

Agenda

Ordinary Meeting

Thursday, 23 July 2015

commencing at 9.00 am

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

That the Minutes of the Special Meeting (Caloundra South) held on 15 June 2015, the Ordinary Meeting held on 18 June 2015 and the Special Meeting (Budget Adoption 2015/2016) held on 25 June 2015 be received and confirmed.

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

Pursuant to Section 172 of the *Local Government Act 2009*, a councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees must –

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

5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Pursuant to Section 173 of the *Local Government Act 2009*, a councillor who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government, or any of its committees must inform the meeting about the councillor's personal interest the matter and if the councillor participates in the meeting in relation to the matter, how the councillor intends to deal with the real or perceived conflict of interest.

6 MAYORAL MINUTE**7 PRESENTATIONS**

8 REPORTS DIRECT TO COUNCIL**8.1 REGIONAL STRATEGY AND PLANNING****8.1.1 DETAILED PLANNING AREA 11 (BIRTINYA ISLAND) MASTER PLAN APPLICATIONS**

File No:	Statutory Meeting
Author:	Project Coordinator Regional Strategy & Planning Department
Appendices:	App A - Detailed Planning Area Plan Conditions 37 App B - Site Development Plan Conditions 43
Attachments:	Att 1 - Master Plan No.91 (Detailed Planning Area Plan - Detailed Planning Area 11 - Birtinya Island) 2015 (Under Separate Cover)..... Att Pg 5 Att 2 - Master Plan No.92 (Site Development Plan – Detailed Planning Area 11 – Precincts 1-4) 2015 (Under Separate Cover) Att Pg 103

PURPOSE

The purpose of this report is to seek Council's determination of three master plan applications within the Kawana Waters Development Area pertaining to the remaining undeveloped areas of Birtinya Island, referred to as Detailed Planning Area 11. This report seeks Council's determination of:

- A minor amendment to the Kawana Waters Structure Plan.
- Master Plan No.91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015.
- Master Plan No.92 (Site Development Plan – Detailed Planning Area 11 – Precincts 1-4) 2015.

The land subject to Detailed Planning Area 11 is within leasehold land subject to Development Lease No.2. Pursuant to the Kawana Waters Development Agreement, the Minister for the Department of Natural Resources and Mines is the approving authority for the Structure Plan and Detail Planning Area Plan. Council must therefore make a recommendation to the Minister in respect to these applications. Council is however the approving authority for the Site Development Plan.

EXECUTIVE SUMMARY

Detailed Planning Area 11 comprises an area of approximately 32 hectares and forms the balance of the developable area of Birtinya Island. The Detailed Planning Area is bound by Birtinya Canal and the future Kawana Town Centre to the north, existing residential development to the east and south, and the western waterway of Lake Kawana and the Kawana Health Hub to the west.

The land is subject to the Kawana Waters Development Agreement and Development Control Plan 1, and is therefore subject to a Master Planned Community Development Process. Before development of Detailed Planning Area 11 can proceed, the Master

Developer (being Stockland Pty Ltd) must prepare and have approved a series of master plans, these being the Detailed Planning Area Plan and a Site Development Plan.

Refer to **Attachment A** for the proposed Detailed Planning Area Plan and **Attachment B** for the proposed Site Development Plan.

The Detailed Planning Area Plan and Site Development Plan provide the respective level of development controls that guide the nature, form, extent and location of future development within Detailed Planning Area 11. Due to the land being zoned Special Development under the Caloundra City Planning Scheme 1996, these master plans in essence form a site specific planning scheme.

The proposed master plans identify the subject land to be developed predominantly for a range of residential land uses and densities, to be complemented by open space and a small component of commercial/mixed use development. Key elements of the proposal include:

- Provision for the development of 325 detached dwelling units, and 426 attached dwelling units.
- The development of 800m² of gross floor area (maximum) for the purposes of a shop, local store, restaurant or food outlet (to be provided as part of a mixed use development).
- Approximately 1.7 hectares of open space, which includes two neighbourhood parks, one precinct park and a series of finger/linear parks. Three kayak launch points for Lake Kawana are also proposed.
- A connected network of pedestrian and cycle paths, including the continuation of the walkable waterfront around the public recreation lake.

Whilst the area north of Lake Kawana Boulevard forms part of Detailed Planning Area 11, it has been designated as a 'Future Investigation Area'. This is to ensure that the development of this area complements the future development of the Kawana Town Centre located immediately to the north. Conceptual plans are currently being drafted by the Master Developer, at this stage no formal application for the Kawana Town Centre has been received.

In order to facilitate the development within Detailed Planning Area 11, a minor amendment is required to the Kawana Waters Structure Plan. This amendment involves reallocating the unused yield from the proposed detached housing product (37 dwelling units) by increasing the residential yield of multiple unit sites across Detailed Planning Area 11.

In response to a request made by the Master Developer, the master plan applications were made available for public viewing via council's PD-Online system. As a result, Council officers received 11 informal submissions. The key issues raised within the informal submissions have been addressed within the assessment of the master plan applications.

Council officers have assessed the proposal against the Development Documents, namely Development Control Plan 1, the Structure Plan conditions and the Structure Plan Development Criteria. The proposal generally complies with the Development Documents.

Accordingly, it is recommended that Master Plans be approved, subject to conditions contained in **Appendix A** (Detailed Planning Area Plan) and **Appendix B** (Site Development Plan for Precincts 1-4).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Detailed Planning Area 11 (Birtinya Island) Master Plan Applications
- (b) for land included in Development Lease No. 2, recommend to the Minister for the Department of Natural Resources and Mines that a minor amendment to the Kawana Waters Structure Plan be approved. The amendment pertains to Detailed Planning Area 11 and the reallocation of yield from 37 detached dwelling units, to 48 attached dwelling units.
- (c) subject to (b) above, for land included in Development Lease No. 2 recommend to the Minister for the Department of Natural Resources and Mines that the proposed Master Plan No. 91 (Detailed Planning Area Plan – Detailed Planning Area 11 – Birtinya Island) 2015 be approved, subject to conditions contained in Appendix A.
- (d) subject to (b) and (c) above, approve Master Plan No.92 (Site Development Plan – Detailed Planning Area 11 – Precincts 1-4) 2015 subject to conditions contained in Appendix B.
- (e) with respect to (b), (c) and (d) above, delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of these Master Plans.

FINANCE AND RESOURCING

There are no Council related Financial Contributions triggered with this Master Plan application.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*

Outcome: 1.2 - New capital investment in the region

Operational Activity: 1.2.3.3 - Continue to progress planning, infrastructure delivery solutions and service integration for key development areas at Kawana, Palmview and Caloundra South.

Corporate Plan Goal: *A new economy*

Outcome: 1.3 - Investment and growth in high-value industries

Operational Activity: 1.3.4.3 - Provide investment attraction and business support services to support new business establishment and development in the Oceanside Kawana Health precinct

Corporate Plan Goal: *A strong community*

Outcome: 2.1 - Safe and healthy communities

Operational Activity: 2.1.6.2 - Investigate opportunities to encourage the provision of more diverse and resource-efficient housing options around existing centres and transport corridors

CONSULTATION

Internal Consultation

The application was forwarded to the following internal Council specialists:

- Major Urban Developments Branch
- Engineering and Environment Assessment Unit
- Strategic Planning

Their assessment forms part of this report.

External Consultation

The application was referred to Unitywater. Their assessment forms part of this report.

The original proposal was also presented to the Urban Design Advisory Panel on 13 February 2015. Feedback received from the Urban Design Advisory Panel raised similar concerns which Council officers had raised within the Request for Further Particulars. Key feedback from the Urban Design Advisory Panel related to:

- There is a need for additional parks and break-out spaces.
- That the main central spine road should be treated as a boulevard.
- There is a need for terrace allotments to be accessed via a rear laneway.
- The density of development is supported, however the lot layout should be revised.
- That terrace lot housing typologies should be provided.
- The availability of on-street carparking.
- That different types of residential product should be provided adjacent to the Sunshine Coast University Hospital.

These matters have since been addressed by the Master Developer.

Community Engagement

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

In response to a request made by the Master Developer, all master plan applications are now publicly available via Council's PD-Online system. As a result, Council officers received 11 informal submissions in relation to the master plan application. Key issues raised within the submissions include:

- Differences in fill level from the existing lots to the proposed lots, and arising interface issues
- The open space proposal submitted by the Master Developer pertaining to the amended location of the neighbourhood park
- The management of carparking arising from the impact of the Sunshine Coast University Hospital
- Building height of the proposed adjacent development, and the potential for three storey (9 metres) development
- The change in the intensity of development compared to the existing Birtinya community.

A community meeting was called by local residents on 13 June 2015 which was attended by the Divisional Councillor and representatives of the Master Developer.

The issues raised by the residents have been addressed in the assessment of the proposal and detailed within this report.

BACKGROUND

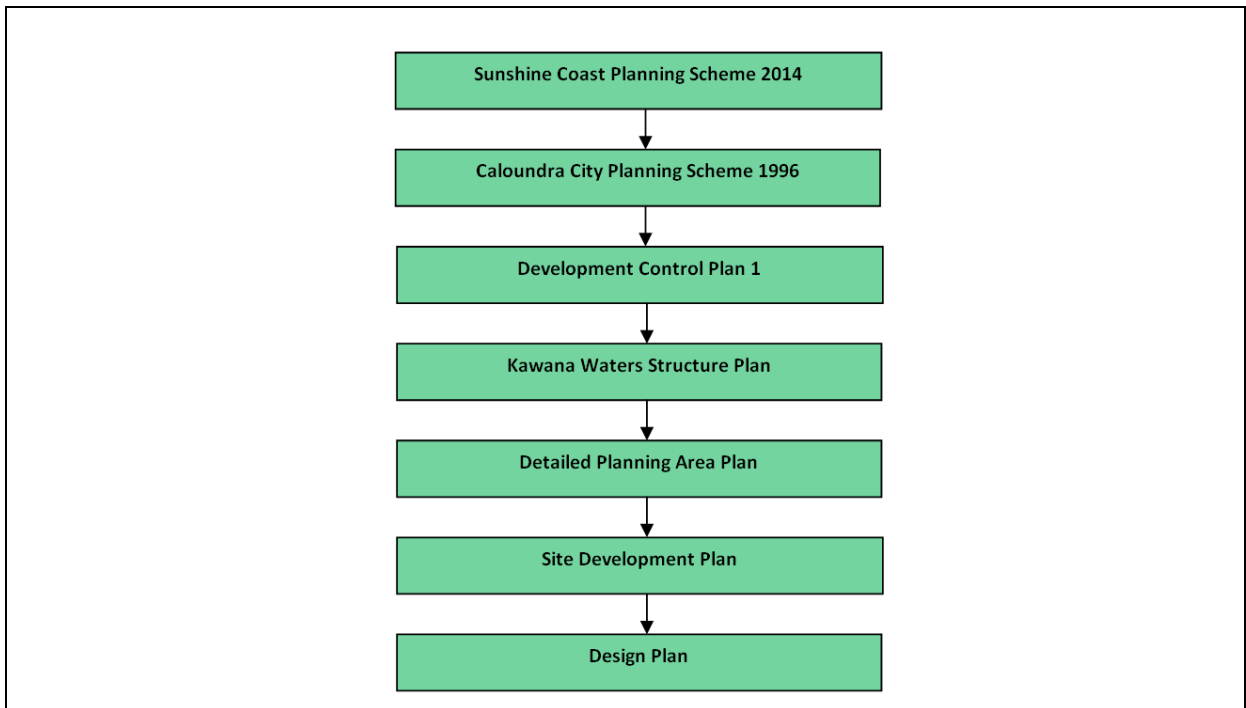
Pursuant to the Sunshine Coast Planning Scheme 2014 the subject land is located in a precinct identified as “Land within Development Control Plan 1 – Kawana Waters” being also subject to the Kawana Waters Development Agreement.

The Sunshine Coast Planning Scheme 2014 identifies that Section 86 (Planning schemes for particular local governments) and Section 857 (Development control plans under repealed *Local Government, Planning and Environment Act 1990*) of the *Sustainable Planning Act 2009* provides that the repealed Act, the transitional planning scheme and any transitional planning scheme policies continue to apply to the extent necessary to administer Development Control Plan 1 – Kawana Waters.

The Sunshine Coast Planning Scheme 2014 therefore requires that all land included within the Development Control Plan 1 designation to default to the provisions of Development Control Plan 1, as contained within the Caloundra City Planning Scheme 1996.

Section 7 of Development Control Plan 1 sets out the Master Planned Community Development Process applicable to the Detailed Planning Area, as shown in Figure 1.

Figure 1: Kawana Waters Master Planned Community Development Process



Before development within Detailed Planning Area 11 can proceed, the Master Developer must have approved a Detailed Planning Area Plan and a Site Development Plan. This report seeks approval for both of these master plan documents.

Under the provisions of Development Control Plan 1, an application for approval of any Master Plan must comply with the Development Documents. The Development Documents are defined as:

- Development Lease No. 2 and
- Development Control Plan No. 1 and the Caloundra City Planning Scheme 1996 and
- The Transport Infrastructure Agreement and
- The Development Agreement and
- The Hospital Infrastructure Agreement and
- The Community Development Strategy.

Pursuant to the Master Planned Community Development Process set out in Section 7 of Development Control Plan 1, each Master Plan in addition to the Development Documents must also comply with any higher order Master Plan, including the Conditions of Approval.

In this respect, the Structure Plan is applicable including the Structure Plan Conditions and Structure Plan Development Criteria. The proposed Detailed Planning Area Plan and Site Development Plan require a minor amendment to the Structure Plan in order to facilitate the proposed development.

With respect to a Master Plan, Council must in accordance with both Development Control Plan 1 and the Development Agreement, determine whether to:

- a) Approve the Master Plan or
- b) Approve the Master Plan subject to conditions or
- c) Refuse the Master Plan.

As mentioned previously, Council can only make a recommendation to the Minister for the Department of Natural Resources and Mines for the Structure Plan and Detailed Planning Area Plan. Council is however the approving authority for the Site Development Plan.

SITE DETAILS

The subject land is best described as the remaining developable area of Birtinya Island (refer to Figure 2). Land within Detailed Planning Area 11 is primarily flat and is surrounded by the following:

- North: The western waterway, with the future Kawana Town Centre beyond.
- East: Existing residential development on Birtinya Island, and the public recreation lake.
- South: Existing residential development on Birtinya Island, and the western waterway.
- West: The western waterway, with the Sunshine Coast University Hospital and Kawana Health Hub beyond.

Figure 2: Site Context



PROPOSAL

Pursuant to Development Control Plan 1, Detailed Planning Area 11 is intended to be developed predominantly for a range of residential land uses and densities, to be complemented by open space and a small component of commercial/mixed use development. The following outlines the three master plan applications

1. Amendment to Kawana Waters Structure Plan

The Master Developer has sought to make a minor amendment to the Structure Plan in order to facilitate the delivery of the proposed development.

The currently approved Structure Plan permits a total of 380 attached residential dwellings and 362 detached residential dwellings for the portion of Detailed Planning Area 11 south of Lake Kawana Boulevard. The proposed master plans for Detailed Planning Area 11 propose to deliver a detached residential yield of 325 dwellings within the 'Residential A' areas. Pursuant to the Structure Plan entitlements, this equates to a gap of 37 detached dwellings.

The Master Developer is seeking to reallocate the potential for 37 dwelling units by increasing the permitted dwelling yield of the multiple unit development sites across Detailed Planning Area 11.

The Master Developer further recognises that 37 detached dwellings generates a total of 22 vehicle movements per hour during the peak hour, whereas a similar number of vehicle movements are generated by a total of 48.8 units. The Master Developer has therefore requested that the dwelling yield of the multiple dwelling unit sites be increased by 48 units (rather than 37 units).

The reallocation of densities within Detailed Planning Area will require section 15.4(a)(B) & (C) of the Structure Plan to be amended accordingly with respect to specifying the amended maximum yields accordingly.

It is considered that the change in yield will not result in any change to the peak hour traffic generation from development in this area, compared to the existing Structure Plan provisions (because peak hour traffic generation by an attached dwelling is regarded as 25% less than that for a detached dwelling).

It was determined however that the proposal will result in a minor increase in the design wastewater flow from Detailed Planning Area 11 (Unitywater's design standards assume the same wastewater volume is generated regardless of whether dwellings are attached or detached). Even though the proposed increase in development yield is relatively small, the application was referred to Unitywater as the sewage flow to Sewerage Pump Station 1 (the sewerage pump station adjacent to Sunshine Coast University Hospital) was close to the design capacity. Unitywater reviewed the proposal and approved the increase in yield subject to conditions.

2. Detailed Planning Area Plan

Pursuant to Section 7.4.3.2 of Development Control Plan 1, a Detailed Planning Area Plan must:

- (a) *outline the general nature, form, extent and location of Development for a Detailed Planning Area in the approved Structure Plan; and*
- (b) *show in more detail:-*
 - (i) *the elements of the Development Control Plan identified within the approved Structure Plan including those matters set out in 7.4.2.2(b); and*
 - (ii) *the land uses proposed in the Detailed Planning Area; and*
 - (iii) *the precincts and purposes for which those precincts will be Developed which require a Site Development Plan; and*
- (c) *control the form and extent of Development within the Detailed Planning Area through:-*
 - (i) *Development Criteria; and*
 - (ii) *Urban Design Performance Criteria, if appropriate; and*
 - (iii) *Site Development Plan Design Parameters, if appropriate; and*
- (d) *comply with:-*
 - (i) *the Development Documents; and*
 - (ii) *the approved Structure Plan including any conditions of approval and Development Criteria; and*
- (e) *be prepared at a scale of 1:1500.*

In accordance with Section 4.10.1 of Development Control Plan 1, areas that are designated as a Detailed Planning Area are considered to present particular opportunities for comprehensively planned focal developments. In this regard, Section 4.10.2(l) of Development Control Plan 1 nominates broad planning and design criteria that development in Detailed Planning Area 11 must take into consideration. Section 4.10.2(l) states:

- i. The Detailed Planning Area is to be developed predominantly for a range of residential land uses and densities.*
- ii. Higher density residential land uses including multiple dwellings are to be located within a 800m radius of the Transit Station including the North Birtinya Precinct and that part of the Detailed Planning Area located north of the East West Link Road and west of the central spine.*

- iii. *A range of detached and terrace housing will be encouraged throughout the remainder of the residential area with a minimum lot size of 180m². Small lot housing below 300m² will be permitted where provided in accordance with the Urban Design Performance Criteria in a Site Development Plan approved pursuant to the Master Planned Community Development Process.*
- iv. *The mix of lot sizes/frontages and the streets within the Detailed Planning Area are to be designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes as determined through the Master Planned Community Development Process.*
- v. *A central movement (pedestrian/bicycle) spine running north/south through the Detailed Planning Area linking Detailed Planning Areas 11 and 13.*
- vi. *The area north of Lake Kawana Boulevard is to provide a transition to the Town Centre Core Precinct and contain a Library/Learning Centre and Cultural Centre and the Village Park adjacent to the Birtinya Canal. This area is to be designed to form an integral extension to the adjacent Town Centre and civic realm. Non residential land uses will be encouraged in this area at ground level with residential uses above in a mixed use arrangement, particularly along the central spine, Lake Kawana Boulevard and the Village Park / Neighbourhood Park system. This mix of residential and non residential land uses will assist in the creation of a diverse civic realm comprising uses such as small scale boutique retail, cafes, restaurant and outdoor dining. Home based businesses that require higher exposure and accessibility are encouraged within this area.*
- vii. *Development of areas for urban activities adjacent to the Public Recreation Lake are to accommodate a continuous public access promenade along the lake frontage. However, in some locations, the promenade may not directly abut the lake edge and in those limited circumstances, the pedestrian and cyclist corridor will be designed to maintain a continuous link around the Public Recreation Lake.*
- viii. *Along the western edge of the Public Recreation Lake it may be appropriate to Develop a hard edge treatment (in contrast to the soft edge treatment proposed in Detailed Planning Area 1) to enhance the experience at focal nodes and complement the adjoining land uses.*
- ix. *All other areas of the Detailed Planning Area abutting a waterway are to contain a continuous walkable waterfront.*
- x. *Development in the Detailed Planning Area has a maximum height of 8 storeys (24 metres).*

An assessment of proposed Detailed Planning Area Plan has determined that the intent of the Detailed Planning Area 11 as set out within Development Control Plan 1 has been accurately incorporated within the proposed master plan document.

Development Criteria

Section 7.4.3.2(c)(i) of the Development Control Plan 1 states that a Detailed Planning Area Plan is to “*control the form and extent of development within the Detailed Planning Area through Development Criteria*”. Development Criteria are parameters, performance standards or requirements that control the standard of development within the Detailed Planning Area. These are generally prescriptive controls, to which lower level Master Plans and Development must comply with.

Due to the underlying zone of the land being Special Development pursuant to the Caloundra City Planning Scheme 1996, these development controls function as the planning scheme for this area.

Section 4 of the proposed Detailed Planning Area Plan outlines a number of Development Criteria for Detailed Planning Area 11. These include:

- a) Criterion requiring the land within Detailed Planning Area 11 can only be developed for those uses specified in Table 1 for the Detailed Planning Area Plan including building height limitations and maximum yields (further detail on yield and building heights are provided in the Land Use Areas section of this report)
- b) Criterion relating to flood immunity, taking into account current predictions for climate change impacts
- c) Criterion relating to Acid Sulfate Soils and the preparation of a detailed Acid Sulfate Soil Management Plan
- d) Criterion relating to the provision of physical urban infrastructure, including:
 - Movement Networks
 - Open Space Networks
 - Stormwater and Water Sensitive Urban Design Infrastructure
 - Water and Sewerage Infrastructure
 - Power and Telecommunications Infrastructure and
 - Landscaping.

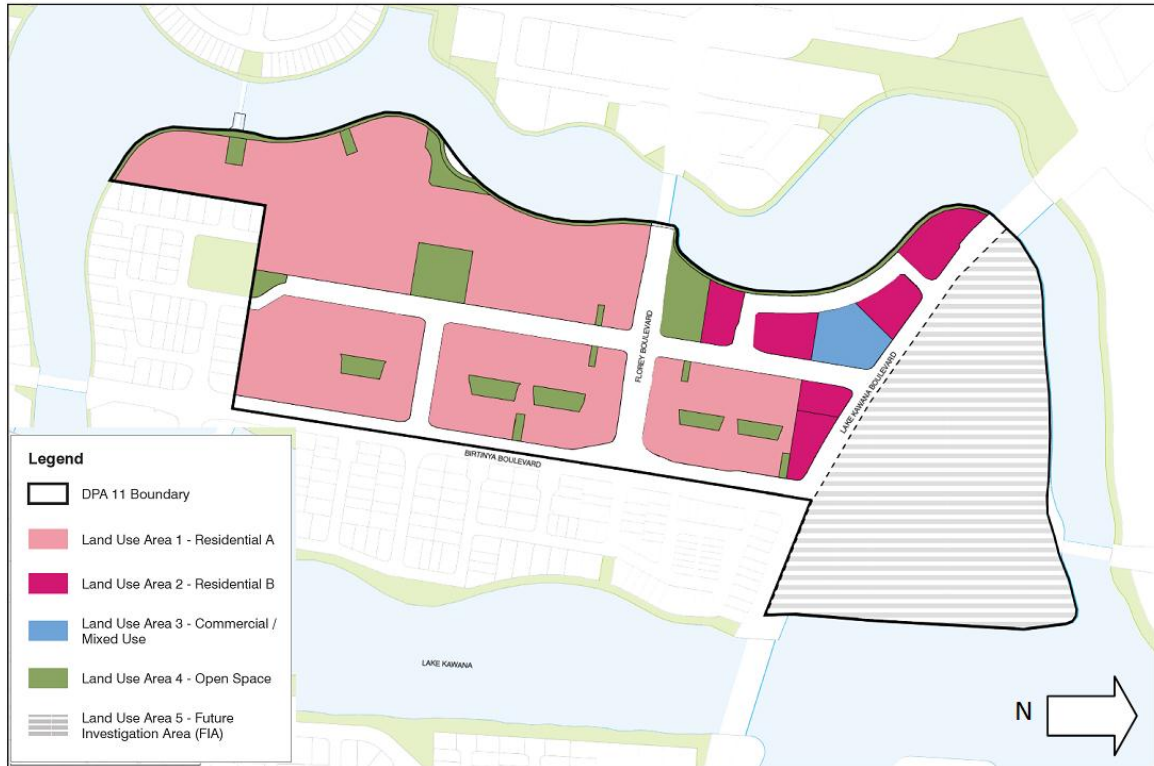
An assessment of the proposed Development Criteria has determined that they are generally acceptable. Key issues pertaining to the Development Criteria are discussed within the 'Key Issues' section of this report.

Urban Design Performance Criteria

Section 7.4.3.2(c)(ii) of the Development Control Plan 1 states that a Detailed Planning Area Plan is to “*control the form and extent of development within the Detailed Planning Area through Urban Design Performance Criteria, if appropriate*”. Urban Design Performance Criteria are performance based planning controls generally consisting of an outcome and acceptable measures to achieve that outcome. A subsequent Site Development Plan where applicable will demonstrate how these outcomes will be achieved.

The key Urban Design Performance Criteria included within the Detailed Planning Area Plan are summarised in the table below for each of the key land use areas as shown on Figure 3.

Figure 3: Land Use Areas



Applying to all development within the Detailed Planning Area:		
<ul style="list-style-type: none"> • Lot Size • Stormwater Management • Car Parking and Access • Energy Efficiency • Acid Sulfate Soils • Advertising Devices • Acoustic Quality • Air Quality • Lighting • Refuse Management • On-Street Car Parking 		
Applying to Land Use Area 1 – Residential A:	Applying to Land Use Area 2 – Residential B:	Applying to Land Use Area 3 – Commercial & Mixed Use:
<ul style="list-style-type: none"> • Dwelling Houses and Terrace Houses:- <ul style="list-style-type: none"> • Building Envelopes • Terrace House Lots • Building Design (Sub-Tropical Elements) • Residential Amenity • Car Parking / Access / Driveway Location • Duplex Dwellings:- <ul style="list-style-type: none"> • Site Suitability • Building Envelopes • Building Design (Sub-Tropical Elements) • Car Parking / Access / Driveway Location • Home Occupation • Display Home, Temporary House and Land Sales Office 	<ul style="list-style-type: none"> • Site Cover • Building Setback • Building Siting, Design and Layout • Parking and Access • Privacy and Amenity • Building Design (Sub-Tropical Elements) • Open Space/Landscaping and Fencing • Site Facilities • Home Occupation • Requirements for a Caretakers Residence • Requirements for a Display Home and Temporary House and Land Sales Office 	<ul style="list-style-type: none"> • Built Form • Building Setbacks • Awnings • Ground Storey Height • Podium Height • End of Trip Facilities • Feature Lighting • Requirements for development in Land Use Area 3, when involving a Residential component <ul style="list-style-type: none"> • Mixed Use Development • Open Space • Privacy and Amenity • Building Design (Sub-Tropical Elements) • Requirements for residential development in Land Use Area 3, where not involving a non-residential component

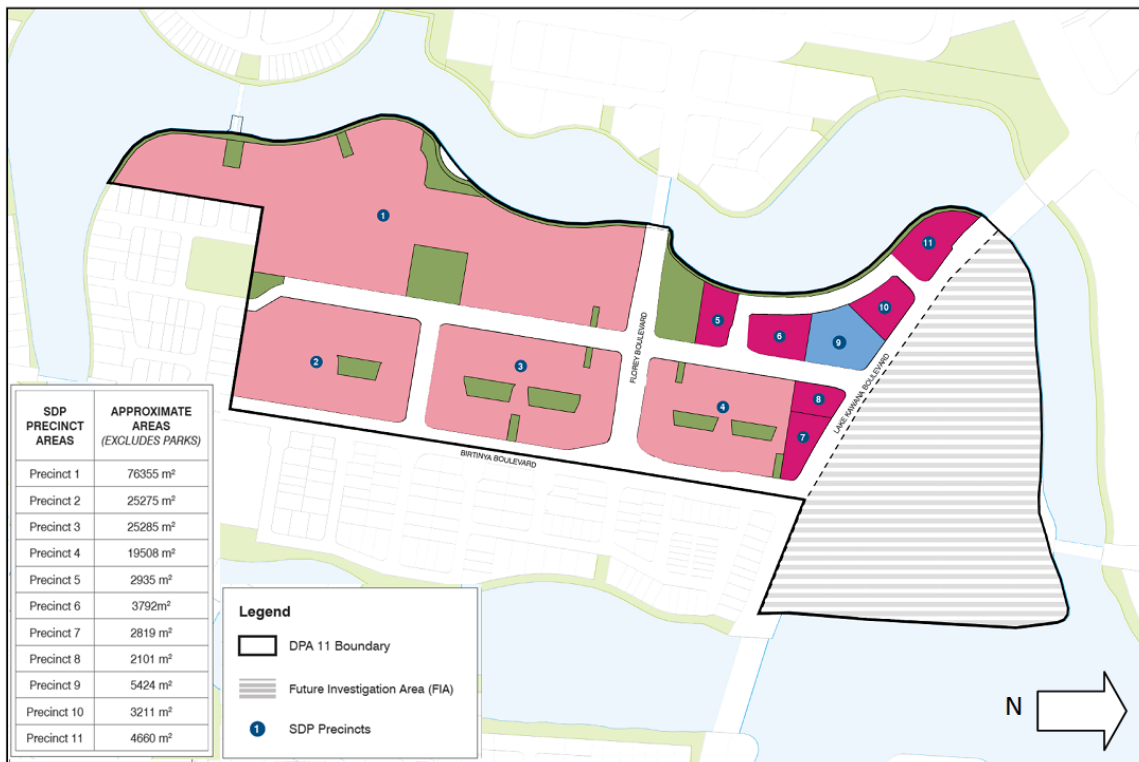
An assessment of the proposed Urban Design Performance Criteria has determined that they are generally acceptable. Key issues pertaining to the Urban Design Performance Criteria are discussed within the 'Key Issues' section of this report.

Site Development Design Parameters

Section 7.4.3.2(c)(iii) of the Development Control Plan 1 states that a Detailed Planning Area Plan is to “control the form and extent of development within the Detailed Planning Area through Site Development Design Parameters if appropriate”. Section 6 of the Detailed Planning Area Plan specifies that a Site Development Plan is required to be prepared and submitted to Council for each of the Site Development Plan Precincts 1 – 11, as shown on Figure 4 below. This is following approval of the Detailed Planning Area Plan as well as the matters that are required to be addressed in a Site Development Plan.

If the master planning process is fully applied land use rights will be delivered via the Site Development Plan and negate the need for a subsequent Development Permit for Material Change of Use applications.

Figure 4: Detailed Planning Area Precincts



Land Use Areas

The Detailed Planning Area Plan proposes to develop the area into five different land use areas, as previously illustrated in Figure 3. A description of the land use areas is provided in the following.

Land Use Area 1 - Residential A

A range of detached housing and terrace housing are proposed throughout Land Use Area 1, delivering a variety of lot sizes and providing for a transition in building height and density from the existing residential areas developed on Birtinya Island (to the east and south) to the higher density development areas to be developed in the Detailed Planning Area to the north. The maximum yield and building height for each of the precincts within this land use area is as follows.

Site Development Plan Precinct	Maximum Dwelling Yield	Maximum Building Height
Site Development Plan Precinct 1	156 Dwelling Units	3 storeys (9 metres)
Site Development Plan Precinct 2	56 Dwelling Units	3 storeys (9 metres)
Site Development Plan Precinct 3	65 Dwelling Units	3 storeys (9 metres)
Site Development Plan Precinct 4	48 Dwelling Units	3 storeys (9 metres)
Total yield = 325 dwelling units		

Land Use Area 2 – Residential B

Land Use Area 2 provides the opportunity for a range of medium to high density residential developments in a variety of configurations within the northern portion of the Detailed Planning Area. The resultant built form is intended to provide a gradation in development intensity between the low density residential development to the south and east, to the higher intensity forms of development in the Kawana Health Hub (to the west) and the future Kawana Town Centre (to the north).

The proposed Detailed Planning Area Plan identifies seven sites able to be developed for medium to high density residential development. The maximum height limits and respective densities is detailed below.

Site Development Plan Precinct	Maximum Dwelling Yield	Maximum Building Height
Site Development Plan Precinct 5	55 Dwelling Units	8 storeys (24 metres)
Site Development Plan Precinct 6	80 Dwelling Units	8 storeys (24 metres)
Site Development Plan Precinct 7	30 Dwelling Units	8 storeys (24 metres)
Site Development Plan Precinct 8	35 Dwelling Units	8 storeys (24 metres)
Site Development Plan Precinct 9	80 Dwelling Units	8 storeys (24 metres)
Site Development Plan Precinct 10	60 Dwelling Units	8 storeys (24 metres)
Site Development Plan Precinct 11	88 Dwelling Units	8 storeys (24 metres)
Total yield = 426 dwelling units		

The Detailed Planning Area Plan also enables the Master Developer to transfer development yields between the precincts, as well as specifies minimum development yields.

With respect to Precincts 5 and 6, the minimum development yield is 100 dwelling units. For Precincts 7 -11, up to twenty percent of the maximum dwelling yield can be transferred between any given precinct with a minimum dwelling yield of 243 dwelling units for all the precincts combined.

Land Use Area 3 – Commercial & Mixed Use

Land Use Area 3 (Precinct 9) provides small scale retail opportunities south of Lake Kawana Boulevard in a mixed use arrangement to service the immediate convenience needs of residents within the Detailed Planning Area. A maximum 800m² of gross floor area is permitted for a shop, local store, restaurant or food outlet, which can be provided in conjunction with a residential development. Built form within this Land Use Area is limited to eight storeys (24 metres) in height.

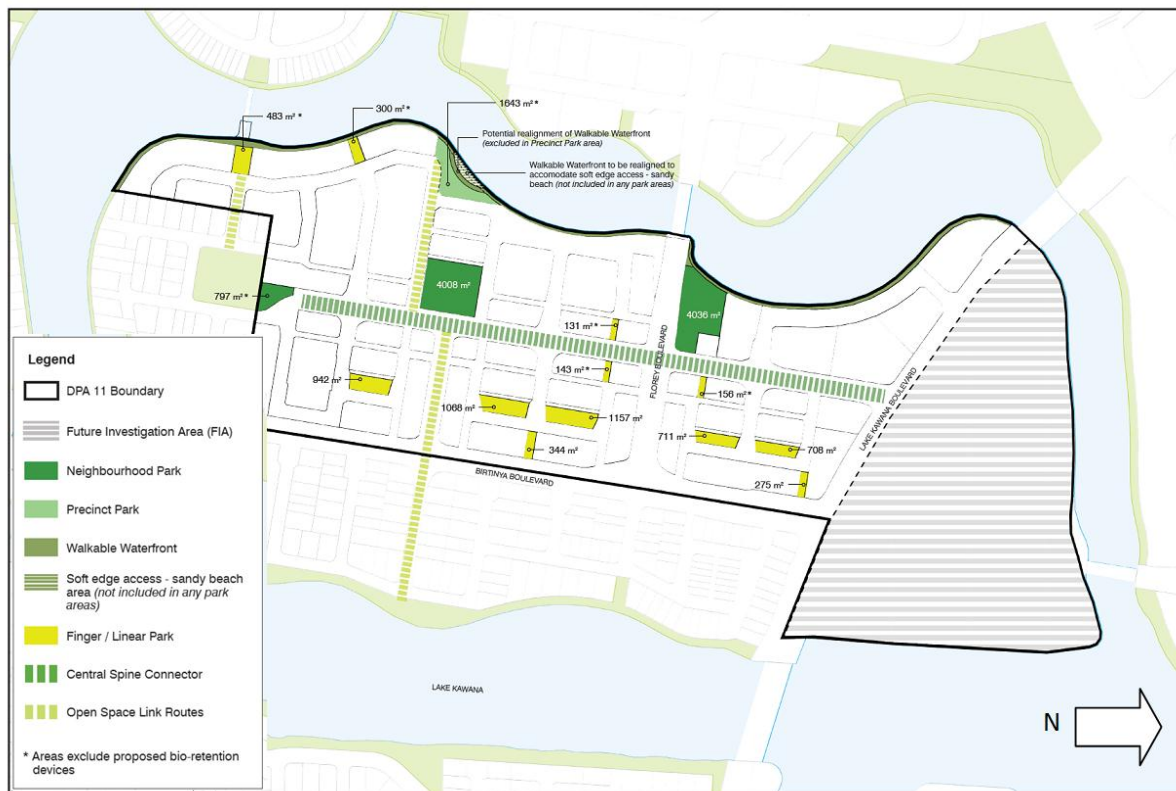
It is noted that additional commercial and mixed use development will occur to the north of Lake Kawana Boulevard in the future. As land to the north of Lake Kawana Boulevard is identified as a Future Investigation Area, further planning and design consideration for this area will be undertaken at a later date.

Land Use Area 4 - Open Space

The proposed Detailed Planning Area Plan contains an extensive open space network distributed across the Detailed Planning Area (as shown in Figure 5). Approximately 1.7 hectares of open space is proposed, which includes:

- Two Neighbourhood Parks, each approximately 4000m² in area
- One Precinct Park, approximately 1600m² in area and
- A series of smaller finger parks which assist in facilitating pedestrian connectivity.

Figure 5: Proposed Open Spaces



In addition to the above, five smaller open space areas measuring approximately 1000m² in area are provided in selected residential pockets east of the central spine road. Provision of these open space areas are beyond the minimum open space requirements for the Development Control Plan 1 area. However the primary purpose of these park areas is to provide increased residential amenity in areas where there is a higher concentration of terrace housing.

The different park typologies will require a different level of embellishment. The Detailed Planning Area Plan sets out the minimum standards of embellishment for each park typology.

Land Use Area 4 also provides for an extension of the walkable waterfront around the edge of the Detailed Planning Area, which will provide an uninterrupted, waterfront pedestrian connection around Birtinya Island. A series of finger parks / link parks facilitate pedestrian access from the residential areas to the walkable waterfront.

At selected points around the edges of the Detailed Planning Area, three kayak launch points are proposed, as well as one public access beach collocated with the Precinct Park.

The proposed Detailed Planning Area Plan also includes the provision of a connected pedestrian and cycle network that links the open space networks to both the residential areas and activity nodes.

Land Use Area 5 – Future Investigation Area

Land located to the north of Lake Kawana Boulevard has been identified as a Future Investigation Area and will be subject to future planning and design consideration.

The purpose of designating this land as Future Investigation Area is to ensure that the northern portion of Birtinya Island is complementary with future development to the north, being the future Kawana Town Centre, as this Future Investigation Area will form part of the Town Centre Frame.

Pursuant to Development Control Plan 1 and the current Structure Plan however, this area will contain a Village Park system adjacent to Birtinya Canal, up to 11,000m² for a mix of commercial and retailing uses, community facility land and high density residential development.

Once the concept for the Town Centre has been determined, the Master Developer will need to amend the application for the Detailed Planning Area Plan to include this area.

3. Site Development Plan

The proposed Site Development Plan only relates to Land Use Area 1 (Residential A), Precincts 1-4 of the Detailed Planning Area. The primary development for this land use area as described in the Detailed Planning Area Plan is for a range of detached and terrace housing.

The permitted residential yield for Land Use Area 1 is 325 detached dwelling units. This is made up of a mix of lot types proposed throughout the Detailed Planning Area, including:

Lot Type	No. Lots
Terrace Lots	97
Semi-detached Terrace Lots	66
Detached Lots less than 300m ² (frontage greater than 8.5m)	30
Detached Lots 300m ² or larger (8.5m-12.5m frontage)	25
Detached Lots 300m ² or larger (frontage greater than 12.5m)	99
Duplex lots	4
	Total Lots = 321 lots Total Yield = 325 dwelling units

The mix of lot sizes and frontages provided throughout the Detailed Planning Area will allow for a diverse streetscape and facilitate a road network that can readily accommodate all necessary infrastructure and landscaping without impacting on the functionality of the vehicle and pedestrian network. The mix of lot sizes/frontages and the streets have also been designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes.

The proposed Site Development Plan introduces a range of design parameters to guide the future development of the detached dwellings within the Detailed Planning Area. A summary of the design parameters for Land Use Area 1 that are detailed include:

- lot layout and dimensions plan
- building envelopes
- location of built to boundary walls
- private open space
- driveway locations
- setbacks
- on street car parking
- street tree planting
- water and sewer infrastructure
- stormwater drainage
- park and open space design principles.

The proposed Site Development Plan introduces a Supplementary Table of Development for Land Use Area 1 – Residential A. When in accordance within the development controls as set out within the Site Development Plan, the permitted land uses within Land Use Area 1 will include:

- Dwelling House
- Terrace House
- Duplex Dwelling
- Bed & Breakfast – Homestay
- Home Occupation

The Supplementary Table of Development also proposes that a range of Advertising Devices are self-assessable development throughout the Detailed Planning Area.

KEY ISSUES

The following provides a summary of the key elements and issues pertaining to the assessment of the proposed Detailed Planning Area Plan and Site Development Plan.

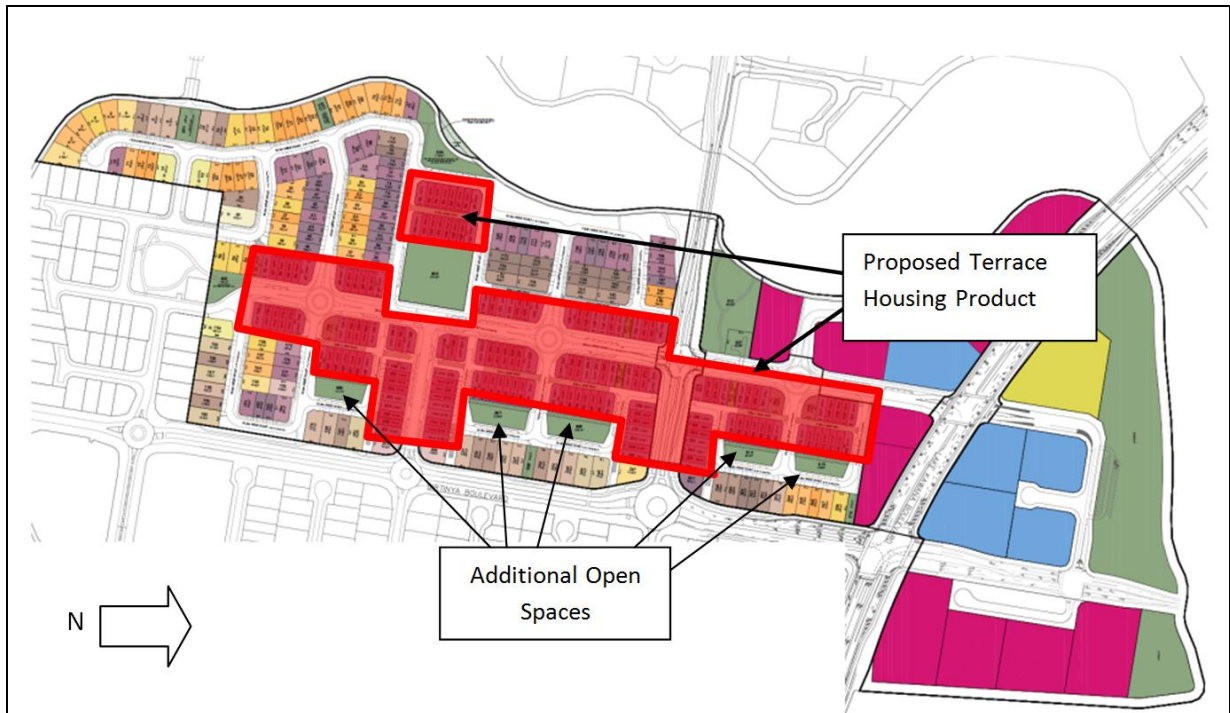
Lot Mix

As a result of the Temporary Local Planning Instrument No.1 (Caloundra City Council Planning Scheme 1996) 2011, Development Control Plan 1 was amended to provide for small lot housing to a minimum of 180m² in site area in close proximity to the Sunshine Coast University Hospital. The proposed development incorporates a large proportion of small lot housing. Of the 321 proposed detached allotments, 163 allotments are proposed for terrace housing (51% of the detached housing product) and 30 allotments are proposed to be under 300m² in area (9% of the detached housing product).

The greater intensity of development within Detailed Planning Area 11 is considered to be complementary to major nodes surrounding Detailed Planning Area 11, primarily the Sunshine Coast University Hospital, Kawana Health Hub and the future Kawana Town Centre.

It is noted that the majority of the proposed terrace housing is located along the central spine road of the Detailed Planning Area, or along streets which provide access into the development (as shown in Figure 6). Terrace housing along these routes provides an entry statement into the Detailed Planning Area by creating a boulevard-like effect. To further contribute to this, the Master Developer intends to fill the terrace allotments by 400mm from the street level and have the terrace allotments accessed via a rear laneway. These design elements will also improve street address of the terrace allotments, and achieve an improved urban design outcome.

Figure 6: Proposed Lot Mix



Since the lodgment of the original application, Council officers have worked with the Master Developer to introduce a number of smaller open spaces adjacent to higher concentrations of terrace housing (as identified on Figure 6). These open spaces aim to function as breakout spaces for residents of the terrace housing. These open spaces are considered acceptable as they improve the amenity within the area for residents, while also providing visual relief from higher intensity development.

The remaining detached housing product is comprised of 128 allotments over 300m² in area. This is comprised of 25 allotments 300m² or larger with a frontage of 8.5m-12.5m (8% of the detached housing product), and 103 allotments 300m² or larger with a frontage greater than 12.5m (32% of the detached housing product). Council officers have worked with the Master Developer to ensure that there is a mix of different lot types provided across the development, so that diversity is provided within the streetscape and that a monotonous street address is avoided.

The proposed master plans include Urban Design Performance Criteria that introduce specific criteria for the assessment of terrace allotments and detached allotments. The Master Developer has specifically crafted these criteria so that acceptable built form outcomes are delivered, particularly for small lots. A series of minor amendments to the Urban Design Performance Criteria are recommended. The minor amendments are to correct minor errors, or to assist in achieving an improved urban design outcome.

It is noted that the Master Developer was required to demonstrate that all infrastructure can be provided within the street when delivering small lot development. The Master Developer subsequently prepared a consolidated plan which shows that the necessary infrastructure can all be provided in conjunction with each other – including sewer and water infrastructure, street lighting, storm water quality devices, street trees, driveways and on-street carparking. Figure 7 provides an example of the detail which the Master Developer provided. Provision of this level of detail has adequately demonstrated that the street network is able to function with the proposed lot layout, and with the proposed intensity of small lot housing.

Figure 7: Consolidated infrastructure and services plan



It is also noted that traffic modelling has been undertaken for the Kawana development as a whole. The proposed yields contained within the Detailed Planning Area are compliant with the traffic volumes predicted under the traffic model.

Flooding Immunity

The Development Criteria in the submitted Detailed Planning Area Plan require that all proposed lots will have a minimum finished surface level of RL 3.12 metres AHD, which will provide flooding immunity for a 1 in 100 year event, taking into account currently predicted climate change impacts to year 2100. This complies with Condition 9(1) of the Kawana Waters Structure Plan.

Lot levels and Building Heights adjacent to Existing Development

The proposed development will result in a number of lots adjacent to the southern boundary of Detailed Planning Area 11 which will directly adjoin the rear boundaries of existing developed lots.

Residents located in the southern portion of Birtinya Island have raised concerns regarding the interface and difference in development levels of existing residents and future allotments. The submitters concerns primarily relate to a potential reduction of privacy as a result of level differences, drainage of the high allotments into existing allotments, and concerns whether the existing residents’ allotments are flood immune.

These existing lots are in Birtinya Stage 1C which was approved in 2008. The required minimum finished surface level of these lots was RL 3.0 m AHD, to achieve immunity from inundation during a 1 in 100 year flood event.

The requirement for flood modelling to take into account predicted climate change impacts was subsequently introduced (in 2010). The higher minimum lot level of RL 3.12 now applicable for lots in the Lake Kawana catchment has arisen as a result of this requirement.

Following a number of meetings and discussions with the Master Developer’s consulting engineers it has been confirmed that road and drainage design for the development can be undertaken such that the surface level of proposed lots which will directly adjoin existing lots will be no more than 0.2 metre higher than the existing lots.

This level difference is considered reasonable as it is approximately the same as the difference between minimum lot level which currently applies and that which applied at the time of approval of Stage 1C. An appropriate condition has been recommended.

In addition to the above, a condition has also been recommended requiring that all works associated with the proposed lots in Detailed Planning Area 11 must be designed and constructed in a manner which does not adversely impact on surface drainage of existing lots.

It is noted that the Master Developer has also limited the building height of the proposed adjoining allotments to two storeys (six metres), to reduce potential onlooking and increase privacy for existing residences in order to help address their concerns.

Street Network and Traffic Issues

Figure 8: Proposed road hierarchy



The Master Developer has submitted a *Local Area Traffic Network Study* to facilitate assessment of street network and traffic issues, including proposed intersection arrangements. The street network proposed in the Master Plans as shown in Figure 8 is consistent with the network used in the modelling undertaken and approved (by Council and Department of Transport and Main Roads) in late 2012.

The street network comprises:

- A north-south Neighbourhood Collector street (the ‘central spine’) running generally through the centre of the Detailed Planning Area, parallel to Birtinya Boulevard, extending from Lake Kawana Boulevard in the north and connecting to Genoa Circuit at the southern boundary of the Detailed Planning Area. This Collector street will cross Florey Boulevard at the existing signalised intersection. Signalisation of the future intersection with Lake Kawana Boulevard will be required, as determined by the traffic modelling – an appropriate condition has been recommended. Three roundabouts are proposed along the length of this Collector to facilitate intersections with local access streets. These roundabouts will also assist in controlling traffic speed along the Collector.
- An east-west Neighbourhood Collector street extending eastward from the ‘central spine’ and connecting to Birtinya Boulevard as the western leg of the existing Birtinya Boulevard/Keelson Street roundabout.
- A network of lower order local streets which will provide for individual property access.

The ultimate development yields proposed in the master plan documents are generally consistent with those used in the previously approved traffic modelling. Accordingly there is confidence that the network shown in the submitted Master Plans will function satisfactorily with respect to vehicular traffic.

Figure 9 shows those streets which could accommodate future bus routes which will serve the Detailed Planning Area and adjoining development. The streets which would be appropriate for buses are Lake Kawana Boulevard (sub-arterial road) and Birtinya Boulevard and Florey Boulevard (trunk collector streets). Indented bus bays were previously provided by the Master Developer when Florey Boulevard was constructed as it is intended to form part of the future bus route between Nicklin Way and the Sunshine Coast University Hospital. Furthermore, in association with Master Developer’s current upgrading of Lake Kawana Boulevard to four lanes, a bus queue bypass lane is being provided in Birtinya Boulevard at the Lake Kawana Boulevard intersection in accordance with previous conditions of approval.

Figure 9: Public Transport Plan



It is noted that the route identified as 'Possible Other Future Public Transport Route' within Figure 9 has also been designed to accommodate future light rail.

Necessary conditions of approval in relation to street network and traffic issues have been recommended.

Provision for Active Transport

Figure 10: Pedestrian and Cycle Movement Plan



Structure Plan Condition 12(3) requires provision of 'best practice' standards of infrastructure for active transport. The Detailed Planning Area Plan as indicated in Figure 10 shows the proposed pathway network, comprising:

- A 3 metre wide shared pathway along the western verge of the 'central spine' and a 1.5 metre wide pedestrian pathway along the eastern verge (connecting to the existing pathways along Florey Boulevard)
- A 3 metre wide pathway along the full length of the walkable waterfront, with connections to the walkway on the existing Florey Boulevard bridge and to the pedestrian bridge across the western waterway which connects to Stage 3 of the Health Hub (ensuring good active transport connectivity between the Sunshine Coast University Hospital/Health Hub precinct and Birtinya Island)
- 1.5 metre wide pedestrian pathways along each local access street (on one side only) with connections to the walkable waterfront (7 connections along the Detailed Planning Area 11 frontage)

Development Criteria contained within the Detailed Planning Area Plan requires that the pathway network will be designed and constructed to the applicable standards with regard to Access for Persons with a Disability.

In addition, on-road cycle lanes are proposed along the 'central spine', the east-west Neighbourhood Collector street, and Birtinya Boulevard (south from Florey Boulevard). There are already on-road cycle lanes on Florey Boulevard and the section of Birtinya Boulevard north of Florey Boulevard).

In summary, it is considered that the proposed network will deliver appropriate active transport infrastructure as required by the Structure Plan conditions.

It is also noted that the proposed Detailed Planning Area Plan has not included requirements for the provision for cycle spaces within multi-unit developments and commercial uses across the Detailed Planning Area. It is considered appropriate that this provision is made, considering the Structure Plan requires provision of 'best practice' standards of infrastructure for active transport. It is recommended that a condition be included on the Detailed Planning Area Plan which requires the provision of cycle spaces for multi-unit developments and commercial uses at the same provision rates as required by the Sunshine Coast Planning Scheme 2014.

Walkable Waterfront

The 'walkable waterfront' previously provided for the adjoining residential development to the east and south will be extended along the section of Detailed Planning Area 11 which fronts the lake. The proposed master plans make provision for a 3.0m walkable waterfront for the Detailed Planning Area.

The proposed Detailed Planning Area Plan contains Development Criteria which detail the required construction standards for the walkable waterfront. In particular, the Development Criteria requires seating, drinking fountains and bins to be provided at 500 metre intervals along the walkable waterfront. These embellishments will typically be collocated with parks (Neighbourhood, Precinct or Finger Parks) to allow for access of maintenance vehicles. As detailed within section 4.2.3.3.10 of the Detailed Planning Area Plan, a bollard and chain barrier will be provided along the walkable waterfront. Threshold treatments are also required to be provided at the intersection of pathways and the walkable waterfront.

The Development Criteria as submitted within the Detailed Planning Area Plan are considered appropriate, with the exception that they do not include any lighting requirements. A condition is proposed with respect to provision of lighting along the walkable waterfront.

It is also noted that there is an existing section of boulder revetment wall south of Florey Boulevard which will need to be replaced by a concrete revetment wall to accommodate the walkable waterfront pathway in addition to stormwater infrastructure as proposed by the Master Developer. A condition has been recommended in this regard.

Retaining walls along the boundaries of lots adjoining the walkable waterfront will be restricted to a maximum height of 1 metre, with an appropriate transition from the higher existing retaining walls in adjoining Stage 1C. A condition has also been recommended to address this.

Stormwater Conveyance and Treatment

Condition 8(8) of the Structure Plan requires that stormwater discharges to the Lake Kawana system from development in Detailed Planning Area 11 be managed in accordance with *Water Sensitive Urban Design (WSUD)* principles (as outlined conceptually in the supporting technical report submitted with the Structure Plan application).

The proposed Detailed Planning Area Plan contains requirements for stormwater quality, which have been assessed as being suitable.

A Stormwater Quality Management Plan was also submitted with the master plan applications to detail the water sensitive urban design approach for the development.

The current Stormwater Quality Management Plan results in the need for many inlets into the piped stormwater system resulting in many small devices throughout the development.

The Stormwater Quality Management Plan has not fully optimised the use of end of line bioretention devices. The use of end of line bioretention devices is preferred as it reduces the need for many small devices throughout the development, also resulting in streets which are less cluttered with urban infrastructure.

Based on the lot levels proposed, Council officers have calculated that end of line devices can pick up catchments areas from at least 250 metres away assuming a 300mm length of pipe. This will result in no at source bioretention devices within the North-South Collector between Florey Boulevard and the East-West Collector.

A condition has been recommended which requires amended stormwater plans and maps to be provided with a subsequent Design Plan application.

In addition, during the assessment of the master plan applications, it became apparent that the finger park (proposed Lot 801) which will accommodate the pathway connection to the pedestrian bridge over the western waterway will need to be widened along the walkable waterfront boundary to accommodate overland stormwater flow during a major event. The Master Developer's consultants have provided details of the extent of widening required and a condition is recommended.

Water Supply and Sewerage Reticulation

The application has been supported by concept plans and associated network analyses showing proposed servicing of the Detailed Planning Area with reticulated water and sewerage. Unitywater has assessed the proposal and advised of its required conditions of approval.

Power and Telecommunications Infrastructure

The submitted Detailed Planning Area Plan includes Development Criteria which requires that all lots be serviced by underground power and telecommunications infrastructure. This will be reinforced by conditions on the design plan approval.

A condition of the Design Plan approval will also require the Master Developer to install all necessary conduits to ensure that the residential areas are NBN-ready.

It is noted that a condition has been recommended which requires that any padmount transformers are not to be located on a road frontage of an open space within Detailed Planning Area 11.

Acid Sulfate Soils

The Detailed Planning Area Plan includes Development Criteria which requires that prior to any bulk earthworks or civil works to construct development infrastructure, detailed assessment of acid sulfate soils is required in accordance with the provisions of the State Planning Policy. A Detailed Acid Sulfate Soil Management Plan will be submitted as part of a Development Permit for Operational Works.

Acoustic Controls

A Noise Impact Assessment for Detailed Planning Area 11 was prepared by Ask, dated 19/06/15 and submitted as supporting information with the application. Road traffic noise has been assessed from Lake Kawana Boulevard, Birtinya Boulevard, Florey Boulevard and the central spine road of the development area. The report concluded that with standard height acoustic barriers road traffic noise will result in a minor exceedance of the external outdoor noise limits for some lots on the southern side of Florey Boulevard. This is considered acceptable in order to achieve a sustainable balance between aesthetic values for urban barrier design, and environmental amenity for outdoor areas. The report recommends:

- a 1.8m high acoustic fence for the length of Birtinya Boulevard is required.
- a 1.8m high acoustic fence on the southern and northern side of Florey Boulevard is required.
- for the floors of lots which are predicted to exceed the external façade noise limit (63 dB (A) $L_{10(18 \text{ hour})}$ façade corrected), the report recommends that an acoustic covenant should be applied to the subject lots, to ensure that acceptable internal acoustic levels are achieved.
- that further acoustic assessments also be undertaken for Precincts 5-11 once detailed design of these areas has been undertaken.

An acoustic barrier has been proposed for the western side of Birtinya Boulevard in Detailed Planning Area 11. This is due to a larger modelled road catchment for Detailed Planning Area 11 with lots being much closer to the road (4-5 metres), when compared to the eastern side of Birtinya Boulevard (Detailed Planning Area 15) at approximately 12 metres where a barrier was not proposed. Further, the lots in Detailed Planning Area 11 are slightly elevated by approximately one metre relative to Birtinya Boulevard, which also increases incident noise levels on the lots from less ground absorption.

Minor amendments are recommended for the Detailed Planning Area Plan and Site Development Plan in order to correctly identify noise affected allotments, and to clearly outline the location and size of all acoustic barriers to be provided across the development. Appropriate conditions regarding acoustic treatments and covenants will also be attached to subsequent Design Plan approvals.

It is also noted that the Master Developer has provided Council officers with a series of design concepts of how the visual impact of the acoustic barriers will be minimised. Options included using landscaping to screen the barriers, or turning the acoustic barriers into an architectural feature. A condition is recommended on the Site Development Plan which requires that the acoustic barriers are to be appropriately softened with landscaped treatments and modern urban design elements, the detail of which are required to be submitted at the Operational Works stage.

Car parking management

There will be a high demand for on-street parking in this locality due to its close proximity to the Sunshine Coast University Hospital and the adjoining Health Hub.

In terms of car parking management there are three main aspects. These being:

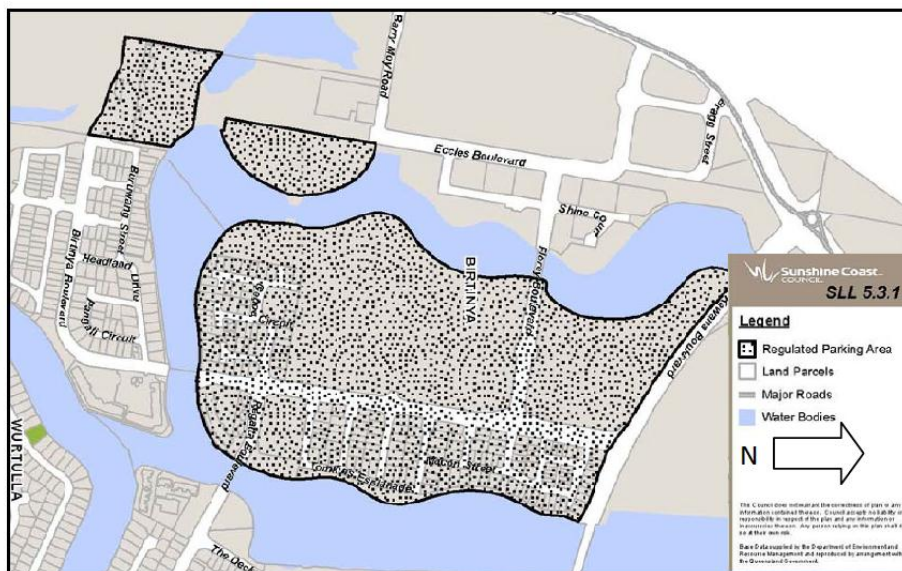
- (i) On-street regulation
- (ii) Adequate provision of on-site car parking and
- (iii) On-street car parking rates.

(i) Regulation of on-street car parking

At the Ordinary Meeting 18 June 2015, Council resolved to amend the Local Law to introduce a resident parking permit system for Detailed Planning Area 11, as well as for the existing development on Birtinya Island and part of the Heath Hub (refer to Figure 11). In addition to the resident parking system, time limited parking will also be implemented (1 hour) for non-permit holders.

It is considered that the introduction of these measures will help to ensure that the residential streets will primarily be used by the local residents and their visitors. The 1 hour time limit for non-permit holders will be a major deterrent for visitors to the Sunshine Coast University Hospital and Health Hub, as a 1 hour time limit in most instances will not be enough time to visit the hospital or attend an appointment.

Figure 11: Areas subject to residential parking permits.



(ii) Adequate on-site car parking

It is important that the development make adequate provision for on-site car parking associated with the proposed residential development. The submitted Master Plans provide for 321 detached dwelling lots (including 4 duplexes) in the southern part of Detailed Planning Area 11 and 426 attached dwellings (across 7 sites) on the southern side of Lake Kawana Boulevard.

The Development Criteria outlined in the Detailed Planning Area Plan nominate that for all detached dwellings (including that of Terrace lots) and duplex dwellings, two parking spaces must be provided on-site. It is noted that these parking requirements are more stringent than the provisions in the 2014 Sunshine Coast Planning Scheme – which requires only one on-site parking space for lots not exceeding 300m², and two on-site spaces for larger lots.

For attached dwelling development, the Development Criteria in the submitted Detailed Planning Area Plan nominates the following rates of provision for on-site resident and visitor parking:

- 1 space per unit for 1 and 2 bedroom units
- 1.25 spaces per unit for units with 3 or more bedrooms

- 1 space per 4 units for visitor parking

This (on-site) visitor parking rate is the same as in the Sunshine Coast Planning Scheme 2014, but the nominated resident parking rates are actually higher than the Sunshine Coast Planning Scheme 2014 (which requires only 1 space per unit regardless of the number of bedrooms).

(iii) On street car parking rates

The Development Criteria in the Detailed Planning Area Plan nominates that for detached dwelling development, the development layout must be designed to ensure on-street parking is available 'at a rate of 1 space per 2 dwellings'.

This is the rate of provision which has been used in previous Kawana Master Plans, but is slightly lower than the rate of provision recommended in the Planning Scheme Policy in the 2014 Scheme, which is:

- 1 space per 2 dwelling houses on small lots (300 m² or less) and
- 2 spaces per 3 dwelling houses on larger lots

For the allotment mix proposed for Precincts 1-4 of the Site Development Plan (194 'small' lots and 127 larger lots) a total of 184 on-street parking spaces would be consistent with the recommended rate of provision in the Sunshine Coast Planning Scheme 2014.

One of the drawings lodged with the Site Development Plan application shows where on-street parking will be available and shows approximately 200 on-street parking spaces in the streets serving the detached dwellings. Approximately half of these are proposed to be provided in indented parking bays (clear of traffic lanes). The submitted drawing shows where the remainder can be accommodated in local access streets, taking into account driveway locations and other infrastructure.

A condition has been recommended requiring the 'Probable Solution' to Specific Outcome O25 in the Detailed Planning Area Plan (on-street parking provision for detached dwelling development) to be amended to be consistent with the recommended rate of supply in the 2014 Planning Scheme Policy. A further condition has also been recommended for the Site Development Plan, requiring construction of indented parking bays as shown on the plans supporting the application.

With respect to attached or multiple dwelling units, the Sunshine Coast Planning Scheme 2014 recognises that multi-unit residential development also generates demand for on-street parking and suggests appropriate rates of provision (e.g. one on-street space per four 1 or 2 bedroom units).

However, what must be realised is that the quantum of on-street parking which can be made available is governed by the length of the street frontages for multi-unit sites, so it is accepted that it would be impractical to provide the suggested number of on-street parking spaces for the multi-unit sites in Detailed Planning Area 11 (426 units on 7 sites with a development density of up to 210 units/hectare and an average density of 170 units/hectare). This would equate to approximately 106 spaces on-street.

Queensland Streets also acknowledges a demand for on-street parking associated with multi-unit development, but suggests a reduced rate of demand for larger developments – it suggests a 'sliding scale' varying from 1 space per 4 units (for up to 12 units) to 1 space per 6 units (for 60 units or more).

An on-street demand rate of 1 space per 6 units applied to the proposed 426 units south of Lake Kawana Boulevard would suggest a required on-street parking supply of 71 spaces. The submitted Detailed Planning Area Plan includes details of the local street network proposed for the multi-unit sites and it is estimated that approximately 38 on-street spaces would be available along the frontages of the multi-unit sites – 33 fewer than the 71 spaces required to achieve the “1 space per 6 units” rate.

Having regard to the likely future parking issues in this locality, and as the available on-street parking around the multi-unit sites will be less than the suggested “1 space per 6 units” rate, it is considered that it would be justifiable to require provision of additional on-site visitor parking to offset the theoretical on-street “shortfall”.

The originally proposed on-site visitor parking rate of 1 space per 4 units would result in a total of 106 on-site parking spaces over the 7 multi-unit sites. If an on-site visitor parking rate of 1 space per 3 units was adopted for the multi-unit sites in the submitted Detailed Planning Area Plan (south of Lake Kawana Boulevard), a total of 142 on-site spaces would be provided in on-site visitor parking areas for the 426 units. This is 36 more than for the usually adopted “1 space per 4 units” rate and could be regarded as ‘balancing’ the theoretical shortfall of 33 on-street spaces.

Council officers have worked with Stockland to amend the Detailed Planning Area Plan to increase the required on-site visitor parking for multi-unit developments to 1 space per 3 units.

Existing Genoa Circuit Neighbourhood Park Expansion

A series of submissions have been received from Birtinya Island residents who are not supportive of the proposed open space layout for the Detailed Planning Area. Previous concepts for the open space arrangement proposed the pairing of the existing Neighbourhood Park in Genoa Circuit, with another Neighbourhood Park to be delivered with Detailed Planning Area 11 (thereby increasing the existing neighbourhood park from 4000m² to 8000m² in area). Previous Stockland marketing material for Birtinya Island had included this concept, with some residents purchasing their allotments on this basis. It should be noted however that all marketing material did have all the necessary disclaimers foreshadowing possible changes to land uses and layouts.

The Master Developer has since revised its concept for the location of open spaces which involves the distribution of open spaces at regular intervals throughout Birtinya Island. The distribution of open spaces and their respective catchments over the length of the Birtinya Island is considered acceptable as it means that residents are able to have more convenient access to open spaces across the development. The proposed distribution of open space as nominated in the Detailed Planning Area Plan is also consistent with the criteria outlined in the Community Recreation and Open Space Model contained in Development Control Plan 1.

It is noted that under Development Control Plan 1, one of the minimum infrastructure requirements for a Neighbourhood Park is the provision of a public toilet. With the original open space concept, it was understood by Council officers and the Master Developer that one public toilet could be provided if two Neighbourhood Parks were paired together. It was intended that the public toilet would be located in the second stage of the park, to be delivered with Detailed Planning Area 11. As the Master Developer is no longer proceeding with the original design concept, there is now a shortfall of one public toilet to still be provided by the Master Developer. Council officers are in discussions with the Master Developer about the possible locations of this outstanding infrastructure requirement.

Crossover / Driveway Construction

Given the narrow frontages of the proposed lots the competing infrastructure in the streets (water, sewer, electrical, telecommunications, piped stormwater, and stormwater quality improvement devices, on-street parking and street trees) often conflict with driveways. In order to avoid conflicts the following will be conditioned so that the Master Developer will be required to construct the kerb crossover for:-

- lots that have a mandatory built to boundary wall;
- all front-loaded Terrace lots; and
- lots where the driveway location is constrained due to infrastructure.

The driveway must be constructed from the kerb to the property boundary where sewer access chambers are located in proposed driveways. Relevant conditions will be imposed at the Design Plan stage.

Advertising Devices

The Master Developer has proposed to reduce the level of assessment of a range of advertising devices throughout Detailed Planning Area. The Master Developer has requested to make the following advertising devices self-assessable, instead of requiring Impact Assessment typically required under the Caloundra City Planning Scheme 1996: These signs include:

- Billboard Signs
- Pylon signs
- Flagpoles Signs
- Ground Signs
- Backdrop Fence Sign
- Boundary Fence Sign

It is not considered acceptable to approve the above advertising devices as self-assessable development in a residential area, which has the potential to negatively impact on the amenity of the residential area. Furthermore, the way that the Site Development Plan is structured means that once lots have been sold, a third party could construct a billboard sign (for example) as “self-assessable” development.

Conditions are recommended which limits the permanent erection of advertising devices within the residential area, and requires these advertising to be in accordance with the requirements of the Caloundra City Planning Scheme 1996. This will ensure that due process is undertaken for all permanent signage to be established within the area.

It is however acknowledged that the Master Developer should be able to establish advertising devices as part of the promotion of the Oceanside development. In this regard, once the details of the signage and location are known, the Master Developer could make application to amend the Site Development Plan to make the signage self-assessable. Appropriate conditions have been recommended.

Headworks

Headworks for sewer and water supply will be triggered with the subsequent application for Design Plan. Unitywater is the responsible entity to issue the Notice of Financial Contribution.

Legal

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

Policy

There are no policy implications arising from this report.

Risk

The Master Developer has currently run out of residential land stock at Oceanside. The approval of this application is critical to ensure the continued economic growth and investment in this area surrounding the Sunshine Coast University Hospital and Health Hub.

Previous Council Resolution

At the Special Meeting of the 15 November 2012, delegated authority was provided to the Chief Executive Officer in relation to Kawana Waters (SM10/90):

That Council:

- (a) *propose to prepare a Temporary Local Planning Instrument No.2 (Caloundra City Planning Scheme 1996) 2012;*
- (b) *delegate authority to the Chief Executive Officer to take the following action:*
 - (i) *draft a Temporary Local Planning Instrument;*
 - (ii) *give to the Minister for State Development and Infrastructure Planning the following:*
 - (1) *a copy of the proposed Temporary Local Planning Instrument;*
 - (2) *written advice about why the local government proposes to make the proposed Temporary Local Planning Instrument;*
- (c) *upon receiving advice from the Minister for State Development and Infrastructure Planning that the Council may adopt the proposed Temporary Local Planning Instrument, delegate authority to the Chief Executive Officer to take the following action:*
 - (i) *adopt the proposed Temporary Local Planning Instrument;*
 - (ii) *comply with any conditions imposed by the Minister for State Development and Infrastructure Planning;*
 - (iii) *under Step 4 of the process to make a temporary local planning instrument set out in Statutory Guideline 02/09 (Making or amending local planning instruments) (Statutory Guideline 02/09), place a notice in a local newspaper, the Government Gazette and on the Council website stating the relevant information regarding the Temporary Local Planning Instrument;*
 - (iv) *give to the Chief Executive of the Department of State Development and Infrastructure Planning a copy of the notice and three certified copies and one electronic copy of the Temporary Local Planning Instrument;*
- (d) *delegate authority to the Chief Executive Officer to follow the process under the Sustainable Planning Act 2009 for amending a planning scheme to reflect the provisions of the Temporary Local Planning Instrument in the planning scheme;*
- (e) *delegate authority to the Chief Executive Officer to negotiate, implement and finalise (including execute) a Deed of Variation to the Kawana Waters Development Agreement; and*

- (f) *delegate authority to the Chief Executive Officer to determine an application for a master plan or an amendment of a master plan application in accordance with the Kawana Waters Development Documents.*

Related Documentation

- Development Lease No. 2
- Development Control Plan No. 1 and the Caloundra City Planning Scheme 1996
- The Kawana Waters Development Agreement
- The Transport Infrastructure Agreement
- The Hospital Infrastructure Agreement
- The Community Development Strategy

Critical Dates

With respect to the Detailed Planning Area Plan, the application was lodged on 18 December 2014. The Master Developer responded to the majority of the Request for Further Particulars on 19 May 2015, with outstanding information submitted on 28 May 2015. Pursuant to Section 7.6.4(b) of Development Control Plan 1, the Council must make a determination to the Minister for the Department of Natural Resources and Mines within 60 calendar days of the Master Developer responding to the Request for Further Particulars.

Council must therefore determine this application by 27 July 2015.

Implementation

Council is required to issue both the Master Developer and the Minister for the Department of Natural and Mines a Notice of Determination within ten (10) working days of Council making its determination.

Once the Minister for the Department of Natural Resources and Mines has approved the higher order Master Plans (Structure Plan and Detailed Planning Area Plan) the Master Developer will need to lodge a Design Plan application pursuant to the *Land Act 1994* in order to subdivide the leasehold land.

A Development Permit for Operational Works will also be required to carry out bulk earthworks to subdivide the land.

8.1.2 DRAFT NAMBOUR ACTIVATION PLAN

File No:	ECM Statutory Meetings	
Author:	Coordinator Open Space and Social Policy Regional Strategy & Planning Department	
Appendices:	App A - Draft Nambour Activation Plan.....	61
	App B - Draft Nambour Ideas Action Sheet.....	75
Attachments:	Att 1 - Record of Nambour Place Creation	89

PURPOSE

This report presents the Draft Nambour Activation Plan (Appendix A) for Council endorsement for the purpose of community consultation. The Draft Nambour Activation Plan is a collaborative approach to placemaking and activation in Nambour to support local business and the community to effect positive change.

EXECUTIVE SUMMARY

Nambour along with many other regional towns across Australia has been experiencing unprecedented change and challenging social and economic times. These towns work hard to maintain a share in the economic and social future of their regions and strive to remain relevant in these changing and challenging environments. Nambour has had further challenges as the coastal urban area of the Sunshine Coast develops and challenges its traditional role.

Over the past decade Council has provided support with substantial investment in capital projects and placemaking programs in an attempt to stimulate investment and renewal in Nambour with moderate success. More recently Nambour has started to demonstrate an increasing confidence in business investment, however there is still a desire for ongoing council support from both the business sector and community.

The Draft Nambour Activation Plan is a different and contemporary approach to urban revitalisation and activation as a response to ongoing challenges. The Draft Nambour Activation Plan is based on a lighter, quicker and cheaper approach to place making and revitalisation, rather than the more traditional hard and costly infrastructure response.

The concept is to effect change and influence perception of a place quickly by trialing new ideas and activating the streets with events and creative responses, and to build business and community confidence. These temporary solutions, if successful, may then be the catalyst to inform long term infrastructure investment for more permanent solutions.

The Draft Nambour Activation Plan (the Plan) has been developed as a collaborative project by the Nambour Project Working Group, comprising of business, community and council representatives. It is a culmination of previous planning, programs and projects, community aspirations and the outcomes of a recent "place creation" workshop.

The Plan is based on an aspirational story of Nambour which is underpinned by ideas and actions to stimulate business, land owner investment and community activities.

The Plan sets the framework to allow activities to happen, investment to occur and focusses on four key strategic projects and a focus on five placemaking locations.

The Plan is supported by an action sheet that provides greater detail in regard to the types of projects, how these projects may be achieved, and identifies the lead agency.

Council's role in the Draft Nambour Activation Plan is that of an 'enabler' and as an 'advocate' for Nambour. The success of the Draft Nambour Activation Plan rests with the local businesses, land owners and the community.

This report seeks Council endorsement for the purpose of community consultation to enable the finalisation of the Plan. The consultation phase adds an extra and important dimension to the collaborative approach to the document so far.

The Nambour Project Working Group considers council endorsement of the Draft Nambour Activation Plan as being an important next step in the project.

OFFICER RECOMMENDATION

That Council:

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

FINANCE AND RESOURCING

The Draft Nambour Activation Plan has been prepared by council staff with the assistance of Place Focus, an external placemaking expert to the value of \$25,000 within the 2015/2016 budget allocation.

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

The Plan's implementation in relation to the council actions is to be funded from the Nambour Precinct allocation of \$70,000 in the 2015/2016 budget as outlined below:

Community engagement program	\$1,000
Making Nambour great – user guide	\$2,000
Investment and business package	\$2,000
Pink zone – investigation & revenue support	\$5,000
Forecourt temporary upgrade (pop ups)	\$15,000
Contribution to Street Tree pilot program	\$5,000
Ann Street and Great Wall – art programs	\$5,000
Activation Officer (part time 2 days per week)	\$35,000
TOTAL	\$70,000

The inclusion of an Activation Officer (2 days per week) is considered important to maintain the momentum of the Plan in a timely manner and to coordinate the Plan's activation approach. It is proposed that the position be for 12 months only and that the Nambour Alliance in consultation with Council continues to investigate longer term revenue sources if a Place Manager or similar for Nambour is considered to be a preferred outcome.

Capital Works 2015/2016 relevant to the Plan include:

Showground Master Plan implementation (multi-functional centre and entry)	\$610,000
Petrie Creek/Central Parkland Master Plan completion	\$20,000
Final Stage of Youth Activity Precinct	\$250,000

Funding for Nambour in the Placemaking/Streetscape Program is indicatively allocated for 2021/2022, 2022/2023 and 2023/2024.

Actions proposed in the Plan which are currently unfunded are to be referred to either a budget review or the 2016/2017 budget for consideration following scoping. These include:

Water park feasibility and master plan	\$50,000
Heritage Walk /interpretive signage	\$ 20,000

Other lead agencies such as the Nambour Alliance, C Square and the community are responsible for funding their actions. There are opportunities to fund these community initiatives through grant programs and sponsorships.

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

CORPORATE PLAN

Corporate Plan Goal:	<i>An enviable lifestyle and environment</i>
Outcome:	3.4 - A region shaped by clever planning and design
Operational Activity:	3.4.1.5 - Progress the design, place development and management project for Nambour heritage precinct

CONSULTATION

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

The group was established in 2014 to:

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

The Nambour Project Working Group consists of:

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

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

A two day Nambour Place Creation Workshop was facilitated by Place Focus in February 2015 (refer Record of Nambour Place Creation (Attachment 1)). The workshop was attended by 18 community members and 14 council officers and involved a placemaking and urban design skills training program and a visioning and scoping exercise to formulate a place activation plan for Nambour.

Outcomes and findings of the workshop formed the basis of this Draft Nambour Activation Plan.

Attendees of the workshop have continued to participate as part of the Plan's development and support the recommendations contained in this report.

Internal Consultation

Directors were invited to send representatives of their Departments to attend the two day Place Creation Workshop, encouraging a cross departmental approach to placemaking in Nambour. Fourteen (14) Council officers attended the workshop. Attendees included the following Council officers:

- Director of Regional Strategy and Planning
- Manager, Strategic Planning
- Principal Architect, Strategic Planning
- Planning Assessment Senior Officer, Development Services
- Principal Place Project Officer, Infrastructure Services
- Place Project Officer, Infrastructure Services
- Social Planner, Environment and Sustainability Policy
- Civil Projects Project Officer, Infrastructure Services
- Landscape and Design Senior Officer, Infrastructure Services
- Landscape Architect, Infrastructure Services
- Parks Superintendent, Infrastructure Services
- Recreation Projects Project Officer, Infrastructure Services
- Team Leader – Major Venues (Nambour Civic Centre), Community Services
- Community Development Officer, Community Services

Division 10 Councillor also participated in the 2 day Nambour Place Creation workshop.

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

- Manager Community Response
- Manager Economic Development
- Manager Property Management
- Manager Strategic Planning
- Manager Parks and Gardens
- Manager Community Facilities and Planning

External Consultation

The two day Nambour Place Creation Workshop held in February 2015 was attended by 18 community members who were invited to provide a range of views. A wide cross section of business, community, education and the creative industry sectors were represented.

Follow up meetings have been held with the workshop stakeholders and project working group to seek direction and confirmation on the proposed actions and ideas in the Plan.

Attendees have been encouraged to discuss the ideas with their respective organisations and business associates to garner further support for the approach.

Community Engagement

This report seeks Council endorsement of the Draft Nambour Activation Plan to enable community consultation for a 4 week period. The project to date has been a collaborative approach and the next phase of consultation proposes to reaffirm the approach.

It is envisaged the Nambour Project Working Group and stakeholders will utilise existing networks of community organisations to gather support and feedback on the Draft Nambour Activation Plan.

PROPOSAL

Across Australia regional towns and communities like Nambour are searching for opportunities to improve productivity, liveability and economic vitality through a range of urban renewal, placemaking, streetscaping and activation programs.

Nambour, as the traditional service and industry centre of the Sunshine Coast, has been challenged by unprecedented change with major decisions such as the designation of Maroochydore as the Principal Activity Centre, the closure of the Moreton Sugar Mill, the new Sunshine Coast University Hospital to be located at Kawana and ongoing significant coastal urban growth and development.

Nambour has struggled in this changing environment to re-establish its role and function as a commercial and retail centre. Over the past 10 years Council has made significant investments, seeking to stimulate and revitalise Nambour with projects like the Public Domain Improvement Project valued at over \$6 Million, upgrade of Quota Park including the new skate facility valued at over \$550,000 and an extensive place making program known as the Hub of the Hinterland.

Despite this significant investment to date, Nambour has continued to experience a lack of business confidence and limited response to these public investments. There continues to be vacant shops, generally poor physical street presentation and a negative perception of safety and security in town and ongoing need for revitalisation.

Anecdotal evidence indicates a recent increase in business confidence in Nambour's future with the opening of major supermarkets, increases in population (especially in the younger age groups) and the establishment of creative food and retail shops. A new eclectic and alternate look and feel is evolving in Nambour.

Nambour's combined Chamber of Commerce and Residents Group, the Nambour Alliance, has continued to approach Council and seek assistance, looking for solutions to improve investment and business commitment to Nambour.

In 2014 the then Chief Executive Officer established the Nambour Project Working Group as a response to these ongoing requests. Through regular meetings with Nambour Alliance members, business and community representatives it became evident that the challenges in Nambour were as much about confidence and perception as the need for major infrastructure investment.

To assist the group's discussions and consider potential actions, a 'Place Creation workshop' was held in February 2015 which drew together representatives of the community, business sector and council officers for a two day training and visioning workshop.

A key outcome of the workshop was the recognition that a more contemporary and fluid approach to activate and stimulate investment and confidence in Nambour was possibly what was needed and that the time was right for such actions to occur.

With an emphasis to building on the previous Council and community planning for Nambour and the Place Creation workshop, the Draft Nambour Activation Plan (Appendix A) has been prepared.

The Plan is a contemporary and creative approach to placemaking and urban design and intends to set a framework to guide activation of businesses, streets and public places. This approach is lighter, low cost and temporary and can in the longer term be the catalyst for hard infrastructure and investment. The Plan is intended to be a living document and new ideas and projects may evolve at any time and enhance the plan.

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

The Plan identifies 4 key strategic projects:

- Investigating a water park and leisure corridor in Nambour
- A pedestrian connection between the town centre to the showgrounds
- Creating Petrie Creek as a major pedestrian and green spine
- the Nambour Heritage Tramway project

The Plan also contains a broad range of activation projects and ideas for a number of agencies.

Examples of key actions for council include:

- investigating pink zones (reducing regulatory and statutory requirements to stimulate investment)
- creating Nambour guides - how to invest, open a business or apply for a permit
- council forecourt – temporary upgrade / pop up central
- advocating for improved outcomes in Currie St, Transit Centre and public transport with the State Government
- implementing approved projects such as Drawn Together, Street Tree Program, CCTV cameras
- working collaboratively with key agencies to deliver improved outcomes in Nambour.

The Plan focuses on five placemaking locations and provides a vision for the unique location with ideas for each location and a visual representation.

The 5 placemaking locations include:

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

The Plan builds on the traditional urban form of the town centre and planned infrastructure investments and does not rely on major infrastructure funding for streetscapes in the short term. Council's key role is that of an enabler and advocate to support the Nambour businesses and community in the plan's implementation.

The Plan is supported by a draft Ideas Action Sheet (Appendix B) that provides greater detail in regard to the types of projects and ideas that contribute to the aspirational outcomes, how these projects may be achieved, and identifies the lead agency.

Council is identified as lead agency for a number of actions and projects which have a key focus on enabling and advocacy and further investigation. The Ideas Action Sheet details the responsible Council Department to progress the specific actions.

The local businesses, land owners and community organisations are responsible for many of the actions and projects and the success of the Plan will rely on the take up by the business and community sectors.

Many of the ideas and actions in the Plan are already in the planning phase, for example planning is underway for a street party – “Track Fest” to be held once a month in Howard Street.

The community consultation phase is intended to be an opportunity for the broader community and business to support the Plan and provides an opportunity for lead agencies to reaffirm their commitment to the projects and ideas.

The Nambour Project Working Group considers Council’s support of the Plan as an important step in the project.

Legal

There are no legal implications contained in the draft plan although some actions may require legal opinion prior to finalisation.

The pink zones indicated are indicative only and do not transfer any rights or obligations and are for investigation only.

Policy

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

- Regional Economic Development Strategy 2013 -2033
- Social Infrastructure Strategy
- Social Strategy
- Open Space Strategy
- Sunshine Coast Planning Scheme

Risk

The most significant risk in relation to this report would be that the community and businesses do not embrace the approach and negative attitude to Nambour persists.

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

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

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

That Council:

- (a) receive and note the report titled “Nambour Heritage Tramway Feasibility Assessment Report”*
- (b) note the Feasibility Analysis of the Nambour Heritage Tramway report*
- (c) note that an amount of at least \$2.1 million in funding may be needed to deliver the project*
- (d) support the Nambour Heritage Tramway project via a joint funding and partnership arrangement with the Nambour Heritage Tramway Group (the Group), whereby the Group is responsible for the purchase of the tram, is to act as the Infrastructure Manager and Rail Transport Operator and Operator of the Tramway; with the Council responsible for land acquisition, buildings, tram track and signalling upgrading*
- (e) note that considerable work has been completed and that additional work is required between Council and the Group to complete overall project governance and funding, key project hold points for future decisions by Council and joint partnership arrangements, before a final project funding arrangement, project start date, can be confirmed by Council*
- (f) request the Chief Executive Officer to include an allocation of \$500,000 in the 2015/16 draft Budget for future consideration by Council and further, that an additional amount of \$500,000 be included in each of the 2016/17 and 2017/18 draft Budgets for consideration by Council at the time. Further that these funds represent the maximum funding allocation by Council for this project and further that such funding is to be available for land acquisition, buildings and other associated capital works approved from time to time by the Chief Executive Officer*
- (g) pending funding as per (f) above, being included in the 2015/2016 budget request the Chief Executive Officer to draft a Heads of Agreement document in consultation with the Group, to formally recognise - the parties’ roles and responsibilities including the governance, funding and key project hold points described above; confirmation of the \$600,000 project funds to come from the Group via a combination of fund raising and grants from other governments fully realisable by 30 June 2017 or such other earlier date; agreed assets and operations insurance coverage; recognition that Council supports the Group in any application for funding to other governments, provides support to the Group to obtain necessary accreditation as an Infrastructure Manager and Rail Transport Operator and continues to provide support and advice and*
- (h) pending funding as per (f) above, being included in the 2015/2016 budget request the Chief Executive Officer to provide a project report to Council by 31 December 2015 on the status of key project hold points, project milestones, potential project funding arrangements and the status of the Heads of Agreement document with the Group.*

Related Documentation

Nambour Hub of the Hinterland Project.

Critical Dates

If endorsed the community consultation program will be undertaken during August/September and reported to council before the end of the calendar year.

Implementation

If endorsed the community consultation program is to be undertaken for a 4 week period. The Nambour Project Working Group will be taking a key role in this process.

The final Activation Plan is proposed to be presented to council following the consultation phase for endorsement.

The report will seek confirmation of the council actions and resources to reaffirm council's commitment to Nambour.

An internal integrated group to coordinate projects and operations from a Nambour approach is a key element of the plan. The funding also includes an Activation Officer for a 12 month period for 2 days per week.

It is envisaged that a coordination / activation role will assist the implementation of the plan.

8.2 CORPORATE SERVICES**8.2.1 MAY 2015 FINANCIAL PERFORMANCE REPORT****File No:** Financial Reports**Author:** Acting Coordinator Financial Services
Corporate Services Department**Attachments:** Att 1 - May 2015 Financial Performance Report 133

PURPOSE

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

EXECUTIVE SUMMARY

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

The operating result at 31 May 2015 shows a positive variance of \$12.3 million compared to the forecast position.

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

The operating result variation is made up of higher than expected revenue of \$3.6 million (1.0%), and lower than expected operating expenses of \$8.7 million (2.7%). Further detail is provided in the proposal section of this report.

As at 31 May 2015, \$94.8 million (63.9%) of Council's \$148.3 million 2014/2015 Capital Works Program was financially expended.

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

OFFICER RECOMMENDATION

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

FINANCE AND RESOURCING

There are no finance and resourcing implications from this report.

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*

Outcome: 5.2 - A financially sustainable organisation

Operational Activity: 5.2.2 - Ensure council's finances are well managed and systems are in place to analyse performance, generate revenue and reduce costs and manage contracts and contract performance

CONSULTATION

Internal Consultation

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

The operating result at 31 May 2015 shows a positive variance of \$12.3 million compared to the forecast position.

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

This operating result variation is made up of higher than expected revenue of \$3.6 million and lower than expected operating expenses of \$8.7 million.

Operating Revenue

Net Rates and Utility Charges

The favourable variance of \$451,000 (less than 1%) is mainly due to Prepaid Rates which will be allocated to appropriate rating components at the July rate run.

Fees and Charges

The \$2.8 million (5.6%) favourable variance in fees and charges is due to the following items being higher than the year to date budget by the amounts shown:

- development application revenue \$2.0 million (full year budget exceeded by \$1.2 million or 10.6%)
- Sunshine Coast Holiday Park revenue \$415,000 partially offset by additional commission paid of \$61,000
- waste fees \$218,000
- change of ownership/search fees \$150,000
- health licences \$128,000
- court fines and infringements (animals) \$120,000
- Sunshine Coast Stadium \$94,000

Unfavourable fees and charges variances include:

- airport fees \$201,000
- community land permits \$135,000
- Lake Kawana Community Centre \$90,000 and Nambour Civic Centre \$77,000

Interest from Investments

Interest from investments has exceeded the year to date budget by \$737,000 due to higher than budgeted cash balances.

The effects of the increased cash were marginally offset by lower than budgeted interest on overdue rates.

Other Revenue

Other revenue has exceeded the year to date budget by \$1.1 million and is mainly due to the following:

Unbudgeted items

- \$294,000 revegetation offsets received from Department of Transport and Main Roads (DTMR) for the Doonan Creek koala revegetation
- \$100,000 payroll tax refunds

Items higher than the year to date budget

- \$199,000 recoverable works
- \$191,000 sale of recoverable materials
- \$108,000 fleet disposals of light plant and \$40,000 diesel fuel rebates

Operating Expenses**Employee Costs**

As at 31 May 2015, employee costs were below budget by \$1.4 million (1.3%).

The budget allows for a Certified Agreement increase. A new Certified Agreement has not yet been finalised however a 1.5% interim pay increase has been applied from 1 July 2014 and paid from the last pay in April 2015.

The actuals as at 31 May 2015 reflect this payment.

Materials and Services

As at 31 May 2015, materials and services costs were below budget by \$8.3 million or 6.3%.

Most year to date variances relate to timing or reactive budgets. Year to date favourable variance amounts and details below:

- \$869,000 timing of levy projects including
 - \$404,000 Environment
 - \$275,000 Heritage
 - \$189,000 Transport
- \$837,000 legal fees and court costs
- \$807,000 reduced materials spend at Quarries offset by lower revenues (mainly internal)
- \$800,000 waste costs due to lower contract costs and timing of Northern Batter project at Caloundra
- \$739,000 utilities including:
 - fuel \$367,000
 - electricity \$265,000
 - water and sewerage \$107,000
- \$285,000 airport costs including security contracts and advertising
- \$267,000 maintenance of Council properties
- \$240,000 timing of operating projects related to information technology
- \$218,000 timing of grants and partnership payments

- \$166,000 insurance claim expense
- \$142,000 turf maintenance due to dropped cut in November
- \$110,000 training costs

Capital Revenue

Capital revenues, at \$52.3 million, are higher than the year to date budget by \$12.2 million and have exceeded the full year budget by \$5.2 million or 11.0%. This is mainly due to the following items:

- Capital contributions, at \$17.5 million, have exceeded the year to date budget by \$5.3 million and the full year budget by \$2.8 million
- Contributed assets, at \$26.6 million, have exceeded the year to date budget by \$4.6 million and the full year budget by 2.6 million.

Capital Expenditure

As at 31 May 2015, \$94.8 million (63.9%) of Council's \$148.3 million 2014/15 Capital Works Program was financially expended.

Detail by Capital Works Program is outlined below:

Program	Original Budget \$000	Current Budget \$000	YTD Actuals \$000	% of Annual Budget Spent	Commitments \$000
Buildings and Facilities	4,997	7,505	4,223	56.3	2,598
Coasts and Canals	2,070	2,671	1,555	58.2	435
Divisional Allocations	3,335	3,132	1,803	57.6	312
Environmental Assets	926	1,254	598	47.7	345
Fleet	1,290	1,290	277	21.5	731
Parks and Gardens	9,026	14,042	10,997	78.3	3,931
Stormwater	6,202	6,743	4,596	68.2	2,089
Transportation	47,286	52,354	34,656	66.2	9,847
Information Technology	2,768	4,487	2,411	53.7	1,587
Strategic Land & Commercial Properties	18,751	28,109	16,743	59.6	3,011
Aerodromes	581	912	435	47.7	59
Sunshine Coast Airport	5,148	5,741	2,731	47.6	688
Holiday Parks	1,158	1,762	1,190	67.6	201
Quarries	1,950	1,634	371	22.7	98
Waste	8,403	16,628	12,177	73.2	2,349
TOTAL COUNCIL	113,892	148,264	94,764	63.9	28,282

Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 May 2015 Council had \$253 million cash (excluding Trust Fund) with an average interest rate of 2.86%, being 0.48% above benchmark. This is compared to the same period last year with \$225 million cash (excluding Trust Fund) where the average interest rate was 3.59%, being 0.90% above benchmark.
- The benchmark used to measure performance of cash funds is the UBS Bank Bill Index and the Bank Bill Swap Rate (BBSW) for term deposits.

Legal

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

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

Policy

Council's 2014/2015 Investment 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 26 June 2014, Council adopted the 2014/2015 budget - Council Resolution (SM14/24)**

That Council:

- (a) receive and note the report titled "Adoption of the 2014/2015 Budget and Forward Estimates for the 2015/2016 to 2023/2024 Financial Years"
- (b) adopt the 2014/2015 Capital Works Program, endorse the indicative four-year program for the period 2015/2016 to 2018/2019, and note the five-year program for the period 2019/2020 to 2023/2024 (Appendix A) and
- (c) adopt the 2014/2015 Budget Schedules (Appendix A) including Forward Estimates.

Ordinary Meeting 24 July 2014 - Council Resolution (OM 14/100)

That Council:

- (a) receive and note the report titled "May 2014 Financial Performance Report" and
- (b) amend the 2014/2015 Budget by increasing the Strategic Land Capital Program by the amount of \$450,000 to accommodate the requirements of the Council resolution OM14/82.

Ordinary Meeting 18 September 2014, Council adopted the Budget Review 1 2014/2015 – Council Resolution (OM 14/131)

That Council:

- (a) receive and note the report titled "Budget Review 1 2014/15" and
- (b) adopt the amended 2014/15 Budget Financial Statements to include the identified operating and capital budget adjustments (Appendix A).

Ordinary Meeting 11 December 2014, Council adopted Budget Review 2 2014/2015 Council Resolution (OM 14/173)

That Council:

- (a) receive and note the report titled "Budget Review 2 2014/2015" and
- (b) adopt the amended 2014/2015 Budget Financial Statements to include the identified operating and capital budget adjustments (Appendix A).

Ordinary Meeting 29 January 2015, Council Resolution (OM15/2)

That Council:

- (a) receive and note the report titled "November 2014 Financial Performance Report" and*
- (b) write-off unrecoverable income of \$172,711 GST exclusive (\$189,982.14 GST inclusive) in relation to Australian Aviation Career Services (AACCS).*

Ordinary Meeting 26 March 2015, Council Resolution (OM15/34)

That Council:

- (a) receive and note the report titled "**Budget Review 3 2014/2015**" and*
- (b) adopt the amended 2014/2015 Budget Financial Statements to include the identified operating and capital budget adjustments (Appendix A).*

Ordinary Meeting 23 April 2015, Council Resolution (OM15/51)

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

Related Documentation

There is no related documentation for this report.

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.2.2 INSTRUMENTS OF DELEGATION

File No:	14.7.1
Author:	Manager Corporate Governance Corporate Services Department
Appendices:	App A - 2009-12 (v2) Disaster Management 151 App B - 2009-17 (v2) Administration and Enforcement of the Public Health (Infection Control for Personal Appearance Services)..... 153 App C - 2009-18 (v2) Animal Management (Cats and Dogs) 157 App D - 2009-20 (v4) Building..... 161 App E - 2009-21 (v3) Environmental Protection 167 App F - 2009-23 (v3) Land..... 173 App G - 2009-24 (v2) Land Protection (Pest and Stock Route Management)..... 179 App H - 2009-26 (v3) Local Laws..... 183 App I - 2009-28 (v2) Public Health 187 App J - 2009-31 (v2) Regulation of food businesses 191 App K - 2009-35 (v4) Sustainable Planning 195 App L - 2015-57 (v1) Powers of Other Persons 201 App M - 2015-69 (v1) Statutory Bodies Financial Arrangements..... 203 App N - Delegations to Repeal 205
Attachments:	Att 1 - Delegations - Track Changes (Under Separate Cover) Att Pg 149

PURPOSE

This report is presented to council in accordance with section 257 of the *Local Government Act 2009*. The report presents to council amended delegations of authority for consideration and two newly created delegations to ensure council continues to be compliant with responsibilities and obligations under various legislation.

EXECUTIVE SUMMARY

Delegations are the process by which the Council delegates local government powers under relevant legislation to implement and enforce legislation, standards and requirements. Delegations are necessary to maintain operational effectiveness, to ensure processes are more timely and streamlined and to ensure council officers are educated and operating under the correct legislative provisions.

The recent changes to a number of Acts and the review of all local government legislation identified by King & Company (Co.) Solicitors provided the opportunity to conduct an organisational wide review of all existing delegations to ensure actions taken by council officers are compliant with relevant local government acts.

A number of amendments were identified which will ensure council continues to meet its legal and operational obligations. The review of council's delegations of authority is continuing and as a result it is expected that additional updates will be presented to council in the near future.

This report presents for council consideration the following:

Amended delegations

2009- 04 (v2)	Disaster Management
2009- 17 (v2)	Administration and Enforcement of the Public Health (Infection Control for Personal Appearance Services)
2009- 18 (v2)	Animal Management (Cats and Dogs)
2009- 20 (v4)	Building
2009- 21 (v3)	Environmental Protection
2009- 23 (v3)	Land
2009- 24 (v2)	Land Protection (Pest and Stock Route Management)
2009- 26 (v3)	Local Laws
2009- 28 (v2)	Public Health
2009- 31 (v2)	Regulation of Food Businesses
2009- 34 (v4)	Sustainable Planning

New delegations

2015-57 (v1)	Powers of other persons
2015-69 (v1)	Statutory Bodies Financial Arrangements

OFFICER RECOMMENDATION

That Council:

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

FINANCE AND RESOURCING

The amendment of council's existing delegations has been met through the Corporate Governance Branch's core budget provisions. The amended and new delegations of authority will not create any additional resource or financial impacts for council or the community, however they will provide necessary operational efficiency.

CORPORATE PLAN

Corporate Plan Goal:	<i>A public sector leader</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S31 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported

CONSULTATION

Internal Consultation

- Manager Corporate Governance
- Manager Community Response
- Coordinator Healthy Places
- Coordinator Response Services
- Manager Development Services
- Coordinator Building and Plumbing
- Manager Finance
- Manager Property and Business
- Team Leader Disaster Management

External Consultation

No external consultation was conducted for the review of delegations.

Community Engagement

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

PROPOSAL

Background

As part of council's regular review of changes to legislation, two new delegations and a number of existing delegations of authority have been identified as requiring development and amendment to ensure compliance with relevant local government acts. Table 1 below outlines details of the proposed changes to existing delegations and table 2 below outlines details of the proposed new delegations under the *Local Government Act 2009*, *Statutory Bodies Financial Arrangements Act 1982* and *Statutory Bodies Financial Arrangements Regulation 2007*.

TABLE 1 – Amendments to existing delegations

TITLE	LEGISLATION	DELEGATION NUMBER	AMENDMENTS
Animal Management (Cats and Dogs)	<i>Animal Management (Cats and Dogs) 2008</i>	2009-18(v2)	<p>Review of existing delegation and amended to include recent changes to the <i>Animal Management (Cats and Dogs) Act 2008</i>.</p> <p>Refer to Attachment No. 1 for track changes version.</p> <p>Administrative changes only - will not impact council's current operations.</p>

TITLE	LEGISLATION	DELEGATION NUMBER	AMENDMENTS
Building	<i>Local Government Act 2009</i> <i>Building Act 1975</i> <i>Sustainable Planning Act 2009</i> <i>Sustainable Planning Regulation 2009</i> <i>Residential Services (Accreditation) Act 2002</i>	2009-20(v4)	Amended to included powers under the <i>Residential Services (Accreditation) Act 2002</i> not previously included. Refer to Attachment No. 1 for track changes version. Administrative changes only - will not impact council's current operations.
Disaster Management	<i>Disaster Management Act 2003</i>	2009-12(v2)	Review of existing delegation and amendments made to comply with recent changes to the Act. Refer to Attachment No. 1 for track changes. Administrative changes only - will not impact council's current operations.
Land	<i>Acquisition of Land Act 1967</i> <i>Land Act 1994</i> <i>Land Regulation 1995</i> <i>Land Title Act 1994</i> <i>Land Valuation Act 2010</i> <i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i> <i>Integrated Planning Act 1997</i> <i>Sustainable Planning Act 2009</i>	2009-23(v3)	Review of existing delegation and amendments made to comply with recent changes to a number of Land Acts. Refer to Attachment No. 1 for track changes. Administrative changes only - will not impact council's current operations.
Land Protection (Pest and Stock Route Management)	<i>Land Protection (Pest Stock Route Management) Act 2002</i>	2009-24(v2)	Review of existing delegation and amendments made to comply with recent changes to the Act. Refer to Attachment No. 1 for track changes. Administrative changes only - will not impact council's current operations.
Local Laws	<i>SCC Local Laws and Subordinate Local Laws</i>	2009-27(v3)	Review of existing delegation and amendments made to comply with recent adopted changes to council's local laws. Refer to Attachment No. 1 for track changes. Administrative changes only - will not impact council's current operations.

TITLE	LEGISLATION	DELEGATION NUMBER	AMENDMENTS
Public Health (Infection Control for Personal Appearance Services)	<i>Public Health (Infection Control for Personal Appearance Services) Act 2003</i>	2009-17(v2)	<p>Review of existing delegation and amendments made to comply with recent changes to the Act.</p> <p>Refer to Attachment No. 1 for track changes.</p> <p>Administrative changes only - will not impact council's current operations.</p>
Environmental Protection	<i>Local Government Act 2009 Environmental Protection Act 1994 Environmental Protection Regulation 2008 Waste Reduction and Recycling Act 2011</i>	2009-21 (v3)	<p>Review of existing delegation and amendments made to comply with recent changes to a number of Environment Acts.</p> <p>Refer to Attachment No. 1 for track changes.</p> <p>Administrative changes only - will not impact council's current operations.</p>
Public Health	<i>Local Government Act 2009 Public Health Act 2005 Public Health Regulation 2005</i>	2009-28 (v2)	<p>Review of existing delegation and amendments made to comply with recent changes to a number of Public Health Acts.</p> <p>Refer to Attachment No. 1 for track changes.</p> <p>Administrative changes only - will not impact council's current operations.</p>
Regulation of Food Businesses	<i>Local Government Act 2009 Food Act 2006</i>	2009-31 (v2)	<p>Review of existing delegation and amendments made to comply with recent changes to the <i>Food Act 2006</i>.</p> <p>Refer to Attachment No. 1 for track changes.</p> <p>Administrative changes only - will not impact council's current operations.</p>
Sustainable Planning	<i>Sustainable Planning Act 2009 Queensland Reconstruction Authority Act 2011 Local Government Act 2009</i>	2009-35 (v4)	<p>Review existing delegation and amendments made to comply with a number of changes to the Act. Additional process added to deal with development applications made by Councillors and Employees who have a material personal interest in a development application. Councillor applications to be referred to the CEO for determination and employees with a material personal interest in a development application to be referred to the Director Regional</p>

TITLE	LEGISLATION	DELEGATION NUMBER	AMENDMENTS
			<p>Strategy and Planning for determination.</p> <p>Refer to Attachment No. 1 for track changes.</p> <p>Administrative changes only - will not impact council's current operations.</p>

TABLE 2 – Proposed new delegations

TITLE	LEGISLATION	DELEGATION NUMBER	ACTIONS
Powers of other persons	<i>Local Government Act 2009</i>	2015-57 (v1)	New delegation to allow delegation of powers under section 138 of the <i>Local Government Act 2009</i> . New delegation will provide council with the ability to appoint a person as a local government worker to work under a remedial notice. This new delegation will result in a change to current operations. Any council employees or contractors who enter private property under a remedial notice will need to be appointed as a local government worker. Advice and notification on this matter will be provided to any operational areas within council that may be impacted by these changes.
Statutory Bodies Financial Arrangements	<i>Statutory Bodies Financial Arrangements Regulation 2007</i> <i>Statutory Bodies Financial Arrangements Act 1982</i>	2015-69 (v1)	The creation of a separate delegation of Council's investment powers conferred by the <i>Statutory Bodies Financial Arrangements Act 1982</i> to differentiate it from the existing delegation of Council's procurement, contracting and payment powers under the <i>Local Government Act 2009</i> . This new delegation will not result in any changes to council's current operations.

Recent amendments to section 257(4) of the *Local Government Act 2009* (the Act) requires an annual review of Council to Chief Executive Officer delegations, to ensure continuance with council's policy direction and intent.

Following an extensive review of all existing delegations contained on council's delegation register, it is recommended that all existing delegations with the exception of those detailed in Table 1 of this report remain in place to ensure continued operational efficiency and compliance with all relevant local government acts.

Legal

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

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

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

Policy

The Sunshine Coast Regional Council delegations register will be updated to include the amended and new delegations. All delegations of authority currently on council's delegation register are in line with council's policy direction and intent.

Risk

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

Previous Council Resolution

There are no previous resolutions relating to this report.

Related Documentation

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

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

Critical Dates

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

Implementation

- Delegations database to be updated
- Delegations to officers in accordance with s.259 of the Act prepared and
- Delegated officers advised and notified accordingly.

**8.2.3 MAKING OF AMENDMENT SUBORDINATE LOCAL LAW NO. 1
(MISCELLANEOUS) 2015**

File No:	22.12.1
Author:	Manager Corporate Governance Corporate Services Department
Appendices:	App A - Amendment Subordinate Local Law No.1 (Miscellaneous) 2015249

PURPOSE

The purpose of this report is to proceed to the next stage of the local law making process for proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 which will provide the provision for council to issue residential parking permits within certain areas of the Birtinya local area.

EXECUTIVE SUMMARY

At the Ordinary Meeting held on Thursday, 18 June 2015 council resolved to propose to make Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015. The proposed amendment subordinate local law seeks to amend *Subordinate Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 1 (Administration) 2011* to introduce the ability for council to issue residential parking permits within certain areas of the Birtinya local area.

A further amendment to *Subordinate Local Law No. 1 (Administration) 2011* is also proposed to expand on the type of documents which may be provided to prove residency of the applicant such as a current rates notice, driver's licence or utility bill and the requirement to prove that the vehicle is registered to or will be primarily used by a resident at the residential address.

This report represents the next stage in the local law making process for proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 where a resolution resolving to make the amendment subordinate local law is required in order to move to the final notification stage.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Making of Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015" and**
- (b) resolve that proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 has been reviewed in accordance with section 38 of the *Local Government Act 2009* and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions**
- (c) resolve to make Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 (Appendix A) and**
- (d) subject to the amendments referred to in resolution (c) above, the Chief Executive Officer be authorised to make any necessary administrative and formatting amendments to the documents as part of the final proof reading and cross referencing.**

FINANCE AND RESOURCING

The cost of drafting Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 has been funded through existing budget allocations within the Corporate Governance Branch.

The subordinate local law amendment will provide the option for residents within the affected area to apply for a parking permit to park contrary to an official traffic sign regulating parking by time. All residential parking permits are subject to an annual \$46.00 cost recovery fee which is detailed in council's current fees and charges.

Currently there are only two locations detailed in the local law available for residential parking permits. These locations are Nambour Hospital 3P zone and Lady Musgrave Drive, Mountain Creek. The addition of this area may result in a minor impact on council's administrative resources created by extra demand to process permit applications. However the Community Response Team has up-to-date systems and procedures in place which will continue to be utilised.

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*

Outcome: We serve our community by providing this great service

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

CONSULTATION

Internal Consultation

As this is a small operational change designed to provide flexibility for the community in obtaining residential parking permits; internal consultation was limited to key stakeholders within Corporate Governance and Community Services.

The Manager Major Urban Developments and the Co-ordinator Transport Strategy and Policy from Regional Strategy and Policy provided advice and information in relation to the applicable area, mapping and logistics.

External Consultation

As this is simply a minor operational change to a Subordinate Local Law, no external consultation has been undertaken in relation to this report.

Community Engagement

Council may at its discretion determine the amount of (if any) public consultation it undertakes before adopting the amendment Local Law and Subordinate Local Law by resolution.

As the amendment is operational in nature and relates only to residential parking permits it has been determined that community consultation is not required. The proposed amendment simply broadens the category of residents who may apply for a residential parking permit.

PROPOSAL

Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 introduces the provision for all residents within the Birtinya local area as defined on map SLL5.3.1 to apply for a residential parking permit.

Car parking demand associated with the Sunshine Coast University Hospital, Sunshine Coast University Private Hospital, the Health Hub and Kawana Town Centre may become a significant issue. To remain responsive to our changing environment, the current status of the residential parking permit parameters has been broadened to include residents within the Sunshine Coast University Hospital precinct timed parking zones.

While residential parking permits do not necessarily guarantee residents access to an available parking space, residential parking permits will allow eligible residents who hold a residential parking permit to park contrary to an official traffic sign (i.e. time restriction) in the affected area.

In addition to amending *Subordinate Local Law No. 5 (Parking) 2011*, a further change is proposed for *Subordinate Local Law No. 1 (Administration) 2011 Schedule 16 - Parking Contrary to an indication on an official traffic sign regulating parking by time or payment of fee*. At present, residents are required to provide a rates notice as proof of residency to obtain a residential parking permit. The amendment expands on the types of documents which may be provided to prove residency to include a current rates notice, driver's licence or utility bill. Further to this, the amendment requires additional information to prove that the vehicle is registered to, or will be primarily used by a resident at the residential address. Further information may include, a current vehicle registration notice or transfer document showing applicant's address or for a company vehicle, a letter from the company that states the applicant's home address.

This amendment makes it easier for tenants and owners alike to apply for a residential parking permit and ensures that only vehicles used by residents at the address can apply for a residential parking permit.

A Council resolution to make the amendment subordinate local law is necessary to proceed with the local law making process and move to the final notification stage.

Local Law Amendment

See Appendix A for full details of proposed change.

Subordinate Local Law No. 5 (Parking) - Schedule 3	Current Provision	Replace with
Residential Parking Permit	1 residents of the Nambour Hospital 3P area; 2 residents of Lady Musgrave Drive, Mountain Creek	1 residents of the Nambour Hospital 3P area; 2 residents of Lady Musgrave Drive, Mountain Creek 3 residents within the Birtinya Regulated Parking Area as delineated in Map SLL.5.3.1

Subordinate Local Law No. 1 (Administration) Schedule 16	Current Provision	Replace with
<p>Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee.</p> <p>Documents that must accompany applications for a parking permit--</p>	(3)(a)(iv) a current rates notice;	(3)(a)(iv) proof of residential address, such as a current rates notice, driver's licence or utility bill

Subordinate Local Law No. 1 (Administration) Schedule 16	Current Provision	New provision
<p>Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee.</p> <p>Documents that must accompany applications for a parking permit--</p>	Nil	<p>(3)(a)(v) proof that the vehicle is registered to, or will be primarily used by, a resident at the residential address, such as—</p> <p>(A) current vehicle registration notice or transfer document showing applicant's address; or</p> <p>(B) for a company vehicle, a letter from the company that states the applicant's home address confirming that the applicant is a company employee with use of the vehicle.</p>

Legal

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

- Section 29-32 of the *Local Government Act 2009* and regulation and
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws Amendment Subordinate Local Law No.1 (Miscellaneous) 2015 has been drafted by barrister, Dr Michael Limerick.

Policy

There are no policy implications in adopting the recommendation.

Risk

Once gazetted council may experience minor impacts on council resourcing if a large uptake of residents in the affected area apply for residential parking permits and an increased requirement for enforcement officers to regulate this area.

Previous Council Resolution**Ordinary Meeting 18 June 2015** (OM15/91)

That Council:

- (a) *receive and note the report titled "Proposed Amendment to Subordinate Local Law No. 1 (Miscellaneous) 2015"*
- (b) *resolve to propose to make Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 (Appendix A) as amended*
- (c) *resolve, in relation to Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015, to adjust its process for making local laws resolved on 1 June 2010 pursuant to section 29(1) of the Local Government Act 2009, by excluding community consultation for the following reasons:*
 - (i) *the amendment is operational in nature, relating only to the issuing of residential parking permits*
 - (ii) *the amendment does not diminish any resident's rights or entitlements, but merely broadens the category of residents who may be issued a residential parking permit"*
- (d) *resolve that proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions noting that the subordinate local law relates to the regulation of parking and does not relate to a commercial activity and*
- (e) *note that residential parking permits within the Birtinya Regulated Parking area as delineated in map S.L.L5.3.1 may be issued to residents in this area including residents of multiple unit complexes/dwellings.*

Related Documentation

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

Critical Dates

It is beneficial for council to make the Amendment Subordinate Local Law No. 1 (Miscellaneous) 2015 in order for the Subordinate Local Law amendments to take effect by 1 July 2015.

Implementation

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

- *Preparation of the Gazette notice and*
- *Preparation of the website notice on the local law change.*

8.2.4 PROPOSED AMENDMENT TO LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2015

File No:	22.12.1
Author:	Manager Corporate Governance Corporate Services Department
Appendices:	App A - Amendment Local Law No. 1 (Community Health and Environmental Management) 2015259

PURPOSE

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

EXECUTIVE SUMMARY

The *Environmental Protection (Waste Management) Regulation 2000* was repealed on 9 September 2014, and the local government waste collection and management provisions were temporarily transferred to Chapter 5A of the *Environmental Protection Regulation 2008* (the **Regulation**) to allow local governments to put alternative measures in place to deal with local waste management issues. The State Government's current position is that it is unnecessary for State laws to continue to regulate waste management and that local governments should be responsible for making local laws about these operational matters.

The *Environmental Legislation Amendment and Repeal Regulation (No 1) 2014* identifies that the administration and enforcement of Part 2 (Waste Management in Local Government Areas) is devolved to each local government for its local government area. Expiry of the current legislation will occur on 1 September 2016. If a local law is not adopted by Sunshine Coast Council (SCC) by 1 September 2016 there would be no head of power or provision for Sunshine Coast Council to enforce the appropriate storage, or removal of general waste from premises within the region.

The transfer of the provisions will be effected by the amendments contained in the proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2015 and the amendment will not create any new powers not already currently provided for in chapter 5A of the regulation.

A council resolution proposing to make the amendment local law and subordinate local law is necessary to proceed with the local law making process.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Proposed Amendment to Local Law No. 1 (Community Health and Environmental Management) 20151”
- (b) resolve to propose to make Amendment Local Law No. No. 1 (Community Health and Environmental Management) 2015
- (c) resolve to undertake Community Consultation during the period 24 July 2015 until 20 August 2015
- (d) resolve to undertake a State Interest Check in relation to the proposed amending local law pursuant to section 29A of the *Local Government Act 2009* and
- (e) resolve that proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2015 has been reviewed in accordance with section 38 of the *Local Government Act 2009* with the following outcomes:
 - Council has identified that the law contains possible anti-competitive provisions imposing obligations on business owners regarding the storage, treatment and disposal of waste at commercial premises;
 - however, Council is not required to conduct a public interest review of these provisions because they fall within the exclusions in step 2 of the ‘Guidelines for conducting reviews on anti-competitive provisions in local laws’ – namely, they are intended as legitimate measures to combat the spread of pests and disease and to ensure accepted public health and safety standards are met.

FINANCE AND RESOURCING

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

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

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*
Outcome: We serve our community by providing this great service
Operational Activity: S31 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported

CONSULTATION

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

Internal Consultation

Corporate Governance has consulted with:

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

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

Additionally, a number of officers within council were involved with meetings with stakeholders from other councils in South East Queensland, including Brisbane City Council, Redland City Council and Gold Coast. Council officers have also liaised with the relevant State agencies and the LGAQ during the development of this local law amendment. On behalf of all Qld local governments, LGAQ continue to lobby the State to repeal the expiry date of the current legislation.

External Consultation

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

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

Community Engagement

Council may at its discretion determine the amount of (if any) public consultation it undertakes before adopting the amendment Local Law and Subordinate Local Law by resolution. A consultation period of 28 days from 24 July 2015 until 20 August 2015 is considered good governance when proposing to make a local law.

A community consultation strategy has been developed and will include:

- messaging on hold
- radio advertisements
- print (articles columns advertisements) and
- static information displays in libraries and customer service centres.

PROPOSAL

The Waste Regulation was repealed on 9 September 2014, and the local government waste collection and management provisions were transferred to Chapter 5A of the *Environmental Protection Regulation 2008* (the **Regulation**) temporarily to allow local governments to put alternative measures in place to deal with local waste management issues.

Chapter 5A of the Regulation is due to expire on 1 September 2016. Before then it will apply to local governments unless and until a local government makes a local law about waste management for its area.

The Queensland Department of Environment and Heritage Protection (DEHP) has advised Council that as these provisions relate solely to local government waste operations they should be managed by local governments through a local law. Council's Waste Services Branch, in consultation with our Barrister, Dr. Michael Limerick have determined which provisions of the Regulation should be added to our existing local law, *Sunshine Coast Regional Council Local Law No. 3 (Community Health and Environmental Management) 2011* to provide for the continued efficient operation of Council's waste collection services after the expiring of chapter 5A of the Regulation.

The provisions to be transferred to the Local Law address matters such as keeping bins clean, covered and within property boundaries, as well as council's power to give directions and notices to property occupiers about where bins should be placed for collection. Other provisions in the Regulation requiring people to obey directions and notices at Council waste disposal facilities have also been included.

The transfer of the provisions will be effected by the amendments contained in the proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2015, as set out in Attachment A. The amendments are designed to replicate the current regulations and have created no new powers. The proposed amendments to the Sunshine Coast Regional Council *Local Law No.3 (Community Health and Environmental Management) 2011* replicate provisions currently contained within the chapter 5A of the regulation.

The provisions have simply been transferred with contemporary wording to the proposed local law. There are no new policy initiatives involved with these amendments. Changes have only been made where necessary to reflect current industry practices and terminology.

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

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

Legal

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

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

Policy

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

Risk

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

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

Previous Council Resolution

There are no previous resolutions relating to the incorporation of waste management provisions within council local laws.

Related Documentation

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

Critical Dates

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

Implementation

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

- Commencement of Community Consultation from 24 July to 20 August 2015
- Undertake State Interest Checks on 24 July 2015 to 20 August 2015
- Undertake a Public Interest Review on 24 July 2015 to 20 August 2015
- Preparation of the website notice on proposed local law change.

8.2.5 EXCEPTION UNDER THE LOCAL GOVERNMENT REGULATION 2012 - PONTOON/WATERWAY LEASE - LAKE KAWANA BIRTINYA

File No:	Asset Management/Leasing Out
Author:	Senior Property Officer Corporate Services Department
Appendices:	App A - Exception Listing - Proposed Leases at Lake Kawana Birtinya275
Attachments:	Att 1 - Plan showing Council Lake Parcel - Lake Kawana Birtinya277
	Att 2 - Excerpt - Rental Assessment Report for Proposed Leases279

PURPOSE

The purpose of this report is to seek exceptions from Council, in accordance with the *Local Government Regulation 2012*, from the tender/auction process. This will allow pontoon/waterway leases over part of Lake Kawana Birtinya to the nominated adjoining property owners shown in **Appendix A**.

EXECUTIVE SUMMARY

On 2 October 2008, Council endorsed the Lake Kawana Birtinya Lake Management Plan (Plan) in accordance with the obligations of the Kawana Waters Development Agreement. The Plan will guide the management of the lake in the following two broad categories:

- Management of activities on the lake; and
- Maintenance of the lake's infrastructure.

Under the Plan, private structures, such as pontoons, are permitted in sections of the lake containing approved quay lines and only under approved designs.

The first stage only of Lake Kawana Birtinya, being part of the western waterway (i.e. Lot 100 SP218711), has been transferred to Council under a nomination of trust for 'sport and recreation purposes'. The western waterway includes approved quay lines. A plan showing Council's property in the western waterway (i.e. Lot 100 SP218711) and the properties adjoining approved quay lines, for which exceptions are being sought for pontoon/waterway leases, is provided as **Attachment 1**.

The *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land (including leases) by a tender/auction process, unless an exception applies. Disposal to an adjoining property owner is considered an exception under section 236(1)(c)(iv).

Section 236(2) provides that a local government must decide by resolution that an exception applies. A resolution that exceptions apply will allow leases to be entered into with the owners of the properties adjoining the approved quay lines within Lot 100 SP218711, without the need to engage in a tender/auction process.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception under the Local Government Regulation 2012 - Pontoon/Waterway Lease - Lake Kawana Birtinya”;
- (b) approve leases for private structures within Lake Kawana Birtinya to the adjoining property owners as shown in Appendix A, as per the requirements of the Lake Management Plan for Lake Kawana Birtinya;
- (c) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that exceptions under section 236(1)(c)(iv) apply to the leases proposed in (b) above, thus allowing Council to dispose of an interest in land to the nominated property owners other than by tender or auction as the disposal is to adjoining land owners; and
- (d) approve the initial annual lease fee of \$7.50 per square metre of surveyed lease area with a minimum charge of \$150 (plus GST) for private structure leases as stated in (b) above.

FINANCE AND RESOURCING

All costs associated with the proposed pontoon/waterway leases will be funded by the proposed lessees.

A rental assessment by Herron Todd White for Lake Kawana Birtinya (**Attachment 2**) recommends a rental rate of “\$7.50 per square metre per annum, with a minimum charge of \$150 per annum GST exclusive”.

The proposed rental will be the minimum charge of \$150 per annum, plus GST, and will be credited to general revenue.

CORPORATE PLAN

Corporate Plan Goal:	<i>An enviable lifestyle and environment</i>
Outcome:	3.2 Well-managed and maintained open space, waterways and foreshore assets
Operational Activity:	3.2.4 - Manage the region’s high quality urban and rural open space network

CONSULTATION

Internal Consultation

Information and advice about the Plan and proposed pontoon/waterway leases has been received from the Major Urban Developments Branch.

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

External Consultation

Stockland, on behalf of the adjoining property owner at 24 Buruwang Street, requested a pontoon/ waterway lease on Lake Kawana Birtinya. The Property Management Branch has been working with Stockland on the proposed lease.

Community Engagement

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

PROPOSAL

Council either manages or owns a number of non-tidal lakes (e.g. Parrearra Lake Reserve and Pelican Waters Northern Lake) that contain private infrastructure such as pontoons, jetties and decks. Council's management of these lakes is undertaken under the requirements of a lake management plan endorsed by Council for each lake.

On 2 October 2008, Council endorsed the Plan in accordance with the obligations of the Kawana Waters Development Agreement. The Plan will guide the management of the lake in the following two broad categories:

- Management of activities on the lake; and
- Maintenance of the lake's infrastructure.

Under the Plan, private structures, such as pontoons, are permitted in sections of the lake containing approved quay lines and only under approved designs.

The first stage only of Lake Kawana Birtinya, being part of the western waterway (i.e. Lot 100 SP218711), has been transferred to Council under a nomination of trust for 'sport and recreation purposes'. The western waterway includes approved quay lines.

The owners of an adjoining property at 24 Buruwang Street are seeking approval for a private pontoon within the Lake (i.e. Lot 100 SP218711). A plan showing Council's property in the western waterway (i.e. Lot 100 SP218711) and the properties adjoining approved quay lines, for which exceptions are being sought for pontoon/waterway leases, is provided as **Attachment 1**.

Property Management Branch, together with Legal Services, has prepared a 'standard terms' lease document to be used for the leases proposed in Lake Kawana Birtinya.

A rental assessment by Herron Todd White for Lake Kawana Birtinya (see **Attachment 2**) recommends a rental rate of "\$7.50 per square metre per annum, with a minimum charge of \$150 per annum GST exclusive".

The *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land (including leases) by a tender/auction process, unless an exception applies. Disposal to an adjoining property owner is considered an exception under section 236(1)(c)(iv).

Section 236(2) provides that a local government must decide by resolution that an exception applies. A resolution that exceptions apply in this instance will allow leases to be entered into with the owners of the properties adjoining the approved quay lines within Lot 100 SP218711, without the need to engage in a tender/auction process.

Legal

Legal Services has been consulted on this process to ensure Council complies with section 236 of *Local Government Regulation 2012*.

Property Management Branch, together with Legal Services, has prepared a 'standard terms' lease document to be used for the leases proposed in Lake Kawana Birtinya.

Policy

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

Risk

In accordance with clause 8.6 of the lease prepared for private pontoon/waterway structures on Lake Kawana Birtinya, *'The Lessee shall repair or pay to the Lessor any costs incurred by the Lessor in repairing any damage arising out of or by reason of a breach by the Lessee of this Lease or the use of the Premises by the Lessee or the Lessee's Associates, including to any revetment wall.'*

Previous Council Resolution

On 2 October 2008 Council endorsed the Plan, which includes leasing requirements for private pontoons and platforms with ladders. Resolution OM08/262 was as follows:

That Council:

- (a) *approve the draft Land Management Plan for Lake Kawana, as included as Attachment 3, for submission to the Department of Natural Resources & Water in accordance with the requirements of the Land Act 1994 and the Kawana Waters Development Agreement 1996 subject to the inclusion of Attachment 4 (Conditions of Kawana Waters Structure Plan Approval related to Lake Kawana);*
- (b) *delegate to the Chief Executive Officer the authority to approve Appendices A–H of the draft Lake Management Plan for submission to the Department of Natural Resources & Water in accordance with the requirements of the Land Act 1994 and the Kawana Waters Development Agreement 1996; and*
- (c) *note that there will be a report presented to Council at its meeting in November 2008 which will indicate both ongoing annual maintenance costs and end of life replacement costs of the infrastructure and provide Council with financial options to recover the maintenance and management costs for the infrastructure.*

Related Documentation

There is no other documentation relevant to this report.

Critical Dates

There are no critical dates relevant to this report.

Implementation

Should Council resolve that exceptions apply, leases will be arranged with the adjoining property owners. The adjoining property owners will be responsible for all associated lease application and registration costs.

Proposed leases will be implemented under 'standard terms' documentation prepared by Legal Services and managed by the Property Management Branch.

8.2.6 EXCEPTION UNDER THE LOCAL GOVERNMENT REGULATION 2012 - PONTOON/WATERWAY LEASES AT PARREARRA LAKE

File No:	Asset Management/Leasing Out
Author:	Senior Property Officer Corporate Services Department
Appendices:	App A - Exception Listing - Proposed Leases at Parrearra Lake289
Attachments:	Att 1 - Site Plan - Lake Lots excl from Parrearra Lake Reserve291

PURPOSE

The purpose of this report is to seek a resolution from Council that exceptions apply to the disposal by lease to the property owners shown in **Appendix A**, in accordance with the *Local Government Regulation 2012*.

EXECUTIVE SUMMARY

The *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land (including leases) by a tender/auction process, unless an exception applies. Disposal to an adjoining property owner is considered to be an exception under section 236(1)(c)(iv). Section 236(2) of the *Local Government Regulation 2012* provides that a local government must decide by resolution that an exception applies.

The Parrearra Lake Reserve was initially gazetted as a State Reserve for Sport and Recreation, under the control of Council as Trustee on 26 April 2002. As each stage of the Reserve was developed, Ministerial exemptions under section 492(1)(c) of the *Local Government Act 1993* (thereby enabling Council to enter into leases with the owners of the land immediately abutting the lake) were granted to Council on 2 October 2002, 22 January 2003 and 25 July 2005.

Twenty lots on the lake were not accepted into the Reserve by the Department of Natural Resources and Mines (as the existing structures did not meet the design standards in the approved Lake Management Plan) and have since then remained under Development Lease 2 (i.e. Stockland's control). Stockland has been working with the adjoining property owners of the twenty impacted lake lots to rectify the existing structures and co-ordinating with the Department to include the lots into the Parrearra Lake Reserve thereby enabling them to enter into a lease with Council over the structure. A site plan showing the small lake lots currently excluded from the Parrearra Lake Reserve is shown as **Attachment 1**.

A resolution that exceptions apply to the properties listed in **Appendix A** will enable leases to be entered into without the requirement to engage in a tender or auction process.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception under the Local Government Regulation 2012 - Pontoon/Waterway Leases at Parrearra Lake”;
- (b) approve the issue of leases for private structures within the Parrearra Lake Reserve to the adjoining property owners as shown in Appendix A, as per the requirements of the Lake Management Plan for Parrearra Lake;
- (c) resolve, pursuant to Section 236(2) of the *Local Government Regulation 2012*, that exceptions under Section 236(1)(c)(iv) apply to the lease proposed in (b) above, thus allowing Council to dispose of an interest in land to the nominated property owner other than by tender or auction; and
- (d) approve the initial annual lease fee of \$12.50 per square metre of the surveyed lease area, with a minimum annual charge of \$300 (plus GST), for private structure leases as stated in (b) above.

FINANCE AND RESOURCING

At a meeting held on 22 November 2011 and attended by several officers from Council's Property Management Branch and the Department with State Member Jarrod Bleijie MP and representatives from Stockland, it was agreed that Stockland would assist impacted property owners with survey, engineering and building approval costs and Council would fund the Application for Lease fee for each of the proposed lease sites (i.e. \$1,200 each). The applicable Application for Lease fees will be funded by Property Management Branch's operational budget.

All costs associated with the implementation and registration of the proposed leases will be funded by the proposed lessees.

The lease rental is in accordance with the Market Rent Review conducted on 11 September 2012, as contained in the standard terms lease documentation, i.e. annual rent of \$12.50 per square metre of the surveyed area of the lease with a minimum charge of \$300 (excl. GST). Revenue received from lease rent is credited to general revenue.

CORPORATE PLAN

Corporate Plan Goal: *An enviable lifestyle and environment*
Outcome: 3.2 Well-managed and maintained open space, waterways and foreshore assets
Operational Activity: 3.2.4 - Manage the region's high quality urban and rural open space network

CONSULTATION

Internal Consultation

Input, information and advice relating to the lake lots excluded from the Parrearra Lake Reserve and proposed leases has been obtained from:

- Divisional Councillor - Cr Chris Thompson
- Corporate Governance
- Building and Plumbing Services Team
- Principal Coastal Engineer

Legal Services are satisfied that the exemption from going to tender or auction applies under the *Local Government Regulation 2012*. They advise that in their opinion the exception under section 236(1)(c)(iv) can be applied as it meets the criteria set out therein including the fact that it is a lease to the adjoining owner and in such a location that it would not be in the public interest to proceed by tender or auction as it would be simply impractical and unnecessarily burdensome.

External Consultation

Discussions/correspondence etc. relating to the lake lots excluded from the Parrearra Lake Reserve have been held with:

- Department of Natural Resources and Mines
- Stockland's representatives and consultants
- Council's external solicitors – Garland Waddington
- State Member for Kawana – Jarrod Bleijie MP
- State Ombudsman's Office

Community Engagement

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

PROPOSAL

The *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land (including leases) by a tender/auction process, unless an exception applies. Disposal to an adjoining property owner is considered to be an exception. A resolution that exceptions under section 236(1)(c)(iv) apply to the proposed disposal by lease to the adjoining property owners listed in **Appendix A** will allow leases to be entered into without the need to engage in a tender or auction process.

Section 236(2) of the *Local Government Regulation 2012* provides that a local government must decide by resolution that an exception applies.

The Kawana area was developed under a Development Agreement entered into by the Department, Stockland (previously Kawana Estates Pty Ltd, i.e. the State's lessee under Development Lease 2) and Council.

The Parrearra Lake Reserve was initially gazetted as a State Reserve for Sport and Recreation, under the control of Council as Trustee on 26 April 2002. As each stage of the Reserve was developed, Ministerial exemptions under Section 492(1)(c) of the *Local Government Act 1993* (thereby enabling Council to enter into leases with the owners of the land immediately abutting the lake) were granted to Council on 2 October 2002, 22 January 2003 and 25 July 2005.

Twenty lake lots were not accepted into the Reserve by the Department (as their existing structures did not meet the design standards in the approved Lake Management Plan) and have since then remained under Development Lease 2 (i.e. Stockland's control). A site plan showing the small lake lots currently excluded from the Parrearra Lake Reserve is shown as **Attachment 1**.

Stockland has been working with the adjoining property owners of the twenty impacted lake lots, advising of the outstanding issues associated with the ownership of their pontoon/structure, assisting them to obtain engineering certification and building approval for their structures, then co-ordinating with the Department to include the site into the Parrearra Lake Reserve thereby enabling them to enter into a lease with Council over the structure.

A resolution that exceptions apply to the property owners listed in **Appendix A** will enable leases to be entered into without the requirement to engage in a tender or auction process.

Legal

Legal Services are satisfied that the exemption from going to tender or auction applies under the *Local Government Regulation 2012*. They advise that in their opinion the exception under Section 236(1)(c)(iv) can be applied as it meets the criteria set out therein including the fact that it is a lease to the adjoining owner and in such a location that it would not be in the public interest to proceed by tender or auction as it would be simply impractical and unnecessarily burdensome.

Policy

There are no policy implications associated with this report.

Risk

Risks identified are as follows.

The pontoon/waterway structures are not designed to the designs approved or may not be safe.

To minimise this risk, engineering certification and building approvals for the existing pontoon/waterway structures, that had not previously met the design requirements of the approved Lake Management Plan, have been obtained by Stockland.

Council incurs costs of repairing pontoon/waterway structures or revetment walls

To minimise this risk under Clause 9.4 of the Standard Terms Document registered for leases within the Parrearra Lake Reserve, *“The Lessee shall repair or pay to the Lessor any costs incurred by the Lessor in repairing any damage arising out of or by reason of this Lease or the use of the Premises by the Lessee or the Lessee’s Associates, including to any revetment wall.”*

Previous Council Resolution

At its General Meeting held on 29 November 2001, Council approved the Parrearra Lake Management Plan (subject to stated amendments) and provided direction on the processes to follow in relation to the existing structures on lake lots excluded from the Reserve.

29 November 2001 Item 4.04.9 – Parrearra Lake Management Plan
Council Resolution (01/359)

Related Documentation

Lake Management Plan for Parrearra Lake Reserve approved on 29 November 2001 (Development Application No. 550-010-000).

Critical Dates

The majority of the impacted pontoon/waterway structures have been rectified, certified and Stockland has co-ordinated with the Department to include the impacted lake lots into the Parrearra Lake Reserve. Obtaining approval to enter into leases over the impacted structures in the Parrearra Lake Reserve will resolve the long-term exclusions from the Reserve.

Implementation

Should Council resolve that exceptions apply, leases over the Parrearra Lake Reserve to the respective adjoining property owners will be arranged.

8.2.7 EXCEPTION UNDER THE LOCAL GOVERNMENT REGULATION 2012 - DISPOSAL OF AN EASEMENT FOR WATER SUPPLY - ELSA WILSON DRIVE BUDERIM

File No:	DISP 0031
Author:	Senior Property Officer Corporate Services Department
Appendices:	App A - Proposed Survey Plan Easement "A" in Lot 115 on SP 127750.....297
Attachments:	Att 1 - Site Plan Elsa Wilson Drive Buderim299

PURPOSE

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, from the tender/auction process to allow an easement for the purpose of water supply.

EXECUTIVE SUMMARY

The *Local Government Regulation 2012* provides that a local government may only dispose of an interest in land (including easements) other than by tender/auction, if an exception applies. An exception may apply where the interest in land is disposed of to a government agency.

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

Council was requested by Unitywater to allow a 150 mm replacement pipe for water supply in Council land being described as Lot 115 on SP127750. A locality map is provided as **Attachment 1**. To protect Council's interest, a water supply easement has been requested over the pipe.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Exception under the Local Government Regulation 2012 - Disposal of an easement for water supply - Elsa Wilson Drive Buderim"
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an easement in Lot 115 on SP127750 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 the interest is water supply easement "A" as shown on Survey Plan 277348 (Appendix A).

FINANCE AND RESOURCING

The impact of the easement on Council land was valued at \$8,800 inclusive of GST with the cost of the valuation being \$1,870. However, the Coordinator of Land Management supports the offer made to Council by Unitywater for the sum of \$5,500 inclusive of GST. Should

Council resolve that an exception applies, Council will invoice Unitywater for the agreed value of the easement and the valuation costs.

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

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*
Outcome: We serve our community by providing this great service
Operational Activity: S24 - Property management - long-term strategic land acquisition, secures land for economic or industrial uses, property management for land assets

CONSULTATION

Internal Consultation

Requests for Comments were circulated on a proposal by Unitywater to replace an existing 100 mm water main with a 150 mm main within Council land at Elsa Wilson Drive Buderim to all relevant stakeholders, including the local Councillor. No objections were received and approval was given to the upgraded water main, subject to an easement approved by Council.

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

External Consultation

Council officers from Property Management have liaised with Unitywater on this matter.

Community Engagement

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

PROPOSAL

Unitywater is proposing to replace an existing 100 mm water main with a 150 mm main within Council freehold land. The installation of the pipe requires a 219 m² water supply easement.

A condition of approval was that Unitywater would compensate Council based on a Unitywater arranged valuation. The Unitywater valuation for the encumbrance was \$250. Council did not accept this valuation and arranged a valuation which was \$8,800. Council arranged a meeting to discuss the valuation discrepancy and Unitywater offered \$5,500 which Council staff accepted, subject to the consideration of Council.

For future easements conditions of Council approval are that Unitywater compensates Council based on a Council arranged valuation.

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

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

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

Legal

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

Policy

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

Risk

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

Previous Council Resolution

There is no previous resolution in relation to this request.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

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

Implementation

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

8.2.8 SALE OF LAND FOR ARREARS OF RATES

File No: Sale of Land
Author: Acting Director Corporate Services
Corporate Services Department
Attachments: Att 1 - Sale of Land Schedule - As at 22 June 2015 (*Under Separate Cover*) - Confidential

PURPOSE

This report has been prepared to seek Council's approval to commence Sale of Land for arrears of rates and charges that have been overdue for a period of more than three years, in accordance with the *Local Government Regulation 2012*.

EXECUTIVE SUMMARY

The *Local Government Regulation 2012*, Part 12, Division 3 provides guidance where overdue rates and charges have remained unpaid for a period greater than three years and allows a local government to sell the land on which the rates were levied. The land is sold by way of public auction and for that purpose the Sale of Land process should be commenced three months after and within six months from Council issuing the Notice of Intention to Sell.

There are currently 46 properties on the Sale of Land list, with a total balance outstanding of \$383,036. Should Council approve the recommendations in this report, the legislation directs the following timelines:

- First statutory notice – Notice of Intention to Sell to be issued after Council approval in July 2015
- Second statutory notice – Auction Notice to be issued in October 2015
- Sale of Land Auction (if required) October 2015.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sale of Land for Arrears of Rates" and
- (b) commence proceedings under Sections 140 to 142 of the *Local Government Regulation 2012* to recover outstanding rates and charges by way of sale of land with overdue rates for a period of greater than three years as at 22 June 2015 and
- (c) delegate to the Chief Executive Officer the power to discontinue any sale proceedings commenced according to sections 140 to 142 of the *Local Government Regulation 2012* in circumstances where the Chief Executive Officer or the Delegated Officer determines on the facts available to them that it would not be in the best interest of Council or would be unfair or unjust to the property owner to proceed with the sale of the property by way of auction and
- (d) in accordance with the *Local Government Regulation 2012*, commence any Public Auction where required, no earlier than three months after the issue of the notice of intention to sell.

FINANCE AND RESOURCING

There are currently 46 properties on the Sale of Land list, with total rates outstanding of \$383,036, where overdue rates and charges remained unpaid for a period greater than three years. The outstanding rates and charges are currently accruing interest at the rate of 11% per annum, as per the *Local Government Regulation 2012*. Investments are currently earning approximately 3% per annum interest revenue (as at 22 June 2015). Whilst there may be a financial disadvantage in collecting the outstanding rates & charges, by proceeding with this action the balance of the community will not be required to bear the financial burden of any long-term rate debts.

Council has a community responsibility to collect rates and charges outstanding in a timely manner to finance its operations, carry out essential services and ensure effective cash flow management. Council is proactive in the recovery of outstanding rates and charges and every effort has been taken to minimise the number of properties with greater than three years' rates outstanding.

CORPORATE PLAN

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

CONSULTATION

Internal Consultation

Internal consultation has been undertaken with the Chief Legal Officer.

External Consultation

At the commencement of the Sale of Land process on 16 January 2015, there were 152 properties identified totalling \$1,450,014 where overdue rates and charges remained unpaid for a period greater than three years. In January 2015 Council issued a letter to these landowners advising their property was on the 2015 Sale of Land listing and requested payment in full or to enter into a Rate Debt Payment Plan. In April 2015 a second letter was issued to the landowners who remained on the list requesting payment in full or to enter into a Rate Debt Payment Plan.

Community Engagement

No community engagement is required for this report.

PROPOSAL

As at 22 June 2015 there were 46 properties on the Sale of Land list totalling \$383,036 where overdue rates and charges remained unpaid for a period greater than three years. The properties are separated into the categories as follows:

• Commercial/Industrial/Vacant/Shed	1 property	\$6,093
• Residential – Non Owner Occupied	16 properties	\$147,680
• Residential – Owner Occupied	29 properties	\$229,262
Total	46 properties	\$383,036

In the period from 22 June 2015 to the Ordinary Meeting on 23 July 2015 there is likely to be changes to the number of properties and outstanding amounts above if Council receives payments during this time. Other factors to affect the listing will be that interest will continue to accrue on outstanding debts and the July 2015 rates will be issued increasing the outstanding balances.

Should Council approve the recommendation, to prevent the sale of the property the landowners must pay all the outstanding rates and charges and all expenses that Council has incurred in attempting to sell the land. Landowners are unable to enter or negotiate a Rate Debt Payment Plan in accordance with Section 141 of the *Local Government Regulation 2012*.

Sale of Land processes in prior years have demonstrated that, in the majority of cases, outstanding rates are paid in full prior to the scheduled auction date. The 2014 Sale of Land process resulted in no properties being offered for auction. In all instances in the past where a property has a mortgagee the rates have been paid in full by the mortgagee to protect their interests.

In April 2015, "Intention to Sell Land for Arrears of Rates" letters were issued to the landowners of the 86 properties remaining on the list requesting payment by 22 May 2015. This letter is not required as part of the Sale of Land process under the Act, however Council provided the landowner an additional opportunity to pay or enter into an approved Rate Debt Payment Plan.

Every effort has been made to recover the outstanding rates and charges and negotiate a successful outcome for the landowners experiencing genuine financial hardship. Where a desirable outcome was not achieved by this preceding action, Credit Management Officers have advised landowners of alternative avenues to seek financial assistance through:

- a financial counsellor to discuss other options that may be available
- their mortgagee regarding refinancing
- apply to the State Government for a mortgage relief loan
- Apply to the Department of Human Services for the Early Release of Superannuation

The letters and subsequent actions have resulted in 106 properties being removed from the process to-date. By proceeding with this action the balance of the community will not be required to bear the financial burden of any long-term rate debts.

Legal

Section 140 of the *Local Government Regulation 2012* provides:

Notice of intention to sell land for overdue rates or charges

- 1) *This section applies if-*
 - (a) *there are overdue rates or charges on land; and*
 - (b) *the liability to pay the overdue rates or charges is not the subject of court proceedings; and*
 - (c) *some or all of the overdue rates or charges have been overdue for at least –*
 - (i) *generally–3 years*
 - (ii) *if the rates or charges were levied on vacant land or land used only for commercial purposes, and the local government has obtained judgment for the overdue rates or charges-1 year; or*
 - (iii) *if the rates or charges were levied on a mining claim-3 months.*

- 2) *The local government may, by resolution, decide to sell the land.*
- 3) *If the local government does so, the local government must, as soon as practicable, give all interested parties a notice of intention to sell the land.*

Policy

The 2015/16 Revenue Policy and 2015/16 Revenue Statement were adopted as part of the annual Budget on 25 June 2015.

Risk

The *Local Government Act 2009* provides statutory powers to Council by securing the debt against the property and therefore limits Council's bad debt risk exposure. However, it is a strong business practice to manage rate debts and other accounts receivable on a proactive basis.

Previous Council Resolution

There is no previous Council resolution for this report.

Related Documentation

The confidential attachment of properties on the Sale of Land list provides details of the landowners, property descriptions, outstanding rates and charges and previous action taken by Council officers to recover the debt.

Critical Dates

The proposed time-line is as follows:

- First statutory notice – Notice of Intention to Sell to be issued after Council approval in July 2015
- Second statutory notice – Auction Notice to be issued in October 2015
- Sale of Land Auction (if required) October 2015.

Implementation

Upon acceptance of the Officer's recommendation, statutory notices will be issued to all interested parties in accordance with the advised schedule.

8.3 COMMUNITY SERVICES**8.3.1 2015 SPORTS FIELD MAINTENANCE FUNDING PROGRAM**

File No:	ECM 23 July 2015
Author:	Team Leader Community Connections Community Services Department
Appendices:	App A - Sports Field Maintenance Funding Program Recommendations 2015 313
Attachments:	Att 1 - Existing Commitments Sports Field Maintenance Funding Program 2015-2016 315

PURPOSE

This report seeks Council consideration and endorsement of recommendations for the 2015 Sports Field Maintenance Funding Program for up to a two year period, commencing in the current (2015/2016) financial year (Appendix A).

EXECUTIVE SUMMARY

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

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

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

The program is jointly managed by Community Services and Infrastructure Services, and is premised on:

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

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

There is one (1) Sports Field Maintenance Funding Program round per year. The 2015 round closed on 25 May, 2015.

Of the four (4) applications received, it is recommended that three (3) sporting organisations be funded, to a total of \$18,643.

Details of funding recommendations are provided as Appendix A.

Thirty eight sports organisations which were awarded multiple years of funding in the 2014 Sports Field Maintenance Funding Program round, will also receive funding this financial year. These existing commitments are listed in Attachment 1.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “2015 Sports Field Maintenance Funding Program” and
- (b) endorse the “Sports Field Maintenance Funding Program Recommendations” (Appendix A) and
- (c) note that the North Shore Multisports Association will cease to be responsible for the maintenance of fields at the North Shore Multisports Complex from 1 July, 2015 and that Council not proceed with the second (2015) or third (2016) year funding of the Association’s multi-year funding agreement entered into under the 2014 Sports Field Maintenance Funding Program as resolved by Council.

FINANCE AND RESOURCING

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

It was determined that a maximum of two years funding be allocated in the 2015 round, to bring these new allocations into line with existing Sports Field Maintenance Funding Program agreements, which end at 30 June, 2017. This will allow for a review of the program and ensure consistency in funding allocations.

The Sports Field Maintenance budget for 2015/2016 provides a total of \$550,000 in funding to sports clubs and organisations.

This budget amount is sufficient to provide the \$520,733 required for the three (3) sporting organisations recommended for funding, to a total amount of \$18,643 (Appendix A) in this report, plus the \$502,090 that will be distributed to organisations awarded multiple years of funding in the 2014 Sports Field Maintenance Funding Program round. These existing commitments are listed in Attachment 1.

The multi-year funding agreements have implications for the 2016/2017 Council budget. This is summarised in the table below.

Budget Implications	2015/2016	2016/2017
2015/2016 round – 1 st year	\$18,643	
2015/2016 round – 2 nd year		\$18,643
2014/2015 round – 2 nd year	\$502,090	
2014/2015 round – 3 rd year		\$502,090
Total	\$520,733	\$520,733

CORPORATE PLAN

Corporate Plan Goal Outcome	A Strong Community 2.1 - Safe and healthy communities
Corporate Plan Goal Outcome	A Strong Community We serve our community by providing this great service
Operational Service	S4 - Community and cultural development and partnerships - providing planning, partnering and supporting the community through a range of community development, civic and cultural programs and grants
Corporate Plan Goal Outcome	A Strong Community We serve our community by providing this great service
Operational Service	S12 - Sporting facilities - providing regional, district and community sport and recreation facilities including aquatic centres, showgrounds and multi-sports fields

CONSULTATION**Internal Consultation**

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

Community Services

- Team Leader Community Connections, Community Relations Branch
- Team Leader Sports Planning and Development, Community Facilities and Planning Branch
- Senior Project Officer (Grants), Community Relations Branch

Infrastructure Services

- Parks Community Sports Field Officer, Parks and Gardens Branch

Corporate Services

- Senior Property Officer, Property Management Branch

External Consultation

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

Community Engagement

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

PROPOSAL

The inaugural Sports Field Maintenance Funding Program and supporting guidelines were endorsed by Council at the Ordinary Meeting on 2 February, 2011. The funding program commenced in the 2011/2012 financial year providing funding for up to three (3) years.

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

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

Funding through the Sports Field Maintenance Funding Program is based on a formula which considers field type, number of fields and period of responsibility. Council adopted a program which saw a 70% Council funding contribution of the full contractor rate to maintain fields.

The program is jointly managed between Community Services and Infrastructure Services and is premised on four elements:

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

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

Program Evaluation

Ongoing evaluation of the program has been undertaken. This evaluation draws information from a variety of sources including:

- Progress and acquittal report analysis
- Site inspections
- Ongoing engagement with partner organisations
- Internal consultation.

Council's Team Leader, Sports Planning and Development advised that the Sunshine Coast sporting community highly values Council's Sports Field Maintenance Funding Program. Further, this program has provided additional revenue streams for regular sports field surface preparation, maintenance and upgrades, and provides technical/specialist staff support to sporting organisations via Council's Parks Community Sports Field Officer. This program ensures the region's sports fields meet the community expectations and desired levels of service.

Council's Parks Community Sports Field Officer advised that a number of clubs had made improvements to irrigation systems and installed bores which has led to a marked improvement in turf quality. He also noted that clubs are attracting larger events to the region. These include: State Softball Championships at the Mooloolah Sports Complex; Maroochydore Cricket's hosting of an Australian Women's Cricket selection trial match in June 2015; and Landsborough Cricket Club's hosting of the Brisbane Heat Women's T20 team.

Identified program outcomes include:

- Better facilities, upgraded equipment and increased capacity of sporting clubs to maintain fields
- Sporting clubs taking on bigger projects to improve usage and drainage
- Stronger relationship between Council and the sporting clubs resulting in consistent knowledge sharing
- Improved relationships between groups that share fields
- Financial savings for Council when compared to the cost of Council maintained fields
- Improved safety for users of well-maintained fields
- Increased volunteer knowledge of best practice and products

- Equitable support for sporting groups across the region
- Autonomy for sporting clubs.

Existing Commitments 2014 round

The 2014 Sports Field Maintenance Funding Program provided multi-year funding to 39 sporting organisations. This included the North Shore Multisports Association.

However, the Association will cease to be responsible for the maintenance of fields at the North Shore Multisports Complex from 1 July, 2015. This decision is a result of ongoing monitoring and consultation with both the North Shore Multisports Association and other user groups. This process identified that the quality of the playing surfaces has been deteriorating over the last few years. After discussions with the Association, it was determined that the complex is too large for the organisation to maintain to the level required by the community. As a result, it was agreed the Association will not receive the expected second (2015) or third (2016) year funding of their multi-year funding agreement. This is reflected in the recommendations to Council section contained in this report.

Council's Turf Maintenance Team will take over maintenance of this complex from 1 July, 2015. There is a recommendation within this report to fund the Coolum Touch Association for the maintenance of the Rydges Complex located at Peregian Springs through the Sports Field Maintenance Funding Program. Council currently maintains the Rydges Complex fields with funds budgeted from the Infrastructure Services Department. Through this proposed recommendation, which would revert maintenance responsibility back to the Coolum Touch Association, this will in turn release funds back into the Infrastructure Services budget, which can then be utilised to maintain the North Shore Multisports Complex. Combined with an overall 10% increase in the 2015/2016 budget for the maintenance of all Council facilities, this funding stream will provide the additional budget for the North Shore Multisports complex to be maintained by Council.

The remaining 38 organisations, which were awarded multiple years of funding in the 2014 Sports Field Maintenance Funding Program round, will receive their second round of funding this financial year. These existing commitments total \$502,090 and are listed in Attachment 1.

2015 Sports Field Maintenance Funding ProgramPromotion and support

The 2015 Sports Field Maintenance Funding Program round closed on 25 May, 2015.

The following tools were used to ensure information about the program reached all eligible organisations and the wider community:

- Council's website
- Community Facilities and Planning Branch promoted the program to eligible sporting clubs directly through their networks
- Parks and Gardens Branch visited clubs and provided advice in the preparation of applications
- Direct email and phone contact with current recipients reaching their final year of funding.

Applications

Council received four (4) Sports Field Maintenance Funding Program proposals.

Assessment

The assessment of applications for this funding program required clarification of tenure, type of sport played on the field/s, number of fields, and period of maintenance. An assessment panel made up of Council officers with relevant expertise met to review the applications and determine outcomes.

It was determined that a maximum of two years funding be allocated in the 2015 round, to bring these new allocations into line with existing Sports Field Maintenance Funding Program agreements which end at 30 June 2017. This will allow for a review of the program and ensure consistency in funding allocations.

Recommendation

Of the four (4) applications received, it is recommended that three (3) be funded, to an amount of \$18,643 for three (3) sports field types:

- AFL
- Athletics
- Touch Football.

Legal

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

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

Policy

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

Risk

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

Previous Council Resolution

Ordinary Meeting 20 June 2013 – Council Resolution (OM13/109)

That Council:

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

Ordinary Meeting 2 February 2011 – Council Resolution (OM11/12)

That Council:

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

Related Documentation

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

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

- Community Grants Policy (2013)
- Sport and Active Recreation Plan 2011-2016
- *Local Government Regulation (2012)*
- *Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Critical Dates

It is planned that the next round of the Sports Field Maintenance Funding Program will open in May 2016, if required.

Implementation

Upon Council endorsement of the recommendations in this report, successful applicants will be contacted and partnership agreements will be negotiated.

Conditions of agreement will be determined, and these will include reporting and acquittal requirements, and any conditions to be met prior to funding being awarded.

Recipients will also be required to sign a maintenance agreement, developed in consultation with Council's Parks Community Sports Field Officer, clarifying expectations in relation to the maintenance of the sports fields. Funding will be distributed as soon as the agreements and an invoice are finalised, signed and returned to Council.

Recipients must display Council supplied signage acknowledging Council's support for field maintenance.

The unsuccessful applicant will be advised by letter and referred to appropriate Council officers for further advice or assistance.

A list of successful partner organisations will be posted on Council's website.

8.3.2 THE EVENTS CENTRE CALOUNDRA - FUTURE CAPITAL WORKS PROGRAM

File No:	Statutory Meetings	
Author:	Manager Community Facilities & Planning Community Services Department	
Appendices:	App A - Proposed capital works program for The Events Centre Caloundra	327
Attachments:	Att 1 - Sunshine Coast Performance and Community Venues Service Plan 2014-2029.....	329
	Att 2 - The Events Centre - GHD Facility Development and Maintenance Plan May 2015	363
	Att 3 - Proposed capital works program - GHD premier option for the Events Centre Caloundra	461

PURPOSE

The purpose of this report is to present to Council for consideration the proposed 2015/2016 and future years capital works budget for The Events Centre Caloundra arising from work completed in the GHD Facility Development and Maintenance Plan.

EXECUTIVE SUMMARY

The Events Centre Caloundra is the largest venue within Council's performance and community venues portfolio, located centrally within Caloundra. Owned by Council and established in 1980, this performance venue features one large theatre with a capacity of 1,200 people theatre style, a smaller playhouse theatre with a seating capacity of 320 people, and a number of meeting rooms and breakout spaces with varying capacities. The Events Centre also has the capacity to stage corporate and business events, including conferences, seminars, product launches and banquets with a dining capacity of 1,000 patrons.

Council adopted the *Sunshine Coast Performance and Community Venues Service Plan 2014-2029* at its Ordinary Meeting on 21 August 2014 (provided as Attachment 1). This Plan confirms Council's continued commitment to its six key performance and community venues over the next 15 years. The Plan sets a clear vision, which sees Council strive to achieve a portfolio of venues that are well equipped to cater for a diverse range of events, and offer captivating, creative experiences that will engage, excite and challenge our audiences.

The Plan's recommendations guide Council's future involvement in performance and community venues, both from a strategic and operational perspective. Overall, the Plan lays the foundation for creating highly utilised venues, which effectively service our existing and future communities.

The Plan contains four desired outcomes to guide the future form and function of the six key performance and community venues. These are:

1. The Sunshine Coast region is serviced by an efficient network of performance and community venues, which are well located and accessible to the community.
2. The usage of Sunshine Coast performance and community venues is maximised.
3. Sunshine Coast Council venues are designed and equipped to be resourceful, and to offer a high quality experience for the community.
4. Venues which are owned and/or managed by Sunshine Coast Council are operated in a coordinated manner, which is financially responsible and efficient.

Within the Venues Service Plan, the following relevant definitions were endorsed:

Performance Venue or Community Venue - Within the Plan, the Performance Venues were identified as The Events Centre Caloundra and Nambour Civic Centre.

Hierarchy Definitions: Sunshine Coast Wide Venue or District Venue - Within the Plan, the Sunshine Coast wide venues are The Events Centre Caloundra, Nambour Civic Centre and Lake Kawana Community Centre.

The Events Centre is the oldest of Council's Sunshine Coast wide venues. The venue has seen a number of capital improvements over its lifespan, and will continue to need ongoing investment in order to meet present day demands.

Within the Venues Service Plan, there are two key actions which are relevant to this Council report, being:

1. Position The Events Centre Caloundra as Council's primary performance venue on the Sunshine Coast
2. Prepare a Facility Development and Maintenance Plan for The Events Centre Caloundra to identify the strategic investment necessary to enable this venue to adequately respond to community demand over the life of this Plan. Note: Consideration will need to be given to the future roles of the Sunshine Coast Entertainment, Convention and Exhibition Centre in Maroochydore, and any new venue development.

As a result of the adoption of the *Sunshine Coast Performance and Community Venues Service Plan 2014-2029*, the Community Services Department commissioned the Property Management Branch to oversee the development of the Facility Development and Maintenance Plan (provided as Attachment 2). Consulting company GHD were awarded the contract to prepare the Plan.

The purpose of the Facility Development and Maintenance Plan is to inform future development of The Events Centre over a period of fifteen years, and to allow for the appropriate investment in The Events Centre and allocations to future Sunshine Coast Council capital works and operational budgets.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “The Events Centre Caloundra - Future Capital Works Program” and
- (b) note that \$450,000 has been approved by Council in 2015/2016 operational budget for The Events Centre
- (c) refer for consideration in the 2015/2016 budget review an amount of \$982,675 for The Events Centre for the 2015/2016 capital works budget for those works as outlined in Appendix A and
- (d) refer for consideration to future capital works budgets for The Events Centre the following amounts as outlined in Appendix A:
 - (i) 2016/17 capital works program: \$1,024,325
 - (ii) 2017/18 capital works program: \$889,500
 - (iii) 2018/19 capital works program: \$713,650
 - (iv) 2019/20 capital works program : \$938,050
 - (v) An indicative budget of \$500,000 in each of the years 2020/21, 2021/22, 2022/23, 2023/24 and 2024/25 capital works program.

FINANCE AND RESOURCING

In terms of Council’s contribution to The Events Centre, the table below outlines prior and current year allocations:

	2011-12	2012-13	2013-14	2014-15	2015-16
Council to Company Payment	1,066,682	1,066,682	1,066,682	1,186,682	1,217,536
Equipment, Property & Plant	100,000	100,000	100,000	150,000	100,000
Building Maintenance	120,000	20,000	120,000	450,000	350,000
Major Capital Works Program	155,326	227,946	829,358	456,405	TBD
TOTAL	\$1,442,008	\$1,414,628	\$2,116,040	\$2,243,087	\$ 1,667,536

It should be noted that funds in the 2015/2016 and future years capital works program for The Events Centre have not yet been allocated and are pending the outcomes of this report. In respect to 2015/2016 capital allocations, it is recommended that a Council endorsed amount be referred to the quarterly Budget Review process, to be undertaken in September, 2015. The recommendation in this report is that \$982,675 be allocated for those works outlined in Appendix A for The Events Centre 2015/2016 capital works budget.

For the purpose of the Facility Development and Maintenance Plan, GHD combined the items listed above as Equipment, Property and Plant and Building Maintenance under an item titled as Operational Funding. Based on the GHD Facility Development and Maintenance Plan, it is suggested that an operational amount of between \$1.5M and \$2.5M is required over the next 5 financial years. As can be seen above, an operational budget allocation of \$450,000 has been made for the 2015/2016 financial year.

It can therefore be assumed that an annual allocation of a similar amount may be suitable moving forward, however will require analysis and review each year. This amount represents approximately 2.5% of the total Events Centre asset value which is deemed suitable according to recognised building and asset maintenance best practice. Additionally, this operational funding is heavily reliant on the level of capital investment made in the facility as this investment can determine what is required in respect to future maintenance.

As outlined further in the report, officers have reviewed the GHD Facility Development and Maintenance Plan and have made recommendations in respect to those allocations which should be made to future budgets. The details of those projects to be undertaken are outlined in Appendix A of this report.

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S5 - Community venues - providing, managing and administering the hiring and leasing of community and cultural venues including The Events Centre and other performance venues

CONSULTATION

Internal Consultation

In the development of this Plan, the following stakeholders were engaged:

- The Events Centre Board - engaged and briefed during the project including the direct involvement of TEC Board Chairman, Councillor Tim Dwyer, and Board Director Kevin Radbourne in workshop discussions and progress meetings.
- TEC Management and Staff - TEC General Manager, Mr Gary Mears, has been instrumental in his involvement to provide input and reviews of the Plan, and in facilitating and coordinating other parties throughout the project. Key TEC management and staff were involved in various meetings and forums, as well as supplying information as requested.
- Council's Property Management Staff and Major Project Delivery Staff - provided key information and guidance in terms of the Council asset management processes, systems and data.

External Consultation

In recent years, the Council, TEC Board and management have undertaken a series of surveys, community consultation, reviews, planning sessions, strategy development and concept plans for the future of TEC. Feedback derived from previous activities and recent detailed investigations have been reviewed and have contributed to the presentation of this report.

Technical input has also been received from the following facility industry specialists and groups:

- Ford Consulting: AC systems, 2014
- GEO Consulting: Clock Tower Investigation, 2014
- TOD Consulting Engineers: Various structural elements, 2013-14
- Mode Design: Front entry concepts, 2013
- SCC: Security review, 2012.

Community Engagement

It is not proposed that specific community engagement in respect to the Facility Development and Management Plan will be undertaken.

PROPOSAL

Upon receipt of the report from GHD, Council officers have critiqued the data and in particular, endeavoured to prioritise those tasks required to be undertaken in the short to medium term. This prioritisation process was undertaken utilising the following hierarchy:

1. Compliance action
2. Defect action
3. Functionality
4. Services
5. Cosmetic

This prioritisation has influenced the type and order of works in Appendix A and has been used as the basis for developing the proposed future capital works program.

The proposed capital works program has been proportionally spread across a 5 year period, taking into account issues such as defects and compliance. For some of the larger dollar value projects, the budgets have been spread across two financial years – as per the Project Delivery Branch Gateway Guidelines, whereby year 1 is a planning/design year (30% of budget), with year 2 being delivery of works (70% of budget).

The Premier model option proposed by GHD does not form part of the recommendation for this report. In the event that external funding is secured for these works, Council's capital works program (budget and delivery) would need to be revisited limit disruptions to the venue and maximise project efficiencies. The works to be undertaken if a Premier model is pursued are included as Attachment 3 to this report.

Additionally, council officers have reviewed the air conditioning component of the GHD Facility Development and Maintenance Plan and provide the following commentary.

Chilled Central HVAC Plant as recommended in the GHD report:

Adoption of a chilled central HVAC plant is considered the logical solution when constructing a new building. However, in the case of TEC the staging of works to provide such chilled central plant services presents a high risk of operational downtime for TEC through complexities in building works coordination between contractors. Additionally, whilst there is a significantly greater capital outlay, there is no significant cost savings in operating a full central plant as opposed to individually controlling various HVAC systems via Building Management System (BMS) controls and economy cycles (using precooled outside fresh air).

The full costs for this solution are as follows:

Package	Chilled Central HVAC Plant Description - Location	Estimated Cost
6.1	Playhouse Theatre HVAC – Playhouse / Reef Room	\$187,000
6.2	Main Theatre HVAC Front of House	\$375,000
6.3	Beausang Room HVAC Central Plant	\$468,750
6.8	Foyer HVAC – Foyer Central Plant	\$675,000
6.8	Foyer – Allowance for New HVAC system	229,900
6.9	Main Central HVAC - Main Theatre Central Plant and Air Handling Units	\$1,600,000
6.9	Playhouse Central HVAC Plant - Playhouse	\$437,000
6.9	Playhouse Reef Plantation Air handling Units – Playhouse Reef Plant room and AHU	\$312,000
	TOTAL	\$3,862,775

Upgrade – Renew Existing HVAC Plant as per costings in Appendix A:

Renewing the existing HVAC plant offers benefits of retaining equipment that is in good condition and higher quality than what is presently available to the market i.e. high quality copper coils. Renewing existing plant to operate on an R22 alternative drop in gas is viable, tried and proven and will decrease in price whilst R22 is being phased out. Advantages of renewing plant are initial cost savings and a significantly lesser risk of TEC experiencing operational downtime through running chilled pipes and plant throughout the entire building in stages that align with other building works packages. Price estimates provided by the consultant QS will also afford the introduction of further operational cost saving initiatives in the form of economy cycles and building management system controls throughout the Main, Playhouse Theatres and Beausang room.

The full costs for this solution are as follows and are reflected in Appendix A:

Renew existing HVAC plant	Estimated Cost
Beausang Room	\$259,500
Playhouse Theatre / Reef Room	\$962,500
Main Theatre	\$1,205,500
TOTAL	\$2,427,500

Note: If Foyer area is to be air conditioned, estimated costs = \$300,000. This amount has not been included in the calculations contained in Appendix A.

GHD Facility Development and Maintenance Plan Options

The GHD Events Centre Facility Development and Maintenance Plan has been developed with a strategic 15 year outlook to maximise benefits from required maintenance and capital investment in the venue. The three options presented in the report include:

- 1. Maintain existing standard. This will cover asset replacements and continued maintenance over the 15 year period. This provides for no enhancements or increases in service levels and is basically a “like for like” scenario.**

This Maintain Existing Standard option allows for the following:

- Financially viable – the most affordable of all options and will not require a significant increase in Council’s contribution over the next five years
- Will address the majority of compliance issues at The Events Centre, however only basic compliance levels achieved.
- Will not address current condition and comfort levels for patrons and staff in some areas.
- Does not consider embellishment and the aesthetics of The Events Centre

In its current form, option would not be considered the optimum outcome. In terms of best practice asset management, some assets are at the end of their useful life and there are business continuity risks associated with adopting a ‘run to fail’ model. This minimalist approach will also constrain growth and patron satisfaction levels for The Events Centre.

- 2. Enhance to Industry Standard and Maintain the facility at a ‘Basic Industry Standard’. This scenario includes what is necessary to bring the existing facility up to a minimum industry level of service without any targeted efficiency gains or upgrade to a higher or premier level of service or presentation.**

This Enhance to Industry Standard option allows for the following:

- Financially viable – whilst this suggests an increase to current capital expenditure levels, presents a realistic and affordable schedule for Council investment.
- Will address compliance issues at The Events Centre to a high standard.
- Will enhance public areas, accessibility and overall patron comfort.
- Should allow for retention of current program and moderate increase in respect to new programming and attraction.

This option best aligns with the *Sunshine Coast Performance and Community Venues Service Plan 2014-2029* in that it will ensure that Council ‘*position The Events Centre Caloundra as Council’s primary performance venue on the Sunshine Coast*’. From an asset management perspective, this option allows for adequate planning and preventative maintenance works, particularly in relation to critical infrastructure such as air conditioning and other functional assets such as surfaces, floor coverings and seating.

- 3. Premier Level of Service Upgrade Options (1 + 3 year delivery) to achieve enhanced presentation, efficiencies, current compliance, benchmarked standards ‘as compared to other like regional performance centres (Toowoomba, Geelong, Wollongong, Mandurah, etc.) They present the most cost effective treatment to gain the greatest benefit possible from the existing facility.**

This Premier Level of Service Upgrade option allows for the following:

- Financially constrained – would require a significant increase in investment by Council or other sources of external funding being obtained.
- Will ensure compliance with ‘new build’ building compliance.

- Will enhance public areas, accessibility and overall patron comfort.
- Will improve street presence and external appearance
- Would likely lead to an increase in programming and overall patron and performer satisfaction.

This option will require Council to review the adopted *Performance and Community Venues Service Plan 2014-2029* and suggests a significant increase in capital spend at the venue comparative to past years. As per the *Performance and Community Venues Service Plan 2014-2029*, consideration also needs to be given to the future roles of the Sunshine Coast Entertainment, Convention and Exhibition Centre in Maroochydore. The Venue Service Plan does not suggest improvements to The Events Centre to achieve Premier status.

The GHD Facility Development and Maintenance Plan states: '*The proposed Premier Level of Service Upgrade of The Events Centre will likely see an escalation in the number and quality of high profile conferences and entertainment events.*' The Plan goes on to say: '*an upgrade to Premier levels of service provides opportunity to possibly reduce the annual council subsidy required to operate the facility.*' Whilst both of these statements may well prove to be correct, at this time there has been no detailed Business Case or Return on Investment analysis undertaken to support this view. Further within the context of the Sunshine Coast Entertainment, Convention and Exhibition Centre implementation of the proposed Premier option could be considered premature.

It is proposed that whilst Council receive and note the report *The Events Centre Caloundra – Facility Development and Maintenance Plan*, it does not undertake implementation strictly in adherence with the one of options outlined above. Instead, it is proposed that a hybrid approach is pursued that covers all activities identified in Options 1 and 2 which will ultimately result in the categorisation of – *Enhance to Industry Standard* for a program of capital works at The Events Centre. Also included are three components from Option 3 that are included from a defect and compliance perspective with regard to asset management. These three components from Option 3 are outlined in Appendix A and are:

- Building external and clocktower - Rectification of water leakage to wall and roof of clock-tower. External brick veneer mortar treatment of building and acrylic coating. In 2012/13, roof rehabilitation works were undertaken to remedy continual water damage. It was ascertained at this time the mortar to the brick walls (including the clock tower) was failing, resulting in water ingress through the brick work. The project engineer recommended appropriate remedial works including waterproof brick rendering. However, the project budget was insufficient to rectify the full extent of the water ingress. As such only the roof rehabilitation works were completed. The Events Centre Facility Development and Maintenance Plan recommends rendering works are performed as part of the Premier Package (Option 3) upgrade. Whilst rendering the entire surface will improve the visual appearance of the centre, the primary purpose of rendering is to preserve mortar integrity and prevent water ingress into the building fabric. It is for this reason; these works have been included in the Proposed Council works program.
- Kitchen Facilities - Although these works (rectify pest and food issues, new heat sanitizer) were identified in the Premier Package (Option 3), the value of works are relatively small, so should be included in the Proposed Council CWP works.
- Playhouse Theatre - DDA compliant covered access link way works form part of the Premier Package (Option 3) with the exhaust ductworks part of the Enhanced Option (Option 2). It is recommended these works being done concurrently and be included in the proposed Council Capital Works Program.

Legal

There are no legal implications relevant to this report.

Policy

The major policy driver for The Events Centre is the *Sunshine Coast Performance and Community Venues Service Plan 2014-2029*, adopted by Council on 21 August 2014.

Within the Venues Service Plan, there are two key actions which are relevant to this Council report, being:

1. Position The Events Centre Caloundra as Council's primary performance venue on the Sunshine Coast
2. Prepare a Facility Development and Maintenance Plan for The Events Centre Caloundra to identify the strategic investment necessary to enable this venue to adequately respond to community demand over the life of this Plan. Note: Consideration will need to be given to the future roles of the Sunshine Coast Entertainment, Convention and Exhibition Centre in Maroochydore, and any new venue development.

Risk

As articulated in the GHD Facility Development and Maintenance Plan (P.5); "*The aged facility has many individually identified 'end of life' components including; seating, air conditioning and kitchen facilities, that present extreme risks for business continuity and inefficient reactive expenditure. Other identified risks include; public safety, inequitable disability access and food safety.*"

Throughout the GHD Facility Development and Maintenance Plan there are identified risks associated with a 'run-to-fail' model and the impact that this could have on The Events Centre operations.

Previous Council Resolution**(OM14/120) Ordinary Meeting 21 August, 2014**

That Council:

- (a) *receive and note the report titled "Sunshine Coast Performance and Community Venues Service Plan 2014-2029"*
- (b) *adopt the "Sunshine Coast Performance and Community Venues Service Plan 2014-2029" as amended and*
- (c) *note the "Sunshine Coast Performance and Community Venues Service Plan 2014-2029- Supporting Resources" (Appendix B) as amended.*

Related Documentation

- Sunshine Coast Performance and Community Venues Service Plan 2014-2029

Critical Dates

As referred to earlier in the report, there is currently no allocation in Council's budget for capital works at The Events Centre for the 2015/2016 financial year. Therefore, decisions in respect to considering allocations through Council's Budget Review One process are required at the August Ordinary Meeting if they are to be considered as part of this process in September 2015. If capital projects are endorsed for the 2015/2016 financial year, planning of works is required to commence immediately as there is likely to be significant planning for projects, keeping in mind the need to undertake work at 'non-peak' times to minimise disruption to The Events Centre programming.

Implementation

The GHD Facility Development and Maintenance Plan has been developed to guide future Council investment into the facility. Those amounts resolved by Council through this report will be referred to future Capital Works budgets for consideration. In the instance of 2015/2016 funding identified, this will be referred to the Budget Review One process in September 2015.

Upon confirmation of the program, Council officers will work collaboratively with The Events Centre management in the delivery of the endorsed program, with particular care taken to minimise disruption to programming and other business operations.

Whilst the Facility Development and Maintenance Plan is an excellent guide in respect to future investment required at the facility, it is an evolving document and will require regular review to assess issues such as available funds, asset condition, audience growth, etc. Again, engagement with key TEC personnel will ensure future funding is flexible and adaptable to the business needs.

8.4 INFRASTRUCTURE SERVICES

8.4.1 PROPOSED EUDLO CREEK PEDESTRIAN / CYCLEWAY BRIDGE UPGRADE

File No:	23894	
Author:	Coordinator Civil Projects Infrastructure Services Department	
Attachments:	Att 1 - Cycle Network Grant Deed.....	469
	Att 2 - Layout Option 1	495

PURPOSE

This report seeks council approval to enter into a joint funding agreement with the Department of Transport and Main Roads (DTMR), for council to manage the delivery of a new Pedestrian / Cycle Bridge over Eudlo Creek at Maroochydore.

EXECUTIVE SUMMARY

Over the past 3 years Council has been delivering major cycleway upgrades along David Low Way between Bradman Avenue, Maroochydore and Bli Bli, utilising grants provided under the state cycle network program. On the eastern (Maroochydore) end of these new cycle facilities the existing bridge over Eudlo Creek on David Low Way has substandard pedestrian / cycleway facilities.

It has been identified for some time that this is a shortfall in the overall cycle network and has been subject to various community complaints. Previous investigations by the former Maroochy Shire Council and DTMR advanced various options and designs to provide improved pedestrian / cycleway facilities, however no suitable solution had been found.

In 2014, Sunshine Coast Council and DTMR recommenced investigations in a joint initiative for a new pedestrian / cycleway bridge along with approaches to provide enhanced facilities linking the existing networks. Funding has been identified by both parties (including further Cycle Network grants) to provide this upgraded infrastructure.

It is proposed to deliver both the approaches and bridge works through a single Design and Construction (D&C) contract process managed by Council. The completed assets would become Councils to own and maintain, in general alignment with DTMR's cost sharing responsibilities on state controlled roads and consistent with council's existing asset ownership leading into this new facility.

The concept is for a standalone bridge structure to the north of the existing traffic bridge, with approaches on piers to connect to existing pathways, both to the east and west. The total cost is estimated at \$2.98 million and the suggested funding model is Council providing \$740,000; the State Cycle Network Grant Program providing \$740,000 and DTMR providing \$1,500,000. The infrastructure would be delivered via a funding agreement with DTMR whereby any cost variations (savings or exceedances) would be shared.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Proposed Eudlo Creek Pedestrian / Cycleway Bridge Upgrade”
- (b) authorise the Chief Executive Officer to progress and execute a suitable cost sharing funding agreement with the Department of Transport and Main Roads for the delivery of a new Pedestrian/Cycleway bridge and approaches across Eudlo Creek, Maroochydore and
- (c) approve as part of that funding agreement:
 - Council to act as the project manager / lead delivery agent for the project
 - Council inheriting ownership and maintenance responsibility for the asset
 - Council will consider an allocation of a further \$240,000 in the 2016/2017 Capital Budget to fund the infrastructure delivery.

FINANCE AND RESOURCING

Previously the delivery, capital funding and ownership of the pathway approaches had been considered separately to the upgrading of the pathway facility on the existing bridge over Eudlo Creek.

Following DMTR’s initial advice that the pathway facility on the existing bridge would be upgraded, Council successfully applied to the Cycle Network Program in 2014/2015 for partnership funding to design and construct the approaches, separate to the bridge upgrade.

After closer scrutiny (due to poor outcomes delivered in upgrading the existing bridge path) DTMR subsequently proposed to combine the bridge and approach works to construct a new pedestrian / cycleway bridge and approach structure separated from the current traffic bridge as a single construction package of works. This proposal that has much higher quality pedestrian and cycleway outcome, connecting to the new cycleway linkages recently constructed.

To better understand overall likely construction costs Council obtained a conceptual cost estimate from an external Quantity Surveyor (QS) to provide a greater level of confidence of required funding levels. Based the estimated project costs a total funding amount of \$2.98million has been proposed to further the discussions with DTMR regarding all parties’ possible funding contribution levels. Funding agreement negotiations will seek suitable hold points (e.g. at D&C Tender assessment) for Council and DTMR to ensure suitable project outcomes are achieved and agreed as the project advances.

The Design and Construct process is intended to incorporate an analysis of whole of life costs to consider capital expenditure preferences such as material selections / design coupled with ongoing maintenance costs. However, the following whole of life costs and annual depreciation are considered approximate at this concept stage based on council’s low share of capital construction costs and the probable material selection.

- Whole of Life Cost Estimate is \$6.3million based on the following assumptions:
 - Capital cost of \$3million BUT Council’s contribution \$740k
 - Useful life 80years
 - Standard bridge materials (concrete)
 - Annual average maintenance and operation cost 0.75% of initial total capital cost (industry range = 0.5% - 1.25%)
 - CPI 2.5%

- Annual depreciation \$37.5k per year over 80 year useful life

The proposed funding model for the project is outlined in the table below.

Funding Source	Current Approved Capital Funding	Proposed Funding Model to complete project	Overall Project Percentage Funding Contribution
Sunshine Coast Council	\$500,000	\$740,000	25%
State Gov't Cycle Network Grant	\$500,000	\$740,000	25%
DTMR - North Coast Region	\$1,000,000	\$1,500,000	50%
Total Funding	\$2,000,000	\$2,980,000	100%

Based on negotiations to date, DTMR have indicated they could contribute an additional \$500,000 and should Council approve an additional \$240,000 toward the project, the State Government is favorable to an increase in the Cycle Network Grant by the same amount by form of variation to the current deed.

Council's proposed funding contribution toward this project will equate to approximately 25% of total project value which is considered good value for the high quality outcome being delivered. Due to the likely construction timing of the project (Apr - Dec 2016), and considering environmental approval timeframes, Council's additional \$240,000 funding commitment would form part of the 2016/2017 capital budget. While this project hasn't received its current funding from the LGIP program, the future proposed allocation will be considered from the LGIP Active Transport Program.

Due to the ongoing negotiations with DTMR regarding the joint funding arrangement for delivery of this combined single project, \$400,000 of council's \$500,000 - 2014/15 capital budget allocation has now been deferred to form part of the 2015/16 financial year. It is likely that approximately \$65,000 will also be carried over as unspent 2014/15 capital funding for the project. The movement of these funds into the 2015/16 financial year better aligns with the construction delivery timing of the project.

Council has suitable internal Project Management expertise, capacity and systems to progress the proposed contractual framework. The actual Design and Construct contract would be through external resources, procured through an open tender process.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*
Outcome: 2.4 People and places are connected
Operational Activity: 2.4.2 Improve accessibility within and between communities

CONSULTATION

Internal Consultation

- Director Infrastructure Services
- Manager Transport Infrastructure Management
- Manager Project Delivery
- Coordinator Civil Projects
- Coordinator Traffic and Transport
- Coordinator Asset Strategy, Civil Asset Management
- Division 7 and 9 Councillors, both of whom are in support of the project

External Consultation

- Department of Transport and Main Roads (DTMR) – Sunshine Coast regarding desired infrastructure performance, possible delivery mechanisms and funding options.
- Department of Transport and Main Roads (DTMR) – Cycle Network Grant Program Administrators relating to current approved grant and likely variation to increase funding.

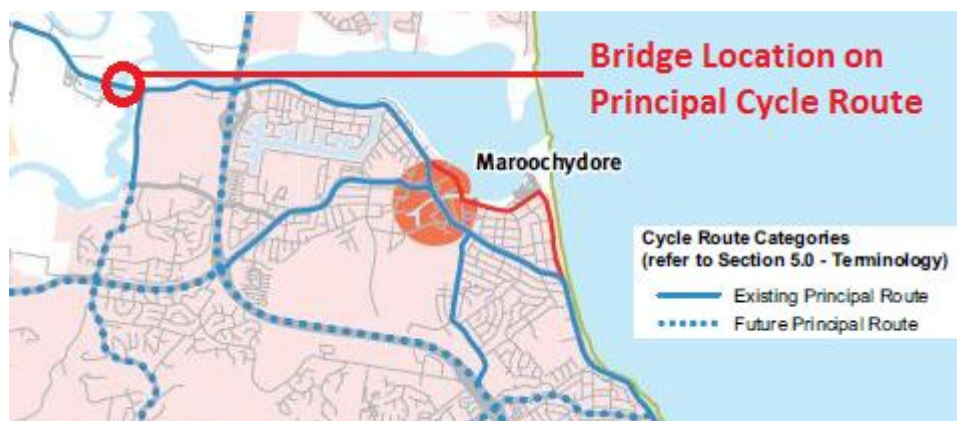
Community Engagement

No specific community engagement has been undertaken relating to this project proposal to date, but it is expected that project newsletters will be delivered to explain the overall project.

PROPOSAL

Over the past 3 years Council has been delivering major cycleway upgrades along David Low Way between Bradman Avenue, Maroochydore and Bli Bli, utilising grants provided under the state cycle network program. On the eastern (Maroochydore) end of these new cycle facilities the existing bridge over Eudlo Creek on David Low Way has substandard and unsafe pedestrian / cycleway facilities.

The map below shows an extract from the State Government Principal Cycle Network Plan indicating this bridge is on an existing Principal Route, supported by the CNP grant scheme.



The route is identified by both Council and the State Government as a key link in the overall cycle network. It provides linkages between population centres, schools, sports fields, commercial areas and tourism businesses. As an off road facility it will appeal to a wider range of cyclists benefiting school children, families, recreational and commuter users.

It has been identified for some time that this is a shortfall in the overall cycle network and has been subject to various community complaints. Previous investigations by the former Maroochy Shire Council and DTMR advanced various options and designs to provide improved pedestrian / cycleway facilities, however no suitable solution had been found.

In 2014, Sunshine Coast Council and DTMR recommenced investigations in a joint initiative for a new pedestrian / cycleway bridge along with approaches to provide enhanced facilities linking the existing networks. Funding has been identified by both parties (including further Cycle Network grants) to provide this upgraded infrastructure (see Attachment 2).

It is proposed to deliver both the approaches and bridge works through a single Design and Construction (D&C) contract process managed by Council. The completed assets would become Council's to own and maintain, in general alignment with DTMR's cost sharing responsibilities on state controlled roads and consistent with council's existing asset ownership leading into this new facility.

Performance criteria will be used in the D&C process to ensure the requirements of cyclists and pedestrians are catered for functionally and practicality. The 3m wide bridge will be a free standing structure on piers with cycle friendly handrails, and is not proposed to have lighting due to expected low night time usage. A minimum clearance width of 3m will be provided for shared use approaches utilising a combination of slab on ground and elevated boardwalks. Existing vegetation will be taken into consideration with the approach routes to minimise impact where ever practically possible.

The total cost is estimated at \$2.98 million and the suggested funding model is Council \$740,000; Cycle Network Grant Program \$740,000; DTMR \$1,500,000. The infrastructure would be delivered via a funding agreement with DTMR whereby any cost variations (savings or exceedances) would be shared.

Legal

An existing funding agreement for delivery of the approach infrastructure already exists between Council and the Cycle Network Program. This funding agreement will require a variation if Council supports the proposed infrastructure delivery model.

A further funding agreement with DTMR will be negotiated to incorporate the bridge component. Prior to entering into the agreement advice will be obtained from Council's Legal Services branch.

Policy

The proposed infrastructure will support the Sustainable Transport Strategy 2011-2031 and the Sunshine Coast Active Transport Plan 2011-2031.

Risk

Council and the Queensland Government have previously invested heavily in creating pedestrian / cycleway network links from Bli Bli to Maroochydore, however the standard of the pathway facility crossing Eudlo Creek reduces the networks overall effectiveness and consequently risks being underutilised.

Furthermore, by creating good quality pedestrian and cycleway links leading to this substandard pathway facility on the existing bridge there is a greater public safety risk at this critical point on the overall corridor.



A Design and Construction contract delivery method is intended to provide more economical, innovative and timely outcomes, however risk mitigation will need to ensure that key performance criteria and whole of life cost considerations are included in the process. To ensure this risk is mitigated all internal and external stakeholders are being given the opportunity to contribute to the life cycle requirements of the new infrastructure.

Preliminary environmental assessments have been conducted by DTMR and documented via an Environmental Scoping Report. Furthermore, Council has obtained pre-lodgement advice from the Queensland Government Department of State Development, Infrastructure and Planning which outlines the approvals required under various legislation and regulations. Both the Environment Scoping Report and pre-lodgement correspondence identify investigations and approvals required, however neither highlights any specific issues that would prevent the infrastructure from gaining the approvals required for construction.

Previous Council Resolution

There are no known previous Sunshine Coast Council resolutions regarding this project.

Related Documentation

Concept Plan for New Pedestrian / Cycleway Bridge and Approaches
Cycle Network Program - Grant Funding Agreement Deed

Critical Dates

If the proposal is endorsed and funding agreement finalised there is a significant lead time required to obtain necessary environmental approvals and undertaken the design process prior to construction activities.

The opportune construction timing is late Autumn/Winter months (i.e. May-August). For these works to be undertaken during this window in 2016 the Design and Construction Tender (including environmental studies) should ideally commence September 2015.

Implementation

Following Council's direction, negotiations and suitable funding agreement will be finalised with DTMR. With partnership funding secured, the Project Delivery Branch will advance the Design and Construct contract process, incorporating input on the infrastructures desired performance criteria from Transport Infrastructure Management and Civil Asset Management.

8.5 CORPORATE STRATEGY AND DELIVERY**8.5.1 MAROOCHYDORE CITY CENTRE PROJECT - ROLES, RESPONSIBILITIES, AUTHORITIES**

File No:	Statutory Meeting	
Author:	Director Corporate Strategy and Delivery Corporate Strategy and Delivery Department	
Appendices:	App A - Maroochydore City Centre Project Roles, Responsibilities and Authorities	503
Attachments:	Att 1 - Maroochydore City Centre Project Diagram	507

PURPOSE

The purpose of this report is to clearly define the roles, responsibilities and authorities that are required to deliver the Maroochydore City Centre Project.

EXECUTIVE SUMMARY

Sunshine Coast Regional Council has purchased the Horton Park Golf Club site in Maroochydore to develop a new city centre for the Sunshine Coast. Council took possession and control of the site on 29 May 2015.

The key stakeholders that will be involved in the delivery of the Maroochydore City Centre Project (Project) are:

1. Sunshine Coast Council (Council)
2. Minister Economic Development Queensland (MEDQ)
3. SunCentral Maroochydore Pty Ltd (SunCentral)
4. Shareholders Representative Group (SRG)
5. Technical Reference Group (TRG)
6. Council's Maroochydore City Centre Project Superintendent (SCC Superintendent).

Each stakeholder has a defined role and a range of responsibilities and authorities in the delivery of the Project. This report will

- define those roles, responsibilities and authorities and
- identify the interactions required between stakeholders.

OFFICER RECOMMENDATION

That Council:

- (a) **receive and note the report titled "Maroochydore City Centre Project - Roles, Responsibilities, Authorities" and**
- (b) **endorse the Roles, Responsibilities and Authorities for the key stakeholders in the delivery of the Maroochydore City Centre Project as defined in Appendix A.**

FINANCE AND RESOURCING

There are no direct costs to Council related to the preparation of this report.

All costs associated with future contractual arrangements between Council and SunCentral will be subject to specific contractual negotiation.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*

Outcome: 1.2 - New capital investment in the region

Operational Activity: 1.2.2.1 - Implement the governance model for the development of the Maroochyodre Priority Development Area

CONSULTATION

Internal Consultation

- Chief Executive Officer and Directors
- Legal Services Branch
- Governance Branch

External Consultation

The contents of this report have been discussed with the management of SunCentral Maroochyodre Pty Ltd.

Community Engagement

Because of the nature of this report, no community engagement was applicable.

PROPOSAL

Sunshine Coast Regional Council has purchased the Horton Park Golf Club site in Maroochyodre to develop a new city centre for the Sunshine Coast. Council took possession and control of the site on 29 May 2015.

The key stakeholders that will be involved in the delivery of the Maroochyodre City Centre Project (Project) are:

1. Sunshine Coast Council (Council)
2. Minister Economic Development Queensland (MEDQ)
3. SunCentral Maroochyodre Pty Ltd (SunCentral)
4. Shareholders Representative Group (SRG)
5. Technical Reference Group (TRG)
6. Council's Maroochyodre City Centre Project Superintendent (SCC Superintendent).

Each stakeholder has a defined role and a range of responsibilities and authorities in the delivery of the Project. This report will:

- define those roles, responsibilities and authorities and
- identify the interactions required between stakeholders.

For the Maroochydore City Centre Project, Attachment 1 summarises the following:

- The reporting lines of SunCentral to Council
- SunCentral Company Objects
- The operating structure links between SunCentral, Council, the Shareholders Representative Group and the Technical Reference Group
- The roles and responsibilities of Council, SunCentral, the Shareholders Representative Group and the Technical Reference Group
- The cash flows between Council and SunCentral.

Roles and Responsibilities

The roles, responsibilities and authorities for the delivery of the Maroochydore City Centre Project are defined in Appendix A.

Council will be required to approve, by resolution,

- The Project Infrastructure Agreement
- Stage Development Plans
- Land Disposal Plans
- Budget.

The Project Infrastructure Agreement will be compiled within Council through the Technical Reference Group. Once formal Council approval of the Infrastructure Agreement has been given, SunCentral will be contracted to submit the Agreement to Minister Economic Development Queensland and manage the approval process.

Following comprehensive research and analysis of current markets and trends, SunCentral will periodically submit Stage Development Plans to Council for consideration. Each Stage Development Plan will include a comprehensive Business Case to justify the development of a stage of the Project and will include:

- the preliminary design of each stage
- the estimated yield and land sales proceeds
- estimated development costs and
- expected contractual arrangements required with external providers to deliver the stage.

Periodically, SunCentral will provide Land Disposal Plans to Council for consideration. These Land Disposal Plans will include:

- site plans of a development stage detailing the lots that will be produced
- estimated lot sale price ranges and
- a comprehensive marketing plan for lots within a stage.

A Council approval by resolution of a Land Disposal Plan will include an approval to dispose of developed lots within a stage by auction or tender in accordance with S227 of the *Local Government Regulation 2012*.

Development Application and Assessment

Council will contract with SunCentral for the preparation of Precinct Plans, Operational Works and Configuration of Lot Applications, and submission to Minister Economic Development Queensland where required.

Following preparation by the Technical Reference Group and endorsement by Council, SunCentral will be contracted to manage the submission and approval process of an Infrastructure Agreement for the Maroochydore City Centre Project with Minister Economic Development Queensland.

Minister Economic Development Queensland is the assessment manager for all non-exempt development applications relating to the Maroochydore City Centre Development Scheme.

Delegations

In accordance with existing Chief Executive Officer procurement delegations from Council, it is proposed to establish specific delegations from the Chief Executive Officer to relevant Directors relating to the approval of contractual arrangements with SunCentral. These delegations will be applied in consultation with the Shareholders Representative Group.

Payments to SunCentral

Payments to SunCentral will be in accordance with the Heads of Agreement endorsed by Council and the SunCentral Board, and will be by way of:

- Development Management Fee payments endorsed by Council through its annual budget process and
- Development Services contract payments authorised through Chief Executive Officer delegations, in consultation with the Shareholders Representative Group.

Maroochydore City Centre Project Reporting

Under the Statement of Corporate Intent and Constitution, SunCentral Maroochydore have a range of reporting requirements on a quarterly, six-monthly, and yearly basis. This reporting includes Council, the Shareholder Representative Group and Technical Reference Group.

Formal Documents

The formal documents specifically relating to the delivery of the Maroochydore City Centre Project include the following:

- i. Maroochydore City Centre PDA Development Scheme
- ii. SunCentral Constitution
- iii. SunCentral Statement of Corporate Intent
- iv. Heads of Agreement between Council and SunCentral
- v. Contracts between Council and SunCentral for the provision of development services.

Legal

All processes, procedures and delegations defined within this report are in compliance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

Policy

Processes, procedures and delegations defined within this report are in accordance with all relevant Council policies.

Risk

If the procedures and delegations defined in this report are not put into effect, there is a risk that the correct approvals are not granted legally or within a reasonable timeframe and the Project could be delayed.

Previous Council Resolution

Council Resolution (OM14/181) – Ordinary Meeting 11 December 2014

That Council:

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

Related Documentation

- Maroochydore City Centre PDA Development Scheme
- SunCentral Constitution
- SunCentral Statement of Corporate Intent
- Heads of Agreement between Council and SunCentral.

Critical Dates

Council has taken control of the former Horton Park Golf Club site and SunCentral has commenced operations. It is imperative that the roles, responsibilities and authorities associated with the delivery of the Maroochydore City Centre Project are in place as soon as possible to facilitate the delivery of the Project.

Implementation

Should Council approve the recommendations of this report, the processes, procedures and required delegations defined within this report will be put into effect.

8.5.2 NATIONAL STRONGER REGIONS FUND

File No:	Corporate Planning and Governance
Author:	Coordinator Funding Partnerships Corporate Strategy and Delivery Department
Attachments:	Att 1 - National Stronger Regions Fund - Guidelines521

PURPOSE

The purpose of this report is to seek endorsement of Council's priority projects selected for submission under Round 2 of the National Stronger Regions Fund (NSRF).

EXECUTIVE SUMMARY

The NSRF is an Australian government funding program with an allocation of \$1 billion over five years from 2015/2016 to 2019/20 – (see Attachment 1: NSRF – Guidelines). Local government and not-for-profit organisations (not owned by local or state government) are eligible to apply for dollar for dollar funding up to a maximum of \$10 million. The NSRF provides funding for capital projects which involve the construction of new infrastructure, or the upgrade or an extension of existing infrastructure. It has a strong economic focus.

Applicants were able to submit one project only for the NSRF Round 1. However, the NSRF guidelines have been altered and applicants can now submit two projects for NSRF Round 2, which closes on 31 July 2015.

In terms of Council projects proposed for submission, project priorities and eligibility are developed based on the level of project development, alignment with NSRF objectives and criteria, and inclusion in Council's endorsed forward capital works schedule. Officers identify projects which are aligned to the funding program eligibility criteria. In addition a register of capital projects having the potential to attract funding is maintained and projects from this register are also assessed for eligibility.

The selected project for the NSRF Round 1 was the Sunshine Coast Solar Farm with a funding request of \$10 million. At the time of project selection, it was considered that the Mary Cairncross Scenic Reserve Building Renewal project (a project well-advanced with planning and project documentation, strong community partnerships in place, and difficulty securing external funding elsewhere) be further developed and submitted for NSRF Round 2.

The Sunshine Coast Solar Farm National Stronger Regions Fund Round 1 application was unsuccessful. However, feedback from the Australian government NSRF assessment team encouraged the resubmission of an application for the project in Round 2.

The Sunshine Coast Solar Farm and the Mary Cairncross Scenic Reserve Building Renewal project are the recommended priorities for NSRF Round 2 based on the level of project development, alignment with NSRF objectives and criteria, and their inclusion in Council's approved forward capital works schedule.

The opportunity also exists for Council to identify remaining projects as priorities for further development and consideration in the event of future NSRF rounds or in the event of other relevant funding programs being announced.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “National Stronger Regions Fund”
- (b) endorse the Sunshine Coast Solar Farm project and the as Council’s priority projects for submission under the National Stronger Regions Fund Round 2 and
- (c) note that a further report will be provided to Council dealing with priority projects to be nominated for any future round of the National Stronger Regions Fund or other relevant funding programs that become available.

FINANCE AND RESOURCING

The National Stronger Regions Fund requires dollar for dollar funding commitment from eligible applicants. Council’s standard mechanism for responding to the requirement for matching funding commitment is to provide a statement from the Chief Executive Officer confirming that the project is within Council’s forward capital works schedule. Council generally only nominates projects where there is a clear commitment within the existing capital works schedule. The Sunshine Coast Solar Farm is included in Council’s forward capital works schedule.

The Mary Cairncross Scenic Reserve Building Renewal project is also included in Council’s forward capital works schedule with the total project cost being approximately \$4.5 million. Securing of \$2 million in NSRF grant funding would enable this project to advance and meet community and visitor expectations.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*
Outcome: 1.2 - New capital investment in the region
Operational Activity: 1.2.3.1 - Develop and implement a targeted advocacy plan to obtain government commitments to major regional infrastructure priorities

CONSULTATION**Internal Consultation**

- Executive Leadership Team
- Manager Project Delivery
- Manger Environmental Operations
- Manager Transport and Infrastructure Policy
- Manager Strategy and Coordination
- Coordinator Commercial Analysis
- Coordinator Business and Commercial
- Energy Projects Officer
- General Manager, The Events Centre
- Development Manager Maroochydore
- Strategic Advisor Commercial Projects

External Consultation

The Federal Department of Infrastructure and Regional Development NSRF assessment team has been consulted in relation to feedback on Council's NSRF Round 1 Sunshine Coast Solar Farm application and in relation to the guidelines, criteria and funding focus for NSRF Round 2. Feedback and advice from the Department has informed the development of NSRF Round 2 applications which are proposed for Council consideration.

Regional Development Australia (RDA) Sunshine Coast has been informed of Council's priority projects suitable for submission under the NSRF. It should be noted that whereas RDA committees were previously involved in prioritising and endorsing regional projects for other Australian government funding programs, they now have no input into the regional prioritisation or assessment process for the NSRF.

Community Engagement

Although there has been no community engagement undertaken in relation to this report, community volunteers and Friends of Mary Cairncross Inc have been consulted in the development of the proposed NSRF Round 2 application for the Mary Cairncross Scenic Reserve Building Renewal project. Evidence of partnerships with community groups aligns with the NSRF partnership objective.

PROPOSAL

The NSRF is a \$1 billion Australian government funding program designed to promote economic development in Australia's regions – see attachment 1. Local government and not-for-profit organisations (not owned by local or state government) are eligible to apply for dollar for dollar funding up to a maximum of \$10 million.

Specifically, the objective of the NSRF is to fund investment ready projects which support economic growth and sustainability of regions across Australia, particularly disadvantaged regions, by supporting investment in priority infrastructure.

The desired outcomes of the NSRF include:

- improved level of economic activity in regions
- increased productivity in the regions
- increased employment and a more skilled workforce in the regions
- increased capacity and improved capability of regions to deliver major projects, and to secure and manage investment funding and
- improved partnerships between local and state governments, the private sector and community groups, and more stable and viable communities.

The NSRF provides funding for capital projects which involve the construction of new infrastructure, or the upgrade or an extension of existing infrastructure.

All projects nominated for any funding rounds of the NSRF must be able to be commenced within 12 months of signing a funding agreement and be able to be completed on or before 31 December 2019. Replacement of existing infrastructure is only eligible where a significant increase in productivity can be demonstrated as a result of the project.

The NSRF assessment criteria include:

- the extent to which the project contributes to economic growth in the region (this criteria is the most important and is weighted by a factor of 3)
- the extent to which the project supports or addresses disadvantage in a region

- the extent to which the project increases investment and builds partnerships in the region and
- the extent to which the project and the applicant are viable and sustainable.

The NSRF has an allocation of \$1 billion over five years from 2015/16 to 2019/20. This does not necessarily translate to 20% of total funding being spread over five funding rounds for five successive financial years, as all NSRF funding could be committed in one of the earliest rounds given approved projects must be completed by 31 December 2019.

In terms of Council projects proposed for submission, project priorities and eligibility are developed based on the level of project development, alignment with NSRF objectives and criteria, and inclusion in Council's endorsed forward capital works schedule. Officers identify projects which are aligned to the funding program eligibility criteria. In addition a register of capital projects having the potential to attract funding is maintained and projects from this register are also assessed for eligibility.

Following consideration of project/projects which best meet the criteria, comprehensive applications are developed for submission. It should be noted that adequate time is a very real issue in the preparation of competitive applications, as funding agencies very often have tight turnaround times from program opening to close of submissions.

National Stronger Regions Fund Round 1

In October 2014, the NSRF Round 1 opened. Eligible organisations were limited to one project only for submission by late November 2014.

Eleven projects were considered as potential applications under NSRF Round 1:

- Sunshine Coast Solar Farm
- Evans Street Redesign
- Animal Pound Redevelopment (Sippy Creek)
- Aerodrome Road/First Avenue Intersection
- Bulcock Street Revitalisation
- Sunshine Coast Aerospace Precinct;
- The Events Centre (Caloundra)
- Caloundra Aerodrome commercial development
- Mudjimba to Nambour fibre build
- Alternate Waste Collection System (Maroochydore)
- The Mary Cairncross Scenic Reserve Building Renewal project.

Nominated projects were critiqued against both National Stronger Regions Fund assessment criteria and the extent to which they were investment ready. Criteria included:

- provision of a comprehensive business case
- project management plan
- risk management plan
- inclusion in Council's endorsed forward capital works schedule and
- capacity to meet the required dollar for dollar program funding criteria

The program guidelines indicate that projects should have a concept design finalised, a detailed design well advanced, be supported by a related strategy or master plan, and indicate evidence of community support, consultation and any partnerships. Provision of a cost benefit analysis was also highly desirable. Projects were required to be able to commence within 12 months of signing a funding agreement, and be completed on or before 31 December 2019.

The Executive Leadership Team (ELT) determined that Council would submit the Sunshine Coast Solar Farm Project for NSRF Round 1 and requested the maximum of \$10 million in grant funding. At the time of assessing eligible Round 1 projects, it was noted that the Mary Cairncross Scenic Reserve Building Renewal project was very advanced with planning and project documentation, had strong community partnerships in place, and was having difficulty securing external funding elsewhere. On that basis, ELT considered that the Mary Cairncross Scenic Reserve Building Renewal project could be considered as an application under NSRF Round 2.

Analysis of the NSRF Round 1 revealed there were 405 applications submitted nationally with requests for \$1.2 billion in grant funding. Local governments accounted for 262 applications and not-for-profit organisations for 143 applications. Successful Round 1 applicants numbered 51, with funding of \$212 million committed.

In May 2015, Council received notification that its NSRF Round 1 application for the Sunshine Coast Solar Farm Project was unsuccessful. Council requested formal feedback from the Australian government via a teleconference. The feedback from the NSRF assessment team encouraged Council to resubmit the Sunshine Coast Solar Farm Project for the NSRF Round 2 with several minor amendments.

National Stronger Regions Fund Round 2

On 15 May 2015, the Australian government announced that NSRF guidelines would be altered for Round 2 and that eligible organisations could now submit two projects for funding consideration.

In the lead up to the opening of applications for Round 2 of the NSRF, staff members have developed a comprehensive application for Mary Cairncross Scenic Reserve Building Renewal project. This application requests \$2 million in grant funding for this \$4.5 million project. This application has been developed in consultation with community volunteers and Friends of Mary Cairncross Inc, in preparation for lodgement for NSRF Round 2 which closes on 31 July 2015.

Staff working on the Sunshine Coast Solar Farm Project have been amending and improving the NSRF application in keeping with feedback from the Department in anticipation of re-submitting under NSRF Round 2.

National Stronger Regions Fund – Future Rounds

It is possible that the NSRF Round 2 may be the last round and all associated funding committed in this round. However, a NSRF Round 3 may occur, providing the round opens five to six months prior to the Australian government entering caretaker mode prior to a Federal election.

Ongoing liaison continues to occur with various project managers of major infrastructure initiatives, including development of the Maroochydore City Centre (inclusive of the undergrounding of waste proposal).

It is proposed that in November 2015, Council will consider remaining projects from the initial listing (see page 4). In advance of that process, Council may wish to identify projects it considers to be of priority. This will enable preliminary work to be completed on requisite business plans and supporting documentation as may be required in any funding round assessment and improve the prospects of success for any such application. At this stage discussions indicate the upgrade of the Sunshine Coast Events Centre would be one such

project. Recently the Honourable Mal Brough MP, Federal Member for Fisher wrote to the Mayor indicating he would support a funding submission for the Sunshine Coast Events Centre in the current NSFR round. At this point however, requisite project documentation is still being prepared and has not been completed to enable a competitive round two submission to be made that would fulfil all of the program criteria.

All projects which will be nominated for Council consideration will be assessed against the program criteria to determine two priority projects for submission in the NSRF Round 3 should it occur (or other funding programs which may become available).

Legal

There are no legal implications relevant to this report.

Policy

Organisational Policy – *Funding Partnerships Policy*

Risk

At this point in time a successful funding bid for the Sunshine Coast Solar Farm would result in a \$10 million grant, providing the best possible financial outcome for Council. Endorsing another project in lieu of this project would result in a lesser overall financial gain for Council.

Given that extensive consultation has occurred with community groups at the Mary Cairncross reserve regarding a community supported NSRF Round 2 application for the Mary Cairncross Scenic Reserve Building Renewal project, a risk involving trust and credibility exists if this project is not endorsed for submission in Round 2.

Previous Council Resolution

Ordinary Meeting 11 December 2014 - Council Resolution (OM14/179)

That Council:

- (a) *receive and note the report titled “Mary Cairncross Scenic Reserve Building Renewal Project – Concept Design”*
- (b) *endorse Concept 2 (Appendix A) as the preferred renewal concept, along with the Mary Cairncross Discovery Concept Plan (Appendix B) for detailed design development to a “shovel ready” state, noting that the architectural aesthetics of Concept 1 will be incorporated in the upper storey design of Concept 2*
- (c) *note that a further report will be presented to Council by November, 2015 following the completion of detailed design, construction costs and funding options including Federal, State and philanthropic donations, unless external funding becomes available prior to this time*
- (d) *note the significance of the view corridor from the Mary Cairncross Scenic Reserve to the Glasshouse Mountains, and Council will continue to progress agreements with the relevant stakeholders to maintain the immediate view corridor.*

Special Meeting 18 February 2014 - Council Resolution (SM14/2)*That Council*

- (a) *authorise the Chief Executive Officer to progress matters relating to future electricity supply arrangements as discussed in confidential session*
- (b) *amend the 2013/2014 budget by increasing the Strategic Land and Commercial Properties capital budget by an amount of \$5.9 million in order to progress the future electricity supply arrangements and*
- (c) *exercise its option in relation to the purchase of property that will facilitate the future electricity supply arrangements.*

Related Documentation

- Guidelines for the National Stronger Regions Fund – Department of Infrastructure and Regional Development
- Mary Cairncross Scenic Reserve Masterplan
- Mary Cairncross Scenic Reserve Building Renewal (Business Case Assessment)
- Sunshine Coast Energy Transition Plan 2010-2020
- Sunshine Coast Solar Farm Business Case
- Approved Material Change of Use for the Sunshine Coast Solar Farm

Critical Dates

The NSRF guidelines require submission of Round 2 applications by 31 July 2015. However, due to the high volume of last minute applications being lodged, it is preferable to lodge applications by 30 July 2015, as the grant portal can experience technical difficulties potentially resulting in a failure to lodge by the closing date.

Implementation

Endorsed projects for NSRF Round 2 should have funding applications completed by no later than 29 July 2015 to enable the Chief Executive Officer to sign off and lodge any submission by 30 July 2015.

Council's standard method of confirmation for the matching funding requirement is a letter from the Chief Executive Officer indicating Council is committed to the project, that the project for submission is included in Council's endorsed capital works schedule and that – subject to confirmation of funding from the Australian government – Council will then move to obtain Council endorsement of the full amount and enter into contracts to complete the project.

8.6 OFFICE OF THE MAYOR AND THE CEO

Nil

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 REGIONAL STRATEGY AND PLANNING**Nil

11.2 CORPORATE SERVICES**11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPERTY DISPOSALS - SUNSHINE COAST**

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

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

11.3 COMMUNITY SERVICES

Nil

11.4 INFRASTRUCTURE SERVICESNil

11.5 CORPORATE STRATEGY AND DELIVERY

**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MOOLOOLABA
COMMERCIAL PROPERTY**

File No: ECM

Author: Director Corporate Strategy and Delivery
Corporate Strategy and Delivery Department

This report is confidential in accordance with section 275 (e) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by Council.

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 20 August 2015 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE