Manual*
- *Sunshine Coast Council Local Laws*
- *Compliance and Enforcement Policy 2018.*

**Critical Dates**

As the Sunshine Coast Domestic Animal Management (Cats and Dogs) Strategy 2014-2020 has now completed its lifespan, a delay in adopting the Plan may result in a delay in implementing the Action Plan items in the short-term.



**Implementation**

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

- proceed with the publication of the Plan
- commence the media and communications campaign to convey the key messages contained within the Plan
- undertake an active community launch to communicate the Plan, its intent and implementation
- commence the implementation of the actions detailed in the Action Plan including regular reporting on the outcomes in the Action Plan.

**8.11 MAJOR EVENT SPONSORSHIP - MOOLOOLABA TRIATHLON 2022-2024**

**File No:** Council meetings  
**Author:** Head of Tourism and Major Events  
Economic & Community Development Group  
**Attachments:** Att 1 - Sponsorship Proposal (*Under Separate Cover*) -  
*Confidential*

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**PURPOSE**

The purpose of this report is for Council to consider sponsorship of the Mooloolaba Triathlon for the period 2022–2024. This report is before Council as the accumulative sponsorship amount exceeds the maximum delegated for sponsorship investment by Council.

**Attachment 1** is confidential as it contains commercial in confidence information and confidential information relating to third parties. It also recognises that until Council makes a decision and a contract is executed, the content and timeframes are not final.

For these reasons, it is recommended that should Councillors wish to discuss the information in the confidential attachment, Council resolve to close the meeting under section 254J(3)(g) of the *Local Government Regulation 2012* as the attachment contains information on negotiations relating to commercial matters involving the local government for which a public discussion would be likely to prejudice the interest of the local government.

Specifically, the matters that are considered confidential in the attachments and which would be the subject of discussion when the meeting is closed relate to the contract terms and conditions that are still the subject of negotiation.

**EXECUTIVE SUMMARY**

The Mooloolaba Triathlon (the Triathlon) is a flagship major event for the region, providing significant economic, profiling, and reputational benefits for the Sunshine Coast. The Tri was launched in 1993 and has developed into Australia's second largest triathlon after the Noosa Triathlon. The 2022 event will represent the 30<sup>th</sup> staging of the Mooloolaba Triathlon.

The Tri is generally the last event of the Australian triathlon season and is renowned for its 'Swim Bike Run Party' atmosphere. It is a three-day event that includes a sport and lifestyle expo, individual and teams triathlons, a short course triathlon for beginners (new initiative in 2021), a fun run, a special triathlon and a "superkidz" triathlon.

The sponsorship application for the 2022–2024 Mooloolaba Triathlon was reviewed and assessed by the Sunshine Coast Events Board (SCEB) at its meeting on 13 April 2021.

The role of the Council-appointed Sunshine Coast Events Board is to provide strategic advice to Council on issues and collaborative opportunities to support the region's investment in existing major events, secure new major events for the region, and oversee the implementation of the Council endorsed *Sunshine Coast Major Events Strategy 2018 – 2027*. Assessing event sponsorship applications and providing recommendations to Council is a primary role responsibility of the Sunshine Coast Events Board.

The Sunshine Coast Events Board has recommended that Council provide sponsorship for the 2022-2024 Mooloolaba Triathlon for the same amount as the 2019–2021 sponsorship agreement.

IRONMAN Oceania forecasts that approximately 4,000 participants will be attracted to each Mooloolaba Triathlon during the period 2022–2024. This is approximately equal to the number of participants attracted to the 2019, 2020 and 2021 Triathlons. IRONMAN Oceania

has advised that its focus will be on the retention of current participant levels as opposed to pursuing growth given the ongoing Mooloolaba Foreshore Redevelopment.

Based on the participant forecast and other relevant visitor information supplied by IRONMAN Oceania, the Tourism and Major Events Unit estimates that each triathlon during the period 2020-2024 will attract approximately 10,172 participants, family/friends and support personnel from outside the Sunshine Coast, generating 25,307 visitor nights. The direct economic benefit from visitor room nights and the event organiser's spend in the local economy has been conservatively estimated at approximately \$4.93 million (direct benefit only).

An independent assessment on the 2021 Mooloolaba Triathlon carried out by Strategic Facts, commissioned by Tourism and Events Queensland, estimated that spending by visitors to the Sunshine Coast was \$5.16 million with an overall economic impact for Queensland of \$6.14 million.

It is also noted that community and business feedback related to the impact on Mooloolaba (both positive and negative) is closely monitored and assessed by both Council and IRONMAN Oceania as event organisers.

## OFFICER RECOMMENDATION

**That Council:**

- (a) **receive and note the report titled "Major Event Sponsorship - Mooloolaba Triathlon 2022-2024" and**
- (b) **authorise the Chief Executive Officer to negotiate and execute a contract for the Mooloolaba Triathlon for 2022-2024.**

## FINANCE AND RESOURCING

The Major Events Sponsorship budget is sourced from funds collected through general rates.

Based on existing and anticipated major event sponsorship commitments and budget projections, sponsorship funds are available through the major events sponsorship budget to support the 2022–2024 Mooloolaba Triathlon.

## CORPORATE PLAN

**Corporate Plan Goal:** *A smart economy*  
**Outcome:** 3.5 - A natural, major and regional event destination  
**Operational Activity:** 3.5.1 - Implement priority activities from the Major Events Strategy 2018-2027.

## CONSULTATION

### Councillor Consultation

- Councillor J O'Pray – Portfolio Councillor, Economic Development and member of the Sunshine Coast Events Board
- Councillor T Landsberg – Portfolio Councillor, Economic Development and member of the Sunshine Coast Events Board
- Councillor J Natoli – Divisional Councillor.

**Internal Consultation**

- Group Executive – Economic & Community Development
- Head of Economic Development
- Senior Partnerships Lead – Major Events.

**External Consultation**

- Sunshine Coast Events Board
- Tourism and Events Queensland.

**Community Engagement**

Community engagement is conducted by the event organiser and is a requirement of the major events sponsorship agreement and a temporary event permit application.

**PROPOSAL**

The Sunshine Coast Major Events Strategy 2018-2027 recognises the importance of events to the economic and social development of the region – in particular to the tourism industry – through greater visitation, audience reach, destination branding and reputation. The sponsorship of major events is also predicated on the basis that local businesses derive a benefit from the increase in consumer expenditure that occurs in association with both local and inbound visitor attendance at these events.

In seeking sponsorship commitments under Council's Major Events Sponsorship Program, an applicant must demonstrate that their event will generate media / brand exposure and promotional opportunities outside the region for the Sunshine Coast. The event must also attract participants, support personnel and spectators from outside the Sunshine Coast region. Sponsorship applications are reviewed, and recommendations made to Council by the Sunshine Coast Events Board following its regular meetings.

The Mooloolaba Triathlon (the Triathlon) is an iconic event for the Sunshine Coast, and also for the sport of triathlon in Australia. The event's legacy for the Sunshine Coast has been the attraction of a suite of major events in its wake. The event provides significant economic, profiling, and reputational benefits for the Sunshine Coast. The Triathlon was launched in 1993 and has developed into Australia's second largest triathlon after the Noosa Triathlon. The 2022 event will represent the 30<sup>th</sup> staging of the Triathlon.

The Triathlon is a three-day event that includes a sport & lifestyle expo, individual and teams triathlons, a short course triathlon for beginners (new initiative in 2020), a fun run, a special triathlon and a "superkidz" triathlon.

The route of the Triathlon provides a unique swim in the ocean, a flat and fast bike course on the Sunshine Motorway and a scenic run course over Alexandra Headland.

The Sunshine Coast Events Board has reviewed and assessed the sponsorship application outlined in the Executive Summary against agreed evaluation criteria which are based on Tourism and Events Queensland methodology, the Sunshine Coast Major Events Strategy 2018-2027, and elements of Council's Corporate Plan 2021-2025.

**The Event Organiser**

The IRONMAN Group is Australia's premier triathlon and multi-sport management company and stages 23 high profile events throughout the Oceania region annually, including the Mooloolaba Triathlon.

Operating from offices in Noosa, Sydney, Melbourne and Auckland, the IRONMAN Oceania team share a common vision for producing successful events, enabling it to align itself competitively and strategically with the needs and expectations of participants, spectators, officials and sponsorship partners.

The mission of IRONMAN Oceania is to grow the sport of triathlon through the promotion of a healthy active lifestyle whilst leveraging the profile of the Sunshine Coast nationally and internationally to deliver year-round benefits to the region.

### Strategic Partnerships

A good strategic partnership with IRONMAN Oceania and the overarching IRONMAN Group will continue to provide major event opportunities for the Sunshine Coast in the future. An outcome of this existing partnership was the attraction of the 2016 IRONMAN 70.3 World Championships which profiled the region to the international IRONMAN community of 357,015. Along with IRONMAN Oceania and Council, Tourism and Events Queensland is the other key strategic partner as a co-sponsor of the Mooloolaba Triathlon.

### Legacy

The Sunshine Coast Events Board believes the legacy implications for the Sunshine Coast from Council's sponsorship of the 2022–2024 Triathlon are:

1. The growing awareness and recognition of the Sunshine Coast as one of Queensland's and Australia's premier venues for all event types.
2. The continued promotion of Mooloolaba as an ideal venue for multi-sport and cycling events.
3. Positioning of Mooloolaba as a potential venue for future International Triathlon Union (ITU) events, IRONMAN 70.3 World Championships.

Participants	2019	2020	2021
	Mooloolaba Triathlon	Mooloolaba Triathlon	Mooloolaba Triathlon
Sunshine Coast	831	681	860
Intrastate (from outside the region)	2,504	2,850	2,996
Interstate	437	395	371
International	165	156	11
<b>Totals</b>	<b>3,937</b>	<b>4,082</b>	<b>*4,238</b>

\*A significant proportion of the increase in participants from the previous year was due to the new initiative, a low distance Sprint event for beginners.

### Forecast Sponsorship Outcomes

IRONMAN Oceania forecasts that approximately 4,000 participants will be attracted to each Triathlon during the period 2022–2024. This is approximately equal to the number of participants attracted to the 2019, 2020 and 2021 Triathlons. IRONMAN Oceania has advised that its focus will be on the retention of current participant levels as opposed to pursuing growth, given the on-going Mooloolaba Foreshore Redevelopment.

Based on this and other relevant visitor information supplied by IRONMAN Oceania, the Tourism and Major Events Unit estimates that each triathlon during the period 2022-2024 will attract 10,172 participants, family/friends and support personnel from outside the Sunshine Coast, generating 25,307 visitor nights. The direct economic benefit from visitor room nights and the event organisers' spend in the local economy has been conservatively estimated at approximately \$4.93 million.

An independent assessment on the 2021 Mooloolaba Triathlon carried out by Strategic Facts, commissioned by Tourism and Events Queensland, estimated spending by visitors to the Sunshine Coast was \$5.16 million with an overall economic impact for Queensland of \$6.14 million.

**Marketing & Branding Exposure**

IRONMAN Oceania will promote the Mooloolaba Triathlon Festival via a combination of digital and traditional marketing channels targeting existing and new customers in local, interstate and international markets in the Oceania region.

Marketing channels and activities include:

- E-newsletters to Multi Sport, IRONMAN and IRONMAN 70.3 athletes in Oceania databases – 28,000+ database
- Social Media (paid) – Facebook and Instagram
- Social Media (organic) – Facebook followers = 7,264 and Instagram followers = 931
- Mooloolaba Tri APP – over 18,000 downloads
- Website information & promotions: [www.mooloolabatri.com](http://www.mooloolabatri.com) (approximately 120,000 unique page views during the event month) and [www.ironman.com](http://www.ironman.com) (2.5 million site visits monthly)
- Traditional advertising via the Sunshine Coast Daily, local radio Sea FM and Mix FM and the Australian Triathlete Magazine
- Flyers and posters distributed throughout Sunshine Coast shops, schools and local businesses
- Expos at events throughout Australia and the Asia Pacific region.
- Listings on triathlon, multi-sport and tourism event calendar websites.
- PR activities.

The demographic of participants to the Mooloolaba Triathlon are:

- Size of database: 4,000 (Mooloolaba Triathlon) / 45,000 (all IRONMAN Oceania events)
- Age range: 15–87 years
- Average age: 41 years
- Gender basis: 65% male, 35% female.

**Reduced Community and Business Impact**

Upon the urging of the Tourism and Major Events Unit, IRONMAN Oceania has continually looked for ways to reduce the Tri's impact on the Mooloolaba community.

For the 2021 Tri, IRONMAN Oceania undertook the following measures to reduce community and business impacts:

- The event build and pack up was compressed into a seven-day period, compared with 10 days at the 2020 event. High profile areas like Beach Terrace were only used from Friday to Sunday, compared with Wednesday to Monday at the 2020 event.
- The number of public car parks used to facilitate the build of the events was 120, compared with 320 at the 2020 event. This was achieved by moving the Transition area from the Brisbane Road car park to the parklands at the eastern end of Parkyn Parade and moving the Athlete Check-In and Expo from the old caravan park's car park to the Wharf multi-storey car park. The car parks that were used for the event were in 'low profile' areas compared with previous years.
- Business consultation was conducted on two occasions on 18 February and 5 March to businesses along Parkyn Parade, the Wharf Complex, Mooloolaba Esplanade and Sixth Avenue. Engagement with key stakeholders, including the Mooloolaba Chamber of Commerce, the Wharf Complex management and Sea Life Mooloolaba was initiated

in early December 2020 to provide an update on how planning was progressing and to provide an opportunity for feedback.

- 35,960 Changed Traffic Conditions flyers were distributed to residents within the local community three weeks prior to the event and Changed Traffic Conditions signs and Variable Message Boards were installed on affected roads and car parks 10 days prior to the event.

IRONMAN Oceania further advised they only received feedback from one business owner after the 2021 Tri, and that they will continue to work closely, not only with this business owner, but all others in the lead up to future events.

Discussions are underway between IRONMAN Oceania, Councillor Natoli, the Mooloolaba Chamber of Commerce and the Tourism and Major Events Unit to develop a special promotion that will be marketed to the IRONMAN / Mooloolaba Triathlon database at times other than the lead up to the Tri to attract the athletes back to Mooloolaba for a holiday. The purpose of this promotion is to impress upon those businesses that are impacted by the Tri that long-term benefits may flow from the Tri during an off-peak tourism period.

### **Local Business Feedback**

Events such as the Mooloolaba Triathlon undoubtedly create an impact on access, parking and the operations of some businesses. The traditional feedback relates to the idea that locals can be discouraged from attending the foreshore of Mooloolaba due to perception that the area is difficult to access during the event.

A survey was undertaken after the 2021 event to gain industry feedback. Key points include:

- 275 Mooloolaba beach businesses were invited to provide feedback and assessment of the event.
- 26 businesses replied (9%). (5 cafes, 6 accommodation providers, 11 retail outlets, 4 'others')
- 16 respondents (58%) indicated they believe provides ongoing benefit to Mooloolaba in profile and marketing
- In terms of business impact, 20% of respondents advised that their business increased during the event weekend, 40% advised it decreased, with 40% reporting either a neutral result or not responding to the question
- 69% of businesses did not believe they receive repeat business from visiting triathlon participants.

As experienced in past years, this is valuable information, however it is noted that it comes from a very small number of businesses, with the majority being retail businesses who are least likely to record a positive impact from event related visitors on the event weekend itself.

The survey (again, matching past years) notes the major issue being around access and parking for customers. It is noted that in 2021, a number of positive comments were received about the improvements made by the Triathlon organisers in the past three years to reduce the time and size of road closures and wider impact. This was to some level offset by feedback that related to Council works (for example, Walan Street) that were not related to the event itself but ran behind planned schedule, and therefore had a significant impact on access for customers during this weekend.

### **OTHER RELEVANT POINTS**

When assessing the outcomes and challenges of hosting and supporting an event such as the Mooloolaba Triathlon, the Tourism and Major Events Unit invests significant effort into communicating with the event organiser and local businesses to reduce impact and maximise benefit to as many people as possible. Should Council elect to continue to support this event in 2022 and beyond, the Unit would continue to seek improvements in the event

staging as much as possible – particularly by avoiding overlap with other Council works if and where possible.

It is also a key strategy of the Tourism and Major Events Unit to ensure the communication related to the benefits to the region of a significant event, such as the Mooloolaba Triathlon, relates not only to the direct spend by visitors and locals during the holding of the event, but also to the wider and longer term positive impact of hosting flagship events in the region.

Key areas of focus are:

- Overall economic impact of an event relates to the direct spend by out of region visitors into the wider economy. This input (estimated at \$5,000,000 for the Triathlon event) may not be spent evenly into all businesses, however it does create the flow-on effect of external funds entering the regional market, therefore a business is likely to receive a benefit in the weeks or months after the event as the outflow of the benefit received elsewhere in the region.
- The continued hosting of national scale events of all types has long been a successful Council policy to promote the region widely for future visitation, investment or study. This of course is a central part of our deals and agreements with sponsored Major Events (noting that the results may not be seen directly by businesses on the event weekend).

### **Future Initiatives**

IRONMAN Oceania has advised the following initiatives will be undertaken to enhance future Mooloolaba Triathlons:

- Retain the Triathlon Australia National Standard Distance Championships through a multi-year agreement with Triathlon Australia
- Retain qualifying status for Team Australia for future International Triathlon Union (ITU) Age Group Triathlon World Championship events
- Explore opportunities to add further Australian Championship or World Qualifying events into the triathlon's program
- Continue to position the Sunshine Coast as the home of Triathlon and put it in a position to host future international events, and
- 30<sup>th</sup> Anniversary celebration in 2022.

### **Community Contributions - Volunteers**

IRONMAN Oceania requires the assistance of approximately 580 volunteers to assist in the delivery of the annual Mooloolaba Triathlon. These volunteers represent 37 local community groups. The volunteering positions include pedestrian marshalling, athlete check in coordination, aid station management, course marshalling and many more.

In return for these services, IRONMAN Oceania provides over \$23,000 per year in honorariums to these groups.

### **Sustainability**

With a vision as Australia's most sustainable region. Healthy. Smart Creative. the Sunshine Coast is already on its journey to transition to live more sustainably.

Councils' strategic directions as outlined in the Environment and Liveability Strategy for living more sustainably, include waste reduction, supporting the circular economy outcomes, building climate resilience, emissions reduction, and maximising renewable energy usage.

In delivering major community events on the Sunshine Coast, organisers must demonstrate how the event aligns with Council's vision and contributes to Council's strategic directions.



To assist in the running of sustainable events on the Sunshine Coast, a range of resources are available on Council's website in relation to waste, transport, energy and water. The reduction in single-use plastics must be compliant with the relevant legislative requirements.

In addition, Council is a member of the Sustainable Events Alliance which provides a range of information and resources focussed on delivering sustainable events.

The IRONMAN Group embraces the 'triple bottom line' approach to delivering events, with a focus on the economic, social, and environmental sustainability of each event. They have supported the Sunshine Coast events industry by presentation to one of Council's event networking nights to help educate other providers on what can be done to reduce event impacts.

IRONMAN Oceania places a significant focus on managing the environmental impact of the Mooloolaba Triathlon. Listed below are the specific practices employed to manage this impact:

1. Energy Conservation
  - Power generators are used only when mains supply is unavailable and for essential purposes only.
  - Diesel lighting towers are modified to run on mains power.
2. Water Conservation
  - Water stations are available to participants throughout the course at designated points allowing water usage to be planned by participants.
3. Environmentally Sensitive Procedures
  - With the event operating across a variety of environments, including the ocean, beach, parks and roads, all care is taken to limit any impacts on these environments.
4. Waste Minimisation and Management
  - Reuse and recycling of printer cartridges and paper.
  - Reusable signage ties.
  - Website and social media channels are promoted as the main source of information instead of printed collateral.
  - Athletes are provided with bidons (bike bottles) as part of their athlete kit, which are reusable and a 'take home' souvenir of the event.

### **Legal**

There are no legal implications relevant to this Council report.

There are no barriers to entry or event obligations that would restrict access to a person or violate one of the 26 Human Rights.

### **Policy**

There are no policy implications as the Mooloolaba Triathlon is in line with Council's Sponsorship Policy and associated delegated authority.

The distribution of any sponsor benefits will be in line with Council's Ticket Invitation and Allocation Policy.

**Risk**

If Council resolves not to approve this recommendation for sponsorship, there is a high probability that IRONMAN Oceania, the event organiser, may reduce the event duration from three days to one day or cancel the event altogether. Should this occur, the foregone economic benefit is estimated at \$4.93 million (direct benefit only), the loss of significant audience reaches promotions and media exposure value for the region.

The result for the Sunshine Coast would be:

- a decrease in economic benefit, tourism visitation, audience reach promotions and media exposure
- a possible loss of the regional contribution from Tourism & Events Queensland, and the associated partnerships and strategic gains for other Council projects.
- a lost opportunity to retain a high profile, national standard event
- a loss of profile for the region as a major events destination
- a loss of profile as a premier holiday destination, and
- a loss of reputation as a major events destination.

A decision not to approve this recommendation may also influence IRONMAN Oceania's future decisions not to host its other national and international events on the Sunshine Coast.

**Previous Council Resolution****Ordinary Meeting 22 March 2018 (OM18/44)**

*That Council approve the sponsorship in accordance with the recommendations of the Sunshine Coast Events Board as discussed in confidential session in relation to the Major Event Sponsorship Application.*

**Ordinary Meeting 15 September 2016 (OM16/169)**

*That Council:*

- (a) *note the report titled "Updated Strategic Policy - Sponsorship (Governance Framework)" and*
- (b) *adopt the Sunshine Coast Council Sponsorship (Governance Framework) Strategic Policy (Appendix A) with the following amendment:*
  - i. *that Councillors be advised when the delegation is exercised in a regular and timely manner.*

**Ordinary Meeting 20 June 2013 (OM13/114)**

*That Council:*

- (a) *receive and note the report titled "Sunshine Coast Major and Regional Events Strategy"*
- (b) *adopt the Sunshine Coast Major and Regional Events Strategy 2013-2017 (Appendix A)*
- (c) *under Section 264 of the Local Government Regulation 2012 endorse the establishment of Sunshine Coast Events Board as an advisory committee of Council*
- (d) *adopt the Sunshine Coast Events Board Charter (Appendix B) for Sunshine Coast Events Board and authorise the Chief Executive Office to amend as necessary, including amendments to 3.1 Membership (c) to 9 board members and (e) for a 2 year term, and with staggered rotation of the board members*

- (e) *appoint Cr O' Pray as the portfolio Councillor for Tourism, Sport and Major Events as the Council representative on Sunshine Coast Events Board*
- (f) *delegate authority to the Chief Executive Officer to select and appoint members to Sunshine Coast Events Board in order to achieve the broad range of skills as determined by Council in consultation with relevant portfolio Councillors (being portfolio Councillor for Tourism, Sport and Major Events; portfolio Councillor for Community Policy and Programs and the Deputy Mayor)*
- (g) *vary the current Sponsorship Policy (Appendix C) authorising the Chief Executive Officer to enter into outgoing sponsorship agreements for major and regional events up to the value of \$50,000 (ex GST) following the recommendations received from Sunshine Coast Events Board*
- (h) *request the Chief Executive Officer to provide a further report to Council outlining alternative funding sources to boost the major event sponsorship tourism levy funding pool and*
- (i) *provide Mr P Franks, the Transfer Manager (Noosa) a copy of the Sunshine Coast Major and Regional Events Strategy for consideration and reference.*

**Related Documentation**

- Regional Economic Development Strategy 2013-2033
- Sunshine Coast Major Events Strategy 2018–2027

**Critical Dates**

Council's endorsement of the Officer Recommendation is critical to provide a sponsorship commitment to IRONMAN Oceania so that it can plan its schedule of multisport and IRONMAN events for 2022 in Australia and the Oceania region.

**Implementation**

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will proceed to finalise and execute a major event sponsorship agreement with IRONMAN Oceania for Council's sponsorship of the 2022–2024 Mooloolaba Triathlon.

**9 NOTIFIED MOTIONS****10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

**11 CONFIDENTIAL SESSION****11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAROOCHYDORE CITY CENTRE DEVELOPMENT PROJECT UPDATE****File No:** Council Meetings**Author:** Director – Major Projects and Strategic Property  
Office of the CEO

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

The information contained in this report is confidential as it relates to the implementation of aspects of a contractual arrangement with a third party for land within the Maroochydore City Centre Priority Development Area. The disclosure of this information would breach commercial confidentiality undertakings with another party and disclose information relating to specific commercial negotiations involving council that are yet to be finalised. Council will however, need to resolve its decision on this report in that part of the Council meeting which is viewable by the public.

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**12 NEXT MEETING**

The next Ordinary Meeting will be held on 22 July 2021.

**13 MEETING CLOSURE**