

Agenda

Ordinary Meeting

Thursday, 17 May 2018

commencing at 9:00am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Ordinary Meeting held on 19 April 2018 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 / COUNCILLOR REPORTS**

8 REPORTS DIRECT TO COUNCIL**8.1 OFFICE OF THE CEO****8.1.1 QUARTERLY PROGRESS REPORT - QUARTER 3, 2017/2018**

File No:	Council meetings
Author:	Acting Coordinator Corporate Planning reporting & Risk Office of the CEO
Appendices:	App A - CEO's Quarterly Progress Report11 App B - Operational Plan Activities Report39

PURPOSE

This report presents the Quarterly Progress Report for the period 1 January to 31 March 2018 – Quarter 3.

This report has been prepared to inform Council and the community on delivery of the services, implementation of operational activities and significant operating projects from Council's Operational Plan 2017-2018.

EXECUTIVE SUMMARY

Each quarter, Council receives a progress report on the delivery of the Corporate and Operational Plans. The report once adopted, is published and made available to the community.

The Report is comprised of:

- Appendix A – CEO's Quarterly Progress Report
- Appendix B – report on the 146 operational activities flowing from Council's Operational Plan 2017-2018.

Highlights for the quarter ended 31 March 2018 are:

A smart economy

- Sunshine Coast Solar Farm is expected to exceed the targeted \$22 million public savings identified
- Sunshine Coast Airport Expansion - Design and Construct contract executed and preliminary works commenced on site
- International Broadband Submarine Cable – Queensland Government confirmed \$15 million grant

A strong community

- \$3 million Piccabeen Green Town Square in Palmwoods officially opened
- More than 3,500 people attended the Queen's Baton Relay
- 5000 people attended 12 key events for the Welcoming the Commonwealth Games

A healthy environment

- Community Nature Conservation volunteers planted 2,280 native plants and removed over 138 wheelie bins of weeds from bushland reserves

- Verge Gardens Framework endorsed
- 90% of survey respondents provided positive feedback to the draft Street Tree Master Plan

Service excellence

- Over 77,000 customer enquiries through the development and customer contact centres
- 1,688 building approvals issued with a construction value of \$358 million

An outstanding organisation

- \$47.5 million (71.5%) of total purchasing spend for the quarter has been to local businesses
- 2,271,000 emails in and out of Council for the quarter
- Awards – Council recognised with *Smart City Award* and received a commendation at the 2018 Place Leaders Asia Pacific for the community led *Palmwoods Activation Program*.

OFFICER RECOMMENDATION**That Council:**

- (a) receive and note the report titled “Quarterly Progress Report - Quarter 3, 2017/2018”
- (b) note the Chief Executive Officer’s Quarterly Progress Report - Quarter 3, 1 January 2018 to 31 March 2018 (Appendix A) on service delivery and
- (c) note the Operational Plan Activities Report - quarter ended 31 March 2018 (Appendix B) reporting on implementation of the Corporate and Operational Plans.

FINANCE AND RESOURCING

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

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: We serve our community by providing this great service

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

CONSULTATION**Councillor Consultation**

Councillor E Hungerford as Portfolio Councillor for Governance and Customer Service has been briefed on this report.

Internal Consultation

Consultation has occurred with each group of Council to provide information on service delivery and status of operational activities.

External Consultation

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

Community Engagement

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

PROPOSAL

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

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

Progress report

The Chief Executive Officer's Quarterly Progress Report – Quarter 3 (Appendix A) consists of a summary of achievements; and supporting information by Corporate Plan Goal covering Planning for our future; Major projects; and Delivery of Council's services.

Operational plan activities

The Operational Plan Activities Report – Quarter ended March 2018 (Appendix B) provides details on the implementation of activities outlined in Council's operational plan. It includes the status of each activity covering percentage complete, completion date and progress commentary.

Status	Number
Completed	13
Underway	133
Not started	0
Total	146

Table 1: Summary of all operational activities and significant operating projects

Legal

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

Policy

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

Risk

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

- reputation/public image: the report provides complete information on Council's operations and builds a positive reputation for Council with the community
- legislative: the report meets the legislative requirements of the Local Government Act and Regulation, and
- business activity: the report keeps Council informed about the progression of the operational plan activities and provides a timely account of Council's progress to the community.

Previous Council Resolution

The Quarterly Progress Report for Quarter 2 - period 1 October to 31 December 2017 was adopted by Council on the 22 February 2018.

Related Documentation

- Corporate Plan 2018-2022
- Operational Plan 2017-2018
- Financial information provided to Council in the Financial and Capital management report.

Critical Dates

Quarterly Progress reports are usually presented to Council within eight weeks of the end of the calendar quarter, subject to the scheduled meeting cycle. Legislation requires the report to be presented to Council at intervals of not more than 3 months.

Implementation

The report will be published and available for community access via Council's website. The Chief Executive Officer will provide a verbal report to Council at the Ordinary Meeting.

8.1.2 ANNUAL OPERATIONAL PLAN 2018-19**File No: F2018/2853****Author: Chief Strategy Officer
Office of the CEO****Appendices: App A - Draft Operational Plan 2018-2019.....5/169**

PURPOSE

This report presents the draft Annual Operational Plan for 2018-2019 as required under the *Local Government Act 2009* and the *Local Government Regulation 2012*.

EXECUTIVE SUMMARY

The *Sunshine Coast Council Corporate Plan 2018-2022* (the Corporate Plan) is the organisation's primary strategic planning document, guiding the work program and resource management arrangements for the organisation. The Corporate Plan is supported by a range of other corporate documents. The implementation of the Corporate Plan is addressed each year through Council's Operational Plan.

The proposed Operational Plan 2018-2019 (**Appendix A**) incorporates the operational activities identified through the annual process of reviewing the Corporate Plan and which are proposed for implementation during the upcoming financial year. It also identifies corporate responsibilities and resources to support the delivery of the Corporate Plan. The Operational Plan is supported by Council's annual budget which allocates resources for key activities, projects and core service delivery.

Each activity included in the proposed Operational Plan is aligned to one of the five strategic goals that frame the Council's strategic direction articulated within the Corporate Plan.

To develop the operational activities for 2018-2019, the following influences have been considered:

1. the emerging issues, opportunities and challenges prioritised by Council through a range of strategic discussions and workshops, which collectively formed the process for the annual review and development of the Corporate Plan 2018-2022
2. those 2017-2018 operational activities where implementation extends beyond one financial year
3. resolutions and commitments of Council since the adoption of the 2017-2018 Operational Plan
4. implementation plans associated with Council-endorsed strategies and commitments and
5. statutory and legal obligations on Council.

The Corporate Plan 2018-2022 and draft Operational Plan 2018-2019 have a strong focus on the core services that Council delivers to the community. Performance against Corporate Plan goals is publicly reported in Council's Annual Report.

The Chief Executive Officer's Quarterly Progress Report provides an overall summary and detailed reports to inform Council and the community on the delivery of core services in Council's corporate plan.

The Operational Plan Activities Report details the implementation status of each operational activity and project in the operational plan covering percentage complete, anticipated completion date and progress commentary.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Annual Operational Plan 2018-19”
- (b) adopt the Operational Plan 2018-2019 (Appendix A) and
- (c) authorise the Chief Executive Officer to make minor amendments to the Operational Plan 2018-2019 at Appendix A prior to 1 July 2018 to ensure it remains consistent with any resolutions that Council may adopt prior to the commencement of the 2018-2019 financial year.

FINANCE AND RESOURCING

Preparation of the Operational Plan has occurred within the core operational budget for the Office of the Chief Executive Officer (OCEO).

The Operational Plan 2018-2019 and the Annual Budget 2018-2019 are complementary documents and are developed in parallel to ensure consistency between commitments in Council’s work program and the resourcing allocations determined as part of the annual Budget.

CORPORATE PLAN

Corporate Plan Goal:	<i>An outstanding organisation</i>
Outcome:	We serve our community by providing 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

Councillor Consultation

Engagement of Cr T Dwyer in the development of the 2018-2019 Operational Plan has occurred as part of regular scheduled meetings for the Corporate Strategy and Finance Portfolio Councillor and Executive Manager OCEO.

Internal Consultation

Consultation with Councillors and the Board of Management occurred primarily through the process undertaken to review and develop the *Sunshine Coast Council Corporate Plan 2018-2022* and in the context of the development of the 2018-2019 Budget. This process includes:

- Identification of major policy and regulatory changes, emerging issues and matters of community interest through an environmental scan;
- identification of existing operational activities extending beyond one year; and
- review and inclusion of Council resolutions with material financial commitments.

The Board of Management considered and allocated responsibility for delivering operational activities to individual departments and branches.

Councillors received a specific presentation and briefing on the proposed operational activities for inclusion in the 2018-2019 Operational Plan as part of the budget development process and workshop in May 2018.

External Consultation

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

Community Engagement

There has been no direct external community engagement in respect to the preparation of the Operational Plan 2018-2019.

PROPOSAL

The Operational Plan provides the annual operational activities and identifies corporate responsibilities and resources to support the delivery of the *Sunshine Coast Council Corporate Plan 2018-2022*. It is supported by Council's annual budget which allocates resources for key activities, projects and core service delivery.

Each operational activity proposed in Appendix A aligns with one of Council's strategic goals:

1. A smart economy
2. A strong community
3. A healthy environment
4. Service excellence
5. An outstanding organisation.

The following criteria have been applied to define an operational activity: (i) legislated imperative (ii) implement a Council resolution (iii) identified and prioritised for 2018-19 either within a strategy/master plan or by Council and (iv) essential service reform.

The specific strategy or plan to which an activity is contributing is also identified in the Operational Plan, to provide clarity of alignment and to help prioritise activities. Not all Operational Plan activities relate to an endorsed strategy or plan.

To better understand the resources assigned to each of the priorities and the relationship between the cost of operational activities and operational budget, the source of funding for each activity has also been identified, from core budget, operating project and capital works.

In the 2018-2019 Operational Plan, lead responsibility for each operational activity is allocated to a group and a branch of Council, with collaborating branches also identified. Each area of Council is responsible for delivering their allocated operational activities and reporting on implementation through quarterly and annual reporting processes.

Operational activities are incorporated into group and branch business plans and individual performance plans. Each department is responsible for managing the scheduling, delivery, performance and reporting for those activities, projects and services for which they have lead responsibility in line with the commitments and expectations of Council, as well as identifying, managing and monitoring operational risks.

The specific responsibilities and deliverables of each employee that are featured in their performance plans should link directly to one or more actions, projects or services described in the Operational Plan.

Performance Reporting

The Corporate Plan 2018-2022 contains annual measures of performance reported via the Annual Report.

No specific operational performance measures are proposed for the 2018-2019 Operational Plan.

Council receives quarterly reports providing information on implementation of the both corporate and operational plans. The operational plan activities report provides commentary on the progress of each of the operational activities including percentage complete, on-time and on-budget updates.

Legal

Section 104(5) of the *Local Government Act 2009* and Section 175 of the *Local Government Regulation 2012* set out the requirements and content for an operational plan. The regulation provides that the operational plan must:

- (a) be consistent with the annual budget
- (b) state how a Council will progress the implementation of the five-year corporate plan
- (c) state how a Council will manage operational risks and
- (d) include annual performance plans for each commercialised business unit where applicable.

The proposed Operational Plan 2018-2019 has been prepared consistent with these requirements

Policy

The Operational Plan is based on the *Sunshine Coast Council Corporate Plan 2018-2022* – the organisation's primary strategic planning document that guides the direction, work program and allocation of resources to achieve Council's vision for the region.

Risk

Availability of resources and achieving delivery timeframes are the two identifiable risks associated with adopting the Operational Plan. These risks are managed through the annual budget process and the implementation of the risk management framework. The resourcing of the operational activities is considered by Council in finalising and adopting its 2018-2019 Budget. Council has developed and implemented a risk management framework based on ISO31000 which assists managers and staff to identify, manage and monitor risks associated with implementing the operational activities in the Operational Plan.

Previous Council Resolution

Ordinary Meeting 18 May 2017 - Council Resolution (OM17/81)

That Council:

- (a) receive and note the report titled "**Annual Operational Plan 2017-2018**"
- (b) resolve to adopt the Operational Plan 2017-2018 (Appendix A) and
- (c) authorise the Chief Executive Officer to make minor amendments to the Operational Plan 2017-2018 at Appendix A prior to 1 July 2017 to ensure it remains consistent with any resolutions that Council may adopt prior to the commencement of the 2017-2018 financial year.

Related Documentation

Sunshine Coast Council Corporate Plan 2018-2022.

Critical Dates

The Operational Plan needs to be adopted before the start of the 2018-2019 financial year and prior to Council's adoption of its 2018-2019 Annual Budget.

Implementation

Group Executives and Branch Managers to incorporate the operational activities into group and branch plans and report progress to Council through the Operational Plan Quarterly Progress report.

8.1.3 MAKING OF AMENDMENT LOCAL LAW NO. 1 (COMMUNITY HEALTH AND ENVIRONMENTAL MANAGEMENT) 2017

File No:	Council meetings
Author:	Manager Corporate Governance Office of the CEO
Appendices:	App A - Amendment Local Law No. 1 (Community Health and Environmental Management) 2018 87 App B - Public Interest Review Report..... 101
Attachments:	Att 1 - Tracked changes Amendment Local Law No. 1 (Community Health and Environmental Management) 2018..... 119 Att 2 - State Interest Check feedback 133

PURPOSE

The purpose of this report is for Council to resolve to implement the recommendations of a public interest review report about Amendment Local Law No. 1 (Community Health and Environmental Management) 2017 (*“the amendment local law”*) (Appendix A); and complete the local law making process by resolving to make the amendment local law with amendments.

EXECUTIVE SUMMARY

The amendment local law seeks to amend Sunshine Coast Regional Council *Local Law No. 3 (Community Health and Environmental Management) 2011* in order to duplicate the provisions of Chapter 5A of the *Environmental Protection Regulation 2008* (the **Regulation**) and Part 2A of the *Waste Reduction and Recycling Regulation 2011* (WRRR), both of which will expire on 1 July 2018. The amendment local law will allow Council to continue to regulate the appropriate storage and removal of general waste from premises within the region under Council’s local laws and designate waste collection areas.

In accordance with the requirements of the *Local Government Act 2009*, a State interest check, public interest review and public consultation was undertaken between 10 November 2017 and 22 December 2017.

The Public Interest Review Consultation Paper addressed provisions in the amendment local law that have the potential to restrict competition (i.e. they may be ‘anti-competitive provisions’). The review sought to gain community feedback to assist Council in deciding whether potentially anti-competitive provisions should be retained within the proposed local law (in the overall public interest). The outcomes of the Public Interest Review are contained in the report in Appendix B.

A Council resolution to make the amendment local law is necessary to proceed with the final stages of the local law making process.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Making of Amendment Local Law No. 1 (Community Health and Environmental Management) 2017”
- (b) resolve to implement the recommendations of the Public Interest Review Report in Appendix B to proceed to make the local law retaining the anti-competitive provisions on the basis that they are in the overall public interest

- (c) in accordance with Council's 'Process for Making Local Laws' adopted on 1 June 2010, pursuant to section 29 of the *Local Government Act 2009*, Council hereby resolves to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2017 (Appendix A) with the following amendments based on consideration of public submissions and the State interests check feedback:
- (i) in section 2 (Commencement), replace "This local law commences on the date of gazettal" with the following:
- “(1) This local law commences only if both of the following events have occurred—
- (a) expiry of chapter 5A of the *Environmental Protection Regulation 2008*; and
- (b) expiry of section 7 of the *Waste Reduction and Recycling Regulation 2011*.
- (2) This local law commences—
- (a) if the two events mentioned in subsection (1) occur at the same time—at that time; or
- (b) if the two events mentioned in subsection (1) occur at different times—at the later of those times.”
- (ii) in section 4 (Amendment of s 2 (Purpose and how it is to be achieved)):
- after “providing for”, insert “the regulation of”
 - in paragraphs (a) and (b), delete “the regulation of”
 - in paragraph (b), replace “disposal” with “disposing”
 - in paragraph (a), replace “waste from premises” with “general waste at relevant premises”
 - add a new paragraph (b) “storage and treatment of industrial waste at relevant premises”
 - renumber current paragraph (b) to (c)
- (iii) in section 5 (Insertion of pt 7A (Waste management)), new section 25B, after “by resolution”, insert “or by subordinate local law”
- (iv) in section 5 (Insertion of pt 7A (Waste management)), new section 25C:
- amend the definition of *general waste* to the following:

“*general waste* means—

(a) waste other than regulated waste; or

(b) for divisions 2, 3 and 4 of this part, waste other than regulated waste that is any of the following—

(i) commercial waste;

(ii) domestic waste;

(iii) recyclable waste.”
 - insert the following new definitions:

“*premises* see the *Environmental Protection Act 1994*, schedule 4.

registered suitable operator see the *Environmental Protection Act 1994*, schedule 4.

regulated waste see the *Environmental Protection Regulation 2008*, section 65.”

- in the definition of *waste*, after the word “see”, insert the word “the”
- (v) in section 5 (Insertion of pt 7A (Waste management)), new section 25L(2) replace “the operator of the facility” with the following:
 - “(a) the person who—
 - (i) is the registered suitable operator for the facility; or
 - (ii) holds an environmental authority for the facility; or
 - (b) the person in charge of the facility.”
- (vi) insert a new section 6 (Amendment of s 26 (Subordinate local laws)) to insert a new paragraph (h) “designating waste collection areas” with a footnote referencing section 25B
- (d) note that Amendment Local Law No. 1 (Community Health and Environmental Management) 2017 will be re-titled *Amendment Local Law No. 1 (Community Health and Environmental Management) 2018*, in accordance with the numbering convention for amendment local laws
- (e) note that *Amendment Local Law No.1 (Community Health and Environmental Management) 2018* contains anti-competitive provisions and
- (f) authorise the Chief Executive Officer to make any necessary administrative and formatting amendments to the document as part of the final proof reading and cross referencing.

FINANCE AND RESOURCING

The cost of drafting the amendment local law was \$14,371.50 and has been funded through existing budget allocations within the Corporate Governance Branch.

The amendments to the local law merely replicates the provisions currently contained in the Regulations 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 July 2018 could expose Sunshine Coast Council to loss of customer revenue.

CORPORATE PLAN

Corporate Plan Goal:	<i>Service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S23 - Local amenity and local laws - maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles

CONSULTATION

Councillor Consultation

Consultation has occurred with Deputy Mayor Councillor T Dwyer and Portfolio Councillor E Hungerford.

Councillor E Hungerford has received a briefing note on the matters contained within this report.

Internal Consultation

Consultation has occurred with the following:

- Chief of Staff
- Chief Legal Officer
- Group Executive Customer Engagement and Planning Services
- Manager Waste and Resource Management
- Manager Corporate Governance
- Head of Industry Development
- Industry Investment Facilitator

External Consultation

King and Company Solicitors were consulted to provide information on the expiring waste provisions and the duplication of these provisions into Council's existing local laws. King and Company presented to Councillors at the SDF on 28 September 2017 and provided an overview of the local law making process and competitive neutrality requirements.

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 included engagement with:

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

Community Engagement

Public consultation about the proposed amendment local law was conducted from 10 November to 22 December 2017 (six weeks) and was undertaken in accordance with the requirements of the *Local Government Act 2009* and the local law making process previously adopted by Council.

Public consultation included the following:

- 2 x public notices – Sunshine Coast Daily
- Detailed information in the 'Have your Say' section on Council's website
- Media (print/radio) coverage
- Social media coverage
- Targeted consultation.

As part of the local law making process, Council must accept and consider every properly made submission. Council did not receive any submissions from the Community during the consultation period.

Results of consultation with the relevant State agencies

The proposed amendment local law has been reviewed by the relevant State government agencies as part of the State-interest check process required under the *Local Government Act 2009*. The following State agencies were consulted with as part of the State interest check:

- Department of Local Government, Gaming and Multicultural Affairs (formerly the Department of Infrastructure, Local Government and Planning)
- Department of Environment and Science (formerly the Department of Environment and Heritage Protection)
- Department of State Development, Manufacturing, Infrastructure and Planning (formerly the Department of State Development)

State government comments have been reviewed and where appropriate have been addressed. A summary of the comments received from the State and officers' recommended actions are contained in Attachment 2. Comments received from State agencies did not warrant or constitute an impediment to Council proceeding to make the proposed local law.

Results of Public Interest Review of Possible Anti-Competitive Provisions

The Act requires that where a local law contains an anti-competitive provision, Council must comply with the procedures specified in the *Local Government Regulation 2012* (LGR) for reviewing anti-competitive provisions. Potentially anti-competitive provisions in the draft local law include:

- the power to designate a waste collection area where residents will be levied for Council-delivered waste services, which limits opportunities for waste contractor businesses to compete with Council services;
- a range of operational requirements about storing and disposing of waste, which may impact on the conduct of business activities at commercial premises.

In accordance with the State Government's prescribed procedure, Council has undertaken public-interest reviews of the anti-competitive provisions that were identified. A Public Interest Review Consultation Paper was prepared and made available for inspection and download from Council's website during the public consultation period 10 November 2017 – 22 December 2017 (six weeks). In accordance with the requirements of the State Government's *National Competition Policy – Guidelines for conducting reviews on anti-competitive provisions in local laws, Version 1*, Council undertook meaningful engagement with relevant businesses and industry bodies about the anti-competitive provisions.

The following businesses and industry bodies were specifically engaged during the consultation period and provided with the opportunity to submit their comments on the Public Interest Review Consultation Paper.

- Visy
- JJ Richards
- Cleanaway
- Remondis
- Waste Management Association of Australia
- Waste Recycling Industry of Queensland
- Sunshine Coast Chamber of Commerce Alliance
- Glasshouse Country Chamber of Commerce
- Caloundra Chamber of Commerce
- Montville Chamber of Commerce
- Nambour Alliance

Following public consultation, the Public Interest Review Report (PIR) at Appendix B was prepared to further examine feedback from businesses and residents about the anti-competitive provisions. The PIR recommends that the anti-competitive provisions that have been identified in the proposed local law be retained in either the same, or substantially the same, form as advertised because the:

- (a) benefit of the anti-competitive provisions to the community as a whole outweighs the cost; and
- (b) most appropriate way of achieving the objectives of the proposed local law is by the anti-competitive provisions.

The procedure for reviewing anti-competitive provisions also provides that Council is required to record that the local law contains anti-competitive provisions. In compliance with that requirement, a list of all of the anti-competitive provisions in the current review is detailed in Table 1 below. This requirement is in addition to the requirement for the notice to be published on Council's website that must also state that the law contains anti-competitive provisions.

The proposed amendment local law into *Local Law No. 3 (Community Health and Environmental Management) 2011* has identified the following provisions that are possibly anti-competitive.

Table 1

New Part 7A provision	Effect of provision	Possibly anti-competitive effect
s 25B	Council may designate 'waste collection areas' in which it may conduct general waste or green waste collection, and decide the frequency of such collections.	The effect of designation of a waste collection area may limit opportunities for waste contractor businesses to compete with Council services. However, waste contractors may have the opportunity to compete for Council waste collection contracts
s 25D	Council may prescribe requirements on owners/occupiers of premises to supply waste containers or may supply the waste containers itself and recoup the reasonable cost from owners/occupiers.	Compliance with the requirements may have an impact on the conduct of a business activity.
s 25E	Prescribes requirements for the storage of general waste in waste containers.	Compliance with the requirements may have an impact on the conduct of a business activity as they will apply to both commercial and domestic premises.
s 25F	Prescribes requirements for the keeping of waste containers at serviced premises.	Compliance with the requirements may have an impact on the conduct of a business activity as they will apply to both commercial and domestic premises.
s 25G	Council may impose requirements for the storage of general waste at particular serviced premises other than single detached dwellings	Compliance with the requirements may have an impact on the conduct of a business activity, especially at commercial premises.
s 25I	Owners/occupiers of premises that are not serviced must obtain an approval to deposit or dispose of waste through a method other than deposit or disposal at a waste facility	Requirement for an approval may impact on the conduct of a business activity or create an additional barrier to entry to a market
s 25J	Council may require the occupier of premises where there is industrial waste to supply industrial waste containers, keep them at a required place and keep them clean and in good repair.	Compliance with the requirements may have an impact on the conduct of a business activity.
s 25K	Council may prescribe requirements about the treatment of industrial waste for disposal at a waste facility	Compliance with the requirements may have an impact on the conduct of a business activity, such as a business seeking to dispose of industrial waste.
s 25L	Prohibits disposal of certain waste at a local government waste facility	Compliance with the requirements may have an impact on the conduct of a business activity.

Full details of the Public Interest Review Report can be found in Appendix B.

BACKGROUND

Waste and Resource Management

In 2015, Council adopted the Sunshine Coast Waste Strategy 2015-2025. The strategy was developed to shape Council's future waste management infrastructure needs and to develop strong resource recovery materials. This strategy also aims to ensure that this essential community service remains both cost effective and customer focused while protecting the health of the public and the natural environment. Council is also committed to achieving the objectives of the National Waste Policy which sets Australia's waste management and resource recovery direction to 2020. The principles of Council's Waste strategy align with Council's vision to be "Australia's most sustainable region – Healthy, Smart, Creative".

Complementary to the policy maker/legislator role, Council also plays a prominent role as a regulator in charge of implementing strategies and enforcing the legislation. In this role, Council are not just law enforcers, but also educators and persuaders. For this reason, a robust legislative framework is required in order to ensure education and regulation can occur. Without the necessary tools in the local law to regulate waste, Council will be limited in its ability to pursue sustainable and innovative waste management practices in the public interest and achieve waste minimisation targets set by the State and Commonwealth Governments.

In managing waste as a resource and pursuing research and development of innovative technology to manage waste repatriation, engagement with and utilisation of other entities will remain a key focus and fundamental element in the pursuit of appropriate business models for delivery of outcomes sought.

State Government Waste Legislation

In 2014, the Queensland State government made the decision to repeal the *Environmental Protection (Waste Management) Regulation 2000* (Waste Regulation). This regulation provided the head of power for local governments to regulate waste management in their areas. The State's position at the time was that it was unnecessary for the State to continue to regulate waste management and this regulation should be managed through each local government's local laws. Since 2014, the State's position on this matter remains unchanged. Following this, the relevant waste provisions under the Waste Regulation were temporarily transferred to Chapter 5A of the *Environmental Protection Regulation 2008* (the Regulation) to allow local governments time to put alternative measures in place to deal with local waste management issues. Following the repealing of the Waste Regulation in 2014, the State moved the head of power for a local government to designate a waste service area to s.7 of the Waste Reduction and Recycling Regulation 2011 (WRRR). This provision under the WRRR allows a local government to designate an area as a waste service area. This provision and chapter 5A are both set to expire on 1 July 2018.

The Queensland Department of Environment and Science (DES) 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. Therefore, in order for Council to continue to collect waste, regulate the placement of waste, continue to build awareness on waste minimisation strategies, invest in developing new resource recovery facilities, establish innovative waste management contracts, increase landfill capacity and investigate a range of alternative waste management initiatives, it is proposed that the expiring provisions be transferred to Council's local laws. Brisbane City Council and Gold Coast City Council have already made waste management local laws to fill the gap that will be left by the expiring State Government provisions, and numerous other local governments are currently in the process of putting in place new local laws in readiness for 1 July 2018.

PROPOSAL

Council resolved to propose to make the amendment local law at the 9 November 2017 Ordinary Meeting. In accordance with Council's adopted Local Law Making Process a State Interest Check, Public Interest Review and Community Consultation was undertaken from 10 November to 22 December 2017 (six weeks).

The process for making the amendment local law is in accordance with the following steps outlined in Table 2 below:

Table 2

Phase	Activity	Timing	Status
Phase 1	Resolution to propose to make amendment local law.	Ordinary Meeting – 9 November 2017	Completed
Phase 2	Consult with relevant State Government Agencies. Undertake Community Consultation Undertake Public Interest Review	10 November 2017 – 22 December 2017 (6 weeks)	Completed
Phase 3	Consider submissions and community feedback. Prepare Public Interest Review Report Prepare report for Council consideration.	23 December 2017 – 23 January 2018	Completed
Phase 4	Resolution to make amendment local law.	Ordinary Meeting – 17 May 2018	Underway
Phase 5	Publication in the Government Gazette (Local law amendments become effective).	27 April 2018	Underway
Phase 6	Notification and copy of amendment local law to the Minister	1 May 2018	To be completed
Phase 6	Consolidation of local laws	Ordinary Meeting – 14 June 2018	To be completed

Following the conclusion of consultation with the State and the community, officers identified amendments which were considered necessary to ensure the clarity and consistency of the local law. The amendments do not change the overall effect of any of the relevant provisions.

The following amendments contained in Table 3 have been included in the amendment local law. A tracked changes version can be found in Attachment 1 to this report:

Table 3

Amendment made following consultation on draft law	Reason for amendment
In section 2, the commencement of the local law has been changed from "the date of gazettal" to the date of expiry of the State Government's waste management legislative provisions (chapter 5A of <i>Environmental Protection Regulation 2008</i> and section 7 of the <i>Waste Reduction and Recycling Regulation 2011</i>).	To ensure the law commences on the date the State legislative provisions expire

Amendment made following consultation on draft law	Reason for amendment
In section 4, the amendment to Local Law No.3's purposes clause has been further amended to make it clear that the new provisions regulating waste management relate only to general waste and industrial waste at relevant premises.	To address a concern by Waste Recycling Industry Association (Qld) that the broad reference to 'waste' in the purposes clause revealed an intent to broaden regulation beyond general waste.
In section 5, the new section 25B has been further amended to provide that the Council can designate its waste collection area by subordinate local law, as well as by resolution.	To enable Council to make a subordinate local law designating its waste collection area, rather than making the designation by resolution only.
In section 5, the following definitions in the new section 25C have been inserted or amended: <ul style="list-style-type: none"> definition of "general waste" has been amended to confirm that it excludes "regulated waste"; new definition of "premises" has been inserted for consistency with the <i>Environmental Protection Act 1994</i>; new definition of "registered suitable operator" has been inserted; new definition of "regulated waste" has been inserted. 	To take account of State Government feedback suggesting the definitions in the local laws should be consistent with the definitions in the <i>Environmental Protection Act and Regulation</i> .
In section 5, the new section 25L(2) has been further amended to replicate the <i>Environmental Protection Regulation</i> provision that it replaces.	To take account of State Government feedback suggesting the new local law provision should more closely mirror the expiring State law provision.
A new section 6 has been inserted to create a head of power to make subordinate local laws to designate waste collection areas.	To confirm the subordinate local law making power mentioned in section 25B above.

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) 2017
- Expiry of Chapter 5A of the *Environmental Protection Regulation 2008* and s.7 of the *Waste Reduction and Recycling Regulation 2011*.

Policy

There are no new policy implications in the proposed amendment local law.

Risk

There is a risk that if local law provisions are not adopted by Sunshine Coast Council by 1 July 2018 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
- limited tools to pursue sustainable and innovative waste management practices.

Previous Council Resolution**Ordinary Meeting 9 November 2017 (OM17/226)**

That Council:

- receive and note the report titled "Proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2017"*
- resolve to propose to make Amendment Local Law No. 1 (Community Health and Environmental Management) 2017 (Appendix A)*
- resolve to undertake Community Consultation during the period 10 November 2017 to 22 December 2017*
- 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*
- resolve that proposed Amendment Local Law No. 1 (Community Health and Environmental Management) 2017 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that it has been identified that the law contains several anti-competitive provisions that should not be excluded from review and that have potential impacts and*
- resolve to undertake a public interest review of the anti-competitive provisions and hereby authorise the chief executive officer to conduct the review during the Community Consultation period in accordance with the State Government's National Competition Policy – Guidelines for conducting reviews on anti-competitive provisions in local laws (version 1).*

Related Documentation

- *Local Government Act 2009 and Regulation*
- *Sunshine Coast Regional Council Local Laws and Subordinate Local Laws 2011*
- *State Government Guidelines for Drafting Local Laws 2016*
- *Corporate Plan 2017-2021*

Critical Dates

It is beneficial for Council to make the amendment local law in order for the local law to take effect when the provisions under Chapter 5A of the *Environmental Protection Regulation 2008* and Part 2A of the *Waste Reduction and Recycling Regulation 2011* expire. At this stage they are both due to expire on 1 July 2018.

Implementation

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

- Prepare the Gazette notice for the Government Gazette
- Preparation of the website notice
- In accordance with section 29B(7) of the *Local Government Act 2009* provide the Minister with a copy of the amendment local law
- Prepare the consolidated local law.

8.2 BUSINESS PERFORMANCE

8.2.1 STRATEGIC CONTRACTING PROCEDURES

File No: Council meetings
Author: Manager Business Development
Business Performance Group

PURPOSE

The purpose of this report is to outline the costs and benefits of adopting the Strategic Contracting Procedures (SCP) and have Council adopt those procedures.

EXECUTIVE SUMMARY

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

Regardless of the framework employed by a Council, they must conduct that procurement within the confines of the LGA. Relevantly, The LGA requires any activity must be undertaken in a manner consistent with the Local Government Principles and regard must be had to the sound contracting principles when contracting for the supply of goods or services and the disposal of non-current assets.

The LGR sets out further obligations on Council regarding its procurement and contracting. The LGR provides two frameworks through which Council may conduct procurement of goods and services and the disposal of surplus assets. The two frameworks are:

- Strategic Contracting Procedures (SCP)
- Default Contracting Procedures (DCP)

Council is bound to use the DCP unless it adopts the SCP. Council has always relied upon the DCP for its procurement and contracting.

The DCP are considered to be reasonably restrictive. They can, on occasion, fetter otherwise sound procurement practices and inhibit innovation.

The SCP allow Council to, under certain conditions, adopt, develop and implement its own procurement and contracting framework that takes a strategic approach to contracting. This approach allows Council to identify its potential opportunities, while managing the adverse risks, associated with contracting.

Council currently spends upwards of \$250 million per year in procuring goods and services. A strategic approach to procurement across such a significant spend, that allows contracts to be formed through a framework developed and tailored to deliver value for the Sunshine Coast Council, will provide significant opportunities to obtain better contracting outcomes. The costs of taking the strategic approach would be no more, and likely less than the costs associated with maintaining the existing framework under the Default Contracting Procedures.

The resulting benefits would be:

- Reducing contracting expenditure
- Reducing internal costs

- Reduction in newspaper advertising costs. Council has expended more than \$131,000 in the past two years on these costs, with little to no return
- Improved delivery timeframes, without sacrificing the benefits of competition
- Greater engagement with local suppliers
- Greater engagement with social benefit providers
- Greater engagement with indigenous suppliers

The Business Development Branch has, and will continue to develop strategies that will realise value to Council. Currently, identified strategies include:

- Aggregation of spend in specific circumstances
- Improved local engagement
- Direct negotiations / Partnering Arrangements in certain controlled circumstances
- Improved specification development and contract management to ensure full potential is realised in the contracts formed
- Strategic sourcing
- Better leverage for Whole-of-Government Supplier Arrangements and those maintained by Local Buy

Adoption of the SCP will provide a significant opportunity for Council to take a strategic approach to its contracting that ultimately provides better value to the community.

OFFICER RECOMMENDATION

That Council:

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

FINANCE AND RESOURCING

Council may only enter into a contract for the provision of goods and services if the funds for that contract have been provided for in the annual budget. Consequently, the financing arrangements will be established prior to the procurement taking place.

For the 16/17 Financial Year, Council spent \$337.5 million in contracting for the provision of goods and services.

For the 17/18 Financial Year, Council has spent \$216.8 million in contracting for the provision of goods and services for the period to the end of March 2018.

The SCP will provide a different framework for Council to procure goods and services and dispose of non-current assets, other than land. If adopted, these procedures will be applied to procurement in the 2018/19 financial year. There are no other financing costs associated with adopting the SCP.

Council's resourcing framework is a centre led procurement model. Council's Procurement & Contract Performance Unit and the Contract and Supply Services Unit maintain the procurement framework for all procurement and disposal activities, while leading the high value, higher risk, or complex procurement activities. Procurements not reaching any of the value thresholds in the LGR may be conducted on a needs basis by officers within the branch requiring the goods or services. This model is an appropriate resourcing model for the delivery of the SCP framework.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: 5.6 - Information, systems and process underpin quality decisions and enhance customer relationships

Operational Activity: 5.6.21 - Ensure Council's contracts are managed effectively and meet performance levels.

CONSULTATION

Councillor Consultation

All Councillors were advised of the impending adoption of the SCP by email on 29 March 2018.

Follow up consultation via phone, email and in person meetings has occurred at request of Councillors.

Internal Consultation

Board of Management and all Managers were advised by email with a request to advise their branch members.

Follow up consultation via phone, email and in person meetings has occurred at the request of the BoM or branch managers, including providing information sessions to team and branch meetings.

External Consultation

External consultation has been conducted with:

- Gold Coast City Council
- Brisbane City Council
- Gadens Lawyers
- Consultants – Charles Kendall

Community Engagement

No direct community engagement has been conducted regarding adoption of the SCP. Council Officers do engage with community and business on a daily basis with regards Council procurement generally.

It is a requirement of the Local Government Regulations 2012 that a public notice of the proposed resolution for, and intended adoption of, the SCP be given via an advertisement in a newspaper. An appropriate notice was advertised in the weekend edition of the Sunshine Coast Daily on 14 April 2018.

PROPOSAL

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

Regardless of the framework employed by a Council, they must conduct that procurement within the confines of the LGA. Relevantly, The LGA requires:

- any action taken under the LGA must be done in a manner consistent with the Local Government Principles. The Local Government Principles are:
 - transparent and effective processes, and decision-making in the public interest; and
 - sustainable development and management of assets and infrastructure, and delivery of effective services; and
 - democratic representation, social inclusion and meaningful community engagement; and
 - good governance of, and by, local government; and
 - ethical and legal behaviour of councillors and local government employees.
- regard be had to the sound contracting principles when contracting for the supply of goods or services and the disposal of non-current assets. The sound contracting principles are—
 - value for money; and
 - open and effective competition; and
 - the development of competitive local business and industry; and
 - environmental protection; and
 - ethical behaviour and fair dealing.

The LGR then places a number of obligations on Council on how it may go about its procurement and contracting. Relevant obligations include:

- Prepare and annually review a Procurement Policy
- Provide for contract expenditure in annual budgets
- Publish details of particular contracts
- Requirements for delegations regarding contracting

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

- SCP
- DCP

Council is bound to use the DCP unless it adopts the SCP.

Default Contracting Procedures (DCP)

The DCP is the framework by which Council has always conducted procurement and contracting. This framework provides a prescribed method for conducting procurement and contracting for any Council in Queensland, regardless of size, complexity, strategy or consideration of the risk profile of the individual Council. The DCP also struggles to encourage or empower innovation.

Council has used the DCP to their maximum capability, however, the prescriptive nature is no longer the most advantageous mechanism for a Council intent on a more dynamic and strategic approach to contracting.

Strategic Contracting Procedures

The SCP allow Council to, under certain conditions, adopt, develop and implement a procurement and contracting framework that takes a strategic approach to contracting. This approach allows Council to identify its potential opportunities, while managing the adverse risks, associated with contracting.

To adopt this framework, Council must:

- Continue to comply with any requirements of the LGA
- Decide by resolution to apply the SCP and identify when it will be applied
- Consider the costs and benefits of complying with the SCP
- Give public notice, by newspaper advertisement, of the resolution to adopt the SCP and details of the meeting where the matter will be considered
- Make and adopt a Contracting Plan
- Make and adopt Significant Contracting Plans
- Make and adopt a Contract Manual

The majority of these requirements have been met, or will be met in this or coming Ordinary Meetings. A requirement for the making of the resolution to which this report relates is consideration of the costs and benefits for adopting the SCP.

Consideration of Costs and Benefits

Council currently spends upwards of \$250 million per year in procuring goods or services. A strategic approach to procurement across such a significant spend, where contracts are formed through a framework developed and tailored to deliver value for the Sunshine Coast Council, will provide significant opportunities to obtain better contracting outcomes for Council.

The costs of taking the strategic approach would be no more, and likely less than the costs associated with maintaining the existing framework under the DCP.

The resulting benefits would be:

- Reducing contracting expenditure
- Reducing internal costs
- Reduction in newspaper advertising costs. Council has expended more than \$131,000 in the past two years on these costs, with little to no benefit
- Improved delivery timeframes, without sacrificing the benefits of competition
- Greater engagement with local suppliers
- Greater engagement with social benefit providers
- Greater engagement with indigenous suppliers

Spend Analysis

A consultant has been engaged to conduct an objective review of Council's procurement spend and to propose strategies that would result in cost savings on contracting expenditure, and improvement in delivery outcomes. Identified strategies include:

- Aggregation of spend in specific circumstances
- Improved local engagement

- Direct negotiations / Partnering Arrangements in certain controlled circumstances
- Improved specification development and contract management to ensure full potential is realised in the contracts formed
- Strategic sourcing
- Better leverage for Whole-of-Government Supplier Arrangements and those maintained by Local Buy

The spend analysis report has identified cost saving opportunities over an 18 month to 2 year implementation period.

Presentation to next Ordinary Meeting

The adoption of the new framework for the SCP will require Council's consideration of a suite of documents, which will be presented at the Ordinary Meeting to be held on 14 June 2018, and the Special Meeting of Council to be held on 21 June 2018.

SCP Framework

The documents that will make up the framework for Council's SCP, will include:

- Procurement Policy
- Contracting Plan
- Significant Contracting Plans
- Contract Manual
- Local Preference in Procurement Guideline
- Social Benefit Engagement Guideline
- Indigenous Engagement Guideline
- Innovation, Market Let Proposals and Unique Engagement Guideline
- Exceptions – Supplier Arrangements and other exceptions

The first four documents are required under LGR. Each must be resolved at relevant times. These documents will be prepared and presented at future Ordinary or Special Meetings as outlined in the Critical Dates paragraph.

The Procurement Policy must outline include details of the principles, including the sound contracting principles, Council will apply in the financial year for purchasing goods and services.

The Contracting Plan is a document which outlines the types of contracts that Council proposes to enter into during the financial year, including principles and strategies for performing contracts, and further information about market assessments, delegations and a list of the significant contracts having regard to the market assessment. The Contracting Plan must be consistent with and support achievement of the strategic directions outlined in the Corporate Plan.

The Significant Contracting Plans are prepared for each procurement deemed to be significant as outlined in the Contracting Plan. Detailed consideration of the procurement and resulting contract must also be included.

The Contract Manual is a document that sets out the procedures for how Council will carry out its contracting. This document outlines any value thresholds or exceptions that might be applied to Councils procurement and contracting generally. It is proposed for Council to consider adoption of a general framework with the following value thresholds:

Value threshold	Available route to market
\$0 - \$15,000*	One Quote
\$15,000 - \$250,000	Three Quotes or Supplier Arrangement
\$250,000 - \$500,000*	Five Quotes or Tender or Supplier Arrangement
\$500,000 - \$5 million*	Tender or Supplier Arrangement
\$5 million and greater or higher risk / complex contracts	Individual Significant Contracting Plans, which identifies the strategic approach to the market

* Feasibility testing underway at present

The remaining documents are unique to Council and will inform Council and the community of policies and processes that will be applied to procurement and contracting.

Introduction of the new framework would be supplemented by quarterly reporting to Council on the outcomes achieved, including the strategies adopted, contracting undertaken, cost savings realised and risk identified and mitigated.

The SCP will be applied to the disposal activities for Council's non-current assets, except land. The framework for disposal activities will be predicated upon realising the best value for Council from the disposal of the asset.

The LGR prohibits the SCP being applied to disposal activities relating to land. The result is that any disposal of land, whether by sale, lease, easement, or other form of disposal will still be conducted under the provisions of the DCP. Land will still therefore be disposed of by Expression of Interest, written Tender, Auction or an available exception, all of which require resolution of Council or Ministerial exemption.

Adoption of the SCP will provide a significant opportunity for Council to take a strategic approach to its contracting that ultimately provides better value to the community.

Legal

Internal and external legal advice has and will continue to be engaged throughout the development of these SCP.

Policy

Procurement Policy

Local Preference in Procurement Guideline

Risk

Adoption of the SCP will provide a more effective procurement framework that will allow Council to engage with suppliers and contractors in a more effective and efficient manner.

This change will be monitored by Business and Development Branch to ensure it has the desired effect and does not negatively impact on our procurement and contracting.

Previous Council Resolution

There are no previous Council resolutions relevant to this report.

Related Documentation

No related documentation to this report.

Critical Dates

On 14 April 2018, the advertisement required under the LGR to inform the community about the adoption of the SCP was published. That advertisement advised that this matter would be considered at this Ordinary Meeting of 17 May 2018.

This Ordinary Meeting is to consider a resolution to apply the SCP.

At the Ordinary Meeting of 14 June 2018, the Procurement Policy, (which must be reviewed annually under the LGR), and all documents relating to the operation of Council's SCP will be presented. A draft version of the Contracting Plan will be included at that time.

The SCP requires Council adopts a Contracting Plan. Importantly, the LGR provides the Contracting Plan cannot be adopted before Council adopts the annual budget for the financial year to which it applies.

At the Special Meeting of 21 June 2018, the 2018/19 Annual Budget will be presented to Council. If the budget is adopted, the Contracting Plan will then be presented for consideration and adoption.

These critical dates will ensure a compliant adoption of the new procedures that will allow them to commence and apply for the 2018/19 financial year.

Implementation

- At the Ordinary Meeting of 14 June 2018, the Procurement Policy and documents relating to the operation of Council's SCP are to be presented for consideration
- At the Special Meeting of 21 June 2018, the Contracting Plan is to be presented to Council for consideration, but only after adoption of the 2018/19 Annual Budget
- From 1 July 2018, the SCP are to be applied to Council's procurement of goods and services and the disposal of non-current assets, provided the aforementioned matters are adopted.

8.2.2 MARCH 2018 FINANCIAL PERFORMANCE REPORT

File No: Financial Reports

Author: Coordinator Financial Services
Business Performance Group

TO BE PROVIDED

8.2.3 INVESTMENT POLICY FOR 2018/19

File No:	Budget Development	
Author:	Coordinator Financial Accounting Business Performance Group	
Appendices:	App A - 2018/19 Investment Policy	153

PURPOSE

This report seeks the adoption of an Investment Policy to apply for the 2018/19 financial year.

EXECUTIVE SUMMARY

The *Local Government Regulation 2012*, section 191 requires Council to prepare an Investment Policy annually.

This policy forms part of the Council's overall system of financial management, as required under section 104(5)(c)(i) of the *Local Government Act 2009*.

The Investment Policy sets the boundaries of investment and includes the overall philosophy and strategy for investment of surplus funds, along with detailed guidelines and procedures for officers in the application of the policy.

The only changes to the existing policy are to increase the Counterparty Limits for A-1, A-2 and A-3 Financial Institutions to take advantage of the more competitive interest rates offered.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Investment Policy for 2018/19" and
- (b) adopt the 2018/19 Investment Policy (Appendix A).

FINANCE AND RESOURCING

Investment revenue is included in the draft budget and has been calculated on predicted daily cash balances and anticipated interest rates.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: 5.6 - Information, systems and process underpin quality decisions and enhance customer relationships

Operational Activity: 5.6.19 - Sustainable financial position maintained.

CONSULTATION**Portfolio Councillor Consultation**

The Portfolio Councillor has received advice of this report through the Budget Development process.

Internal Consultation

No internal consultation was required for this report.

External Consultation

No external consultation was required for this report.

Community Engagement

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

PROPOSAL

The *Local Government Regulation 2012*, section 191 requires Council to prepare an Investment Policy annually. This policy forms part of the Council's overall system of financial management, as required under section 104(5)(c)(i) of the *Local Government Act 2009*.

The Investment Policy must outline Council's overall investment objectives, risk philosophy and procedures for achieving the goals related to investment stated in the policy.

Council's overall philosophy is that priority is given to the preservation of capital invested over investment returns.

Investment Parameters and Guidelines

Council investments are limited to those prescribed by Section 6 of the *Statutory Bodies Financial Arrangements Act 1982* (hereafter "SBFAA") for local governments with Category 2 investment powers, which allows for investment with Queensland Treasury Corporation or Queensland Investment Corporation, along with a range of other higher-rated counterparties without further approval.

The SBFAA includes a list of prohibited investments that require Treasurer approval including derivative based instruments, non-Australian dollars and maturity maximum greater than three years.

The following table sets Council's investment parameters, where maximum percentage of funds can be invested within each category:

Short Term Rating (S&P Global Ratings) or equivalent	Individual Counterparty Limit	Total Limit
QIC / QTC Pooled Cash Management Fund	100%	100%
A-1+ Financial Institutions	40%	100%
A1+ Bond Mutual Funds	30%	50%
A-1 Financial Institutions	40%	80%
A-2 Financial Institutions	40%	80%
A-3 Financial Institutions	10%	30%
Unrated	Nil	Nil

The only changes to the existing policy are to increase the Counterparty Limits for A-1, A-2 and A-3 Financial Institutions to take advantage of the more competitive rates offered.

Legal

The adoption of this policy satisfies Council's legislative obligations.

Policy

The Investment Policy is reviewed annually as part of the budget development process.

Risk

A key purpose of this policy is to minimise Council's exposure to credit risk. Proposed investments are assessed against a risk matrix with maximum exposure levels for individual counterparties and for each credit rating.

Previous Council Resolution

The Investment Policy for 2017/18 was adopted by Council under resolution OM17/71 at the Ordinary Meeting held on 18 May 2017.

That Council:

- (a) receive and note the report titled "***Investment Policy for 2017/18***"
- (b) adopt the 2017/18 Investment Policy (Appendix A).

Related Documentation

There is no related documentation for this report.

Critical Dates

This policy underpins elements of the 2018/19 Budget which will be presented to Council for final adoption at the Special Meeting (Budget Adoption) to be held 21 June 2018.

Implementation

There are no implementation details to include in this report.

8.2.4 DEBT POLICY FOR 2018/19

File No:	Budget Development
Author:	Coordinator Financial Services Business Performance Group
Appendices:	App A - 2018/19 Debt Policy 163

PURPOSE

This report seeks the adoption of the Debt Policy to apply for the 2018/19 financial year.

EXECUTIVE SUMMARY

The *Local Government Regulation 2012*, section 192 requires Council to prepare a Debt Policy annually.

This policy forms part of the Council's overall system of financial management, as required under section 104(5)(c)(ii) of the *Local Government Act 2009*.

The Debt Policy outlines borrowing forecasts for the new budget along with the next nine years.

There have been no changes to the existing policy, save for updates to the borrowings schedule to reflect the proposed 2018/19 Capital Works Program.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Debt Policy for 2018/19” and**
- (b) adopt the 2018/19 Debt Policy (Appendix A).**

FINANCE AND RESOURCING

The proposed borrowings and associated finance costs are included in the budget. New loans are generally not drawn down until late in the financial year to minimise interest expenses during that year, with normal repayments commencing in the following period.

CORPORATE PLAN

Corporate Plan Goal:	<i>An outstanding organisation</i>
Outcome:	5.6 - Information, systems and process underpin quality decisions and enhance customer relationships
Operational Activity:	5.6.19 - Sustainable financial position maintained.

CONSULTATION**Portfolio Councillor Consultation**

The Portfolio Councillor has received advice of this report through the Budget Development process.

Internal Consultation

Internal consultation was conducted with Councillors and the Board of Management during the Budget Development process.

External Consultation

External consultation was conducted with Queensland Treasury Corporation (QTC).

Community Engagement

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

PROPOSAL

The *Local Government Regulation 2012*, section 192 requires Council to prepare a Debt Policy annually. This policy forms part of the Council's overall system of financial management, as required under section 104(5)(c)(ii) of the *Local Government Act 2009*.

Council's borrowing activities are governed by the *Statutory Bodies Financial Arrangements Act 1982*, and the Debt Policy provides clear guidelines for loan raising, requiring an assessment of the impact of any borrowing decision on Council's long-term financial sustainability.

All borrowing proposals remain subject to evaluation by the Department of Local Government, Racing and Multicultural Affairs and periodic Credit Reviews are undertaken by Queensland Treasury Corporation.

The schedule of proposed loan borrowings outlines proposed external borrowing over a ten year period, and will be guided by recent decisions around the nature and scope of the proposed capital works program over that period. Should the schedule change in the final stages of Budget Development a revised schedule will be presented to Council along with final budget forecasts for adoption in June 2018.

There have been no changes to the existing policy.

Legal

The adoption of these policies satisfies Council's legislative obligations.

Policy

The Debt Policy is reviewed annually as part of the Budget Development process.

Risk

The Debt Policy provides the opportunity for restructure of the debt portfolio in the event of significant fluctuations in borrowing interest rates. Further, borrowing is restricted to Queensland Treasury Corporation under legislation without specific approval from the Treasurer under the advice of the Department of Infrastructure, Local Government and Planning.

Previous Council Resolution

The Debt Policy for 2017/18 was adopted by Council under resolution OM17/103 at the Ordinary Meeting held on 15 June 2017.

That Council:

- (a) receive and note the report titled "**Debt Policy for 2017/18**"
- (b) adopt the 2017/18 Debt Policy (Appendix A).

Related Documentation

There is no related documentation for this report.

Critical Dates

This policy underpins elements of the 2018/19 budget which will be presented to Council for final adoption at the Special Meeting (Budget Adoption) to be held 21 June 2018.

Implementation

There are no implementation details to include in this report.

8.2.5 REVENUE POLICY FOR 2018/19

File No:	Budget Development
Author:	Chief Financial Officer Business Performance Group
Appendices:	App A - 2018/19 Revenue Policy 171

PURPOSE

A local government must review its Revenue Policy annually and in sufficient time to allow an annual budget that is consistent with the Revenue Policy to be adopted for the next financial year.

Section 169(2)(c) of the *Local Government Regulation 2012* requires that Council include in the budget a Revenue Policy.

EXECUTIVE SUMMARY

A local government must review its revenue policy annually and in sufficient time to allow an annual Budget that is consistent with the revenue policy to be adopted for the next financial year. The 2018/19 Revenue Policy (**Appendix A**) per section 193 of the *Local Government Regulation 2012* sets out the principles used by Council for:

- (a) levying rates and charges
- (b) granting concessions for rates and charges
- (c) recovering overdue rates and charges and
- (d) cost-recovery methods.

When adopting the annual Budget, Council sets rates and charges at a level that will provide for both current and future community requirements and grant concessions for pensioners to assist property owners to remain in their own home. Council also provides concessions to charitable organisations, community groups and sporting associations as they contribute to the health and well-being of the community.

The Revenue Policy also provides Council guidance with principals of equity, transparency and flexibility when acting to recover overdue rates and charges.

There have been no changes to the existing policy.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Revenue Policy for 2018/19” and
- (b) adopt the 2018/19 Revenue Policy (Appendix A).

FINANCE AND RESOURCING

The framework does not place any financial and resourcing obligations on Council, but provides the principles for revenue raising for the 2018/19 Budget.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: 5.6 - Information, systems and process underpin quality decisions and enhance customer relationships

Operational Activities: 5.6.19 - Sustainable financial position maintained.

CONSULTATION

Internal Consultation

Internal consultation was conducted within the Business Performance Group.

External Consultation

No external consultation was required for this report.

Community Engagement

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

PROPOSAL

As part of the annual budget, Council is required to adopt a Revenue Policy which states the guidelines that may be used for preparing the local government's Revenue Statement, including the principles used by Council in:

(a) levying of rates and charges:

Council will set the rates and charges at a level to provide for both current and future community requirements. This includes general rates, special rates, separate rates and charges and other charges.

Council continues to issue half yearly rates notices and promotes by various means of communication to ratepayers the issue date of rate notices and the early payment discount date. Council offers a wide number of payment options and in certain circumstance allows flexible payment arrangements to ratepayers with financial difficulties.

(b) granting concessions for rates and charges:

Council may grant a concession for pensioners, charitable organisations, community groups and sporting associations. Also a concession may be granted for economic development, per the provisions of the Sunshine Coast Investment Incentive Scheme.

(c) recovering overdue rates and charges:

To reduce the overall rate burden on ratepayers, Council is guided by principles of equity, treating all ratepayers in similar circumstances in a similar manner; making clear the obligations of the ratepayer; and allowing flexibility for short-term payment arrangements.

(d) cost-recovery methods:

All fees and charges will be set with reference to full cost pricing and cost recovery fees will be charged up to a maximum of full cost. Commercial charges will be at commercial rates.

Council acknowledges the community benefit associated with not-for-profit organisations conducting activities on the Sunshine Coast, and therefore all not-for-profit organisations are exempt from cost recovery fees for applications to conduct activities requiring an approval on public and private land within the region.

A local government must review its Revenue Policy annually and in sufficient time to allow an annual budget that is consistent with the Revenue Policy to be adopted for the next financial year.

There have been no changes to the existing policy.

Legal

The *Local Government Regulation 2012*, section 169(2)(c) requires that Council include a Revenue Policy in the budget.

The *Local Government Regulation 2012*, section 193 requires Council to prepare a Revenue Policy and details what must be included in the Revenue Policy. This policy forms part of the Council's overall system of financial management, as required under Section 104(5)(c)(iii) of the *Local Government Act 2009*.

Policy

The Revenue Policy states the guidelines that may be used in preparing the Revenue Statement.

Risk

No risks have been identified in relation to this report.

Previous Council Resolution

The Revenue Policy for 2017/18 was adopted by Council under resolution OM17/72 at the Ordinary Meeting held on 18 May 2017.

That Council:

- (a) receive and note the report titled "**2017/18 Revenue Policy**"; and
- (b) adopt the 2017/18 Revenue Policy (Appendix A).

Related Documentation

The Revenue Statement must form part of the annual budget.

Critical Dates

A local government must review its Revenue Policy annually and in sufficient time to allow an annual budget that is consistent with the Revenue Policy to be adopted for the next financial year.

This policy underpins elements of the 2018/19 budget which will be presented to Council for final adoption at the Special Meeting (Budget Adoption) to be held 21 June 2018.

Implementation

The Revenue Policy sets out the principles for the making and levying of rates and charges for the 2018/19 financial year.

8.2.6 SALE OF LAND FOR ARREARS OF RATES**File No:** Sale of Land**Author:** Chief Financial Officer
Business Performance Group**Attachments:** Att 1 - Sale of Land Confidential List 2018.....*Conf 5/55*

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 45 properties on the Sale of Land list, with a total balance outstanding of \$455,715. 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 May 2018'
- Second statutory notice – Auction Notice to be issued in September 2018, and
- Sale of Land auction (if required) to occur in October 2018.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sale of Land for Arrears of Rates"
- (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 31 December 2017
- (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 45 properties on the Sale of Land list, with total rates outstanding of \$455,715 where overdue rates and charges have 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 2.58% per annum interest (as at 31 March 2018). 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 rates outstanding for a period greater than three years.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: 5.6 - Information, systems and process underpin quality decisions and enhance customer relationships

Operational Activity: 5.6.19 - Sustainable financial position maintained.

CONSULTATION

Councillor Consultation

All Councillors have been updated regularly on the Sale of Land process.

Internal Consultation

Internal consultation has been undertaken with the Legals Team.

External Consultation

At the commencement of the Sale of Land process on 23 January 2018, there were 63 properties identified with overdue rates and charges for a period greater than three years, totalling \$564,954. Last time the Sale of Land process was undertaken in January 2017 there were 61 properties with rates and charges overdue for a period greater than three years, totalling \$498,975.

In January 2018 Council issued a letter to the landowners advising their property was on the 2018 Sale of Land listing and requested payment in full or enter into a Rate Debt Payment Plan. In March 2018 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

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

PROPOSAL

As at 12 April 2018 there remained 45 properties on the Sale of Land list with overdue rates and charges unpaid for a period greater than three years, totalling \$455,715. The properties are separated into the categories as follows:

• residential – non owner occupied	17 properties	\$182,598
• residential – owner occupied	26 properties	\$246,352
• commercial	2 property	\$26,765
Total	45 properties	\$455,715

In the period from 12 April 2018 to the Ordinary Meeting on 17 May 2018 there are likely to be changes to the number of properties and outstanding amounts detailed above if Council receives payments during this time. Interest will continue to accrue on outstanding debts and the July 2018 rates will be issued increasing the outstanding balances.

Should the recommendation be approved by Council, landowners may prevent the sale of the property by paying all outstanding rates and charges and all expenses that Council has incurred in attempting to sell the land. In accordance with Section 141 of the *Local Government Regulation 2012* landowners are unable to enter or negotiate a Rate Debt Payment Plan once the recommendation has been approved.

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. In 2017 all outstanding rates and charges for the majority of properties included in the Sale of Land process were either, paid in full, or a suitable payment arrangement made. One property, a deceased estate, proceeded to auction.

In all instances in the past where a property has a mortgage the rates have been paid in full by the mortgagee to protect their interests.

In March 2018, "Intention to Sell Land for Arrears of Rates" letters were issued to the landowners of the properties remaining on the list requesting payment by 20 April 2018. 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 and
- apply to the Department of Human Services for the Early Release of Superannuation

The letters and subsequent actions have resulted in 18 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 2017/18 Revenue Policy and 2017/18 Revenue Statement were adopted as part of the annual Budget on 15 June 2017.

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.

Critical Dates

The proposed time-line is as follows:

- First statutory notice – Notice of Intention to Sell to be issued after Council approval in May 2018
- Second statutory notice – Auction Notice to be issued in September 2018
- Sale of Land Auction (if required) to occur in October 2018.

Implementation

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

8.2.7 REGISTER OF GENERAL COST-RECOVERY FEES AND COMMERCIAL CHARGES 2018/19

File No:	Budget Development
Author:	Chief Financial Officer Business Performance Group
Appendices:	App A - Register of General Cost Recovery Fees and Commercial Charges 2018/1953/169

PURPOSE

To seek adoption of the fees and charges (Appendix A) as the Register of General Cost-Recovery Fees and Commercial Charges 2018/19 (excluding Development Assessment Fees).

EXECUTIVE SUMMARY

A Fees and Charges Workshop was held with Councillors on 1 May 2018 to present the Register of General Cost-Recovery Fees and Commercial Charges for 2018/19. The workshop focused on the added and deleted fees, fees with variations from the 1.9% budget fee increase parameter and fee decreases.

General cost-recovery fees and commercial charges revenue for 2018/19 is expected to be approximately \$34.7 million. The budget fee increase parameter is 1.9% (refer to section on Financing and Resourcing for more details).

Managers responsible for general cost-recovery fees were advised to calculate prices at full cost recovery where possible. Commercial charges may be set above full cost after considering market and other conditions. General cost-recovery fees and commercial charges for 2018/19 are set out in Appendix A.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Register of General Cost-Recovery Fees and Commercial Charges 2018/19”**
- (b) adopt the fees detailed in the Register of General Cost-Recovery Fees and Commercial Charges 2018/19 (Appendix A)**
- (c) resolve that, in relation to those cost-recovery fees to which Section 97 of the *Local Government Act 2009* apply:**
 - (i) the applicant is the person liable to pay these fees**
 - (ii) the fee must be paid at or before the time the application is lodged and**
- (d) delegate to the Chief Executive Officer the power to amend commercial charges to which *Section 262(3)(c) of the Local Government Act 2009* apply.**

FINANCE AND RESOURCING

General cost-recovery fees and commercial charges revenue for 2018/19 is expected to be approximately \$34.7 million.

Table 1 below shows the estimated general fees and charges revenue for 2018/19 by department and function.

Function	No. of Fees	Estimated Fees and Charges Revenue \$'000
Built Infrastructure		
Parks and Gardens	14	13
Civil Asset Management	7	18
Fleet and Quarry Services	27	170
Transport Infrastructure Policy	4	140
Transport Infrastructure Management (Parking Fees)	7	523
Customer engagement and Planning Services		
Waste and Resource Management	115	6,619
Animals	58	94
Cemetery Services	98	1,414
Healthy Places	66	1,080
Parking	8	20
Response Services	7	1,270
Use of Public Land and Operating a Business	56	400
Economic and Community Development		
Sunshine Coast Holiday Parks	108	16,149
Community & Performance Venues	147	592
Leisure Centres	12	448
Multisports	47	104
Showgrounds	77	91
Sunshine Coast Stadium & Kawana Sports Precinct	165	1,308
Caloundra Music Festival	1	2,181
Cultural Heritage	2	0
Creative Arts and Events	1	0
Library Services	21	168
Aquatic Centres	9	N/A
Livability and Natural Assets		
Environmental Operations	22	18
Business Performance		
Property Management	5	0
Digital and Information Services	18	1,792
Caloundra Aerodrome	6	0
Office of Mayor and CEO		
Corporate Governance	5	6
Legal Services	12	47
TOTAL	1,125	34,665

Source: T1 Financials 2018/19 (EBS & DVB1)

Note 1: Aquatic Centre fees are set by Council but revenue is collected by Pool Management under contractual arrangements.

CORPORATE PLAN

Corporate Plan Goal:	<i>An outstanding organisation</i>
Outcome:	5.6 - Information, systems and process underpin quality decisions and enhance customer relationships
Operational Activity:	5.6.19 - Sustainable financial position maintained.

CONSULTATION

Portfolio Councillor Consultation

Consultation has been undertaken with the Portfolio Councillor, in advance of the May budget workshop.

Internal Consultation

Managers responsible for fees and charges across Council reviewed cost-recovery fees and commercial charges relevant to their branch and obtained Group Executive's endorsement for the proposed fees. Budget papers were distributed to Councillors prior to the Councillor Fees and Charges Workshop held on 1 May 2018, with relevant managers responding to questions arising.

Consultations held with:

- Managers of all Branches responsible for fees and charges
- Team Leader Parks & Gardens
- Team Leader Stormwater Policy and Planning
- Team Leader Technical Services
- Coordinator Traffic and Transportation
- Team Leader Land Information Services
- Right to Information Officer
- Coordinator Sunshine Coast Holiday Parks
- Team Leaders Sport and Community Venues
- Team Leaders Environmental Operations
- Coordinator Waste & Resource Management

Community Engagement

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

PROPOSAL

The Finance Branch facilitated and coordinated with managers and team leaders the review of general cost-recovery fees and commercial charges for the annual budget process.

The general principal in setting general cost-recovery fees and commercial charges is that the costs of services should be borne by those who benefit from them.

Cost-recovery fees covered under Section 97 of the *Local Government Act 2009* are required to be set equal or less than cost of providing that service.

Charges which are commercial in nature come under Section 262(3)(c) of the *Local Government Act 2009*. Commercial charges could be set with commercial considerations generally being increased by the budget fee increase parameter of 1.9%.

Legal*Local Government Act 2009:*

- Section 97 Cost-Recovery Fees
- Section 98 Register of Cost-Recovery Fees
- Section 262(3)(c) Commercial Charges

Local Government Regulation 2012:

- Section 172 Revenue Statement
- Section 193 Revenue Policy.

*A New Tax System (Goods and Services Tax) Act 1999.***Policy**

General Cost-Recovery Fees and Commercial Charges are adopted by Council each financial year and can be amended during the year if need be. Authority to amend cost-recovery fees lies with Council while the authority to amend commercial fees may be delegated to the Chief Executive Officer.

Risk

Where user charges do not meet the cost of providing the service, subsidy from general rates will be required, which may risk the achievement of a balanced operating result.

Previous Council Resolution

Council adopted the 2017/18 Register of General Cost-Recovery Fees and Commercial Charges at the Ordinary Meeting held on 18 May 2017 (OM17/70):

That Council:

- receive and note the report titled "Register of General Cost-Recovery Fees and Commercial Charges 2017/18"*
- adopt the fees detailed in the Register of General Cost-Recovery Fees and Commercial Charges 2017/18 (Appendix A)*
- resolve that, in relation to those cost-recovery fees to which Section 97 of the Local Government Act 2009 apply:*
 - the applicant is the person liable to pay these fees and*
 - the fee must be paid at or before the time the application is lodged and*
- delegate to the Chief Executive Officer the power to amend commercial charges to which Section 262(3)(c) of the Local Government Act 2009 apply and*
- amend fee number 11099 to read "Parking Fee for a place or traffic area for a specified time as designated by Council - \$2.50 - \$3.00".*

Related Documentation

Local Government Act 2009

Local Government Regulation 2012

Critical Dates

The 2018/19 cost-recovery fees and commercial charges apply from 1 July 2018. Adopting the fees and charges prior to adopting the 2018/19 budget in full allows advance notice for users and the community.

Implementation

Once adopted, the General Register of Cost-Recovery Fees and Commercial Charges 2018/19 (Appendix A) will be published on Council's website.

8.3 CUSTOMER ENGAGEMENT AND PLANNING SERVICES

8.3.1 DEVELOPMENT SERVICES REGISTERS OF COST-RECOVERY FEES AND COMMERCIAL CHARGES 2018/2019

File No:	D2018/611111
Author:	Manager Development Services Customer Engagement & Planning Services Group
Appendices:	App A - Planning Assessment and Engineering Assessment23/169 App B - Building and Plumbing Services147/169
Attachments:	Att 1 - Development Services comparisons 2017_18 to 2018_19159/169 Att 2 - SEQ Benchmarking169/169

PURPOSE

The purpose of this report is to seek adoption of the Register of Cost Recovery Fees and Commercial Charges for Development Services 2018/19 (Appendix A and B).

EXECUTIVE SUMMARY

The Development Services Register of Cost Recovery Fees and Commercial Charges includes relevant fees for development assessment, development information, development audit and compliance as well as building and plumbing services. For ease of use for customers, this is presented in two separate registers:

- Appendix A – Planning, Engineering and Environment Assessment
- Appendix B – Building and Plumbing Services.

The 2018/19 revenue projection for these schedules is expected to be approximately \$18.4 million. This includes a 1.9% pricing parameter as set in the budget guidelines.

Managers responsible for general cost-recovery fees are advised to set prices at full cost recovery where possible. Commercial charges may be set above full cost after considering market and other conditions.

There are limited number of changes proposed and outlined in the proposal.

The Planning, Engineering and Environment Fee Schedule has applied the 1.9% pricing parameter. For customers ease of use rounding has been applied.

Fees included in Part 4 - Environmentally Relevant Activity of the Planning, Engineering and Environment Fee Schedule are governed by State policy, which has not been released to date. These fees will be updated in the schedule prior to the release on 1 July 2018.

Fees included in Part 9 – Contributions of the Planning, Engineering and Environment Fee Schedule are governed by State policy, which has not been released to date. These fees will be updated in the schedule prior to the release on 1 July 2018.

The Building and Plumbing Services Fee Schedule has applied the 1.9% price parameter where charges are being calculated the same. For customers ease of use rounding has been applied.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Development Services Registers of Cost-Recovery Fees and Commercial Charges 2018/2019”
- (b) adopt the fees detailed in the Register of Cost-recovery Fees and Commercial Charges for Development Services 2018/19 (Appendix A and B)
- (c) resolve that, in relation to those cost-recovery fees to which Section 97 of the Local Government Act 2009 apply:
 - (i) the applicant is the person liable to pay these fees
 - (ii) the fee must be paid at or before the time the application is lodged
- (d) delegate to the Chief Executive Officer the power:
 - (i) to amend commercial charges to which section 262(3) (c) of the *Local Government Act 2009* apply and
- (e) to determine a reasonable fee based on cost recovery principles when a price on application is requested.

FINANCE AND RESOURCING

There are a number of factors within the business environment that impact on the forecasting of Development Services Revenue Projections, including:

- Broad economic conditions and the underlying demand for development stock.
- Confidence in the local development market – impacted by the broader business environment and relevant policy.
- Development Applications generally include a base fee plus a unit charge, therefore the size of an application is an important (and largely unknown) factor in forecasting revenue. The new charging methodology aims to smooth the financial impact over a use group while delivering a simpler basis for future calculation.

Based on an analysis of these factors it is expected that development activity will remain steady in 2018/19 with Development Services revenue forecasted to be in the vicinity of \$18.4 million.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.3 - Service quality assessed by performance and value to customers

Operational Activity: 4.3.4 - Position Development Services to effectively meet business requirements into the future with a focus on statutory compliance, ensuring timely decision making, positive customer experiences and strong industry engagement.

CONSULTATION

Internal Consultation

The following areas of Council were consulted in order to develop the 2018/19 Fees and Charges:

- Manager, Major Urban Developments

- Manager, Transport and Infrastructure Policy
- Manager, Development Services
- Coordinator Planning Assessment
- Coordinator Express Services
- Coordinator Engineering and Environment Assessment
- Coordinator Building and Plumbing
- Coordinator Development Audit and Response
- Infrastructure Charges Officer.

Corporate Services was consulted in relation to the revenue forecast:

- Senior Management Accountant.

External Consultation

- Benchmarking with South East Queensland Council's (Attachment 2 – SEQ Benchmarking)
- Focussed discussions in relation the Building and Plumbing Schedule.

Community Engagement

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

PROPOSAL

The Development Services Register of Cost Recovery Fees and Commercial Charges 2018/19 includes relevant fees for development assessment, development information, development audit and compliance as well as building and plumbing services. For ease of use for customers this is presented in two separate registers:

- Appendix A – Planning, Engineering and Environment Assessment
- Appendix B – Building and Plumbing Services.

The 2018/19 revenue projection for these schedules is expected to be approximately \$18.4 million. This includes a 1.9% pricing parameter as set in the budget guidelines.

Managers responsible for general cost-recovery fees are advised to set prices at full cost recovery where possible. Commercial charges may be set above full cost after considering market and other conditions.

Attachment 1 (Planning, Engineering and Environment Assessment, Building and Plumbing Services Comparison of 2017/18 Fees and Charges to 2018/19) show the fee changes from this financial year to the proposed fees for the 2018/19 year.

Planning, Engineering and Environment Assessment

There are a limited number of changes proposed, key items are listed below:

- Administrative changes:
 - Subsidy for Community, Sporting and Religious Organisations wording has been simplified.
- New charges/changes:
 - Prelodgement and Pre-application meetings – the free services will continue
 - Pre-assessment technical report/s.

- Caps added to use types which previously did not have any.
- Carrying out Operational Works for Excavation and Filling (to establish a dam and where excavated material remains on-site)

The Planning, Engineering and Environment Fee Schedule has applied a 1.9% pricing parameter as per Council's budget guidelines. For customer's ease of use, rounding has been applied where appropriate.

Building and Plumbing Services

There are a limited number of changes proposed, key items are listed below:

- Administrative changes:
 - Subsidy for Community, Sporting and Religious Organisations wording has been simplified.
 - Concurrence Agency Referrals – cancelled/withdrawn, refund amount is 60% prior to assessment
- Fees above 1.9% CPI:
 - Archival lodgement fees for hardcopy lodgement only – larger incentive coupled with benchmarking of other Council's has reflected in these charges being increased above CPI.
- New charges:
 - Review and advice for security deposits
 - Final building inspection fee (this has been revived from 2016/2017).
 - Hardcopy of On-site Sewerage Facility reports

From 1 July 2018 it is intended that a fee will be introduced for hard copy onsite sewerage facility reports. In 2017 Council released eServices options for the industry to transition over to and will continue to be available free of charge; the intended fee will be to cover administration costs associated with hard copies only.

The Building and Plumbing Services Fee Schedule has applied the 1.9% price parameter where charges are being calculated the same.

New Prelodgement Services

Sunshine Coast Council currently offers Development Advice Services to customers, free and paid, to provide feedback about specific development proposals, including prelodgement meetings. Development Services has recently undergone a detailed review of these services in order to further refine and improve advice and prelodgement meeting services offered.

Based on feedback from customers and internal stakeholders, benchmarking with other Councils and endorsement from Council, new services are proposed to cater to the needs of regular customers (e.g. planning consultants). The existing free prelodgement and advice services will be retained. Regular customers have confirmed that they are supportive of fees being applied to the new specialized services, ensuring allocation of an experienced assessment team as well as consideration of discounted application fee at lodgment stage.

Three revised/new paid services will be provided, as follows:

- Refinement of **Pre-assessment of technical reports** - minor report (e.g. bushfire report) fee of \$510 to maximum complex report (e.g. hydraulic report) fee of \$1,610 per report
- New **Prelodgement and Pre-application meetings** service:
 - \$925 Detailed prelodgement meeting – office based (1 Hour)
 - \$1,618 Detailed prelodgement meeting - on site meeting

- \$694 per any additional follow up meetings
- New **Personalised case management pre application services** – price on application (ranging from \$5,000 to \$10,000).

Development Incentives

Sunshine Coast Council continues to provide a range of development incentives. A key component of this is the provision of information that assists decision making and improves the quality of the development process.

Council offers free pre-lodgement and pre-design advice services for specific land sites, future development proposals and preparing development applications. These free services aim to help clients to:

- Identify relevant referral agencies, legislative and planning scheme requirements
- Understand assessment processes and clarify timeframes meet engineering, environmental and landscaping assessment officers before
- Submitting an application for operational works.

Applications where the applicant is a Community, Sporting and Religious Organisation is deemed eligible if determined by the Australian Taxation Office (ATO) as a charity and be listed on the Australian Charities and Not-for-profits Commission.

A 25% rebate of application fees paid (not including UnityWater fees) at the lodgement of an application can be applied for in writing by the applicant if the use commences within two years from the date of approval. The incentive covers the following application types:

- Rural
 - Agriculture
 - Environment Facility
 - Roadside Stall
 - Winery.
- Tourism
 - Nature Based Tourism
 - Short Term Accommodation - where for a 5-star (or better) tourist facility
 - Shop – for an art and craft centre where located in a rural zone
 - Tourist Attraction – where located within a rural zone.
- Health Care Services
 - Residential Care Facility (high care i.e. Nursing Home).

This incentive was adopted by Council to commence in 2016/17 to be available for a three year period.

Development Infrastructure Charges

Infrastructure Charges listed within Appendix A are regulated by the State Government and will be indexed and included in the schedule upon release.

Legal

Local Government Act 2009

- Section 97 Cost-recovery Fees.
- Section 98 Register of Cost-recovery Fees.

- Section 262(3)(c) Commercial Charges.

Local Government Regulation 2012.

- Section 172 Revenue Statement.
- Section 193 Revenue Policy.

Policy

Fees and Charges are adopted by Council for each financial year and can be amended during the year.

Risk

There are a number of legislation reviews currently underway. Dependent on the outcomes of these reviews further changes may be required to maintain statutory compliance.

Previous Council Resolution

Ordinary Meeting 18 May 2017 (OM17/69)

That Council:

- (a) *receive the report titled "Development Services Register of Cost-recovery Fees and Commercial Charges 2017/18"*
- (b) *adopt the fees detailed in the Register of Cost-recovery Fees and Commercial Charges for Development Services 2017/18 (Appendix A and B)*
- (c) *resolve that, in relation to those cost-recovery fees to which Section 97 of the Local Government Act 2009 apply:*
 - (i) *the applicant is the person liable to pay these fees and*
 - (ii) *the fee must be paid at or before the time the application is lodged and*
- (d) *delegate to the Chief Executive Officer the power:*
 - (i) *to amend commercial charges to which section 262(3) (c) of the Local Government Act 2009 apply.*
 - (ii) *to determine a reasonable fee based on cost recovery principles when a price on application is requested.*

Related Documentation

Local Government Act 2009

Local Government Regulation 2012

Critical Dates

The 2018/19 Register of Cost Recovery Fees and Commercial Charges for Development Services will apply from 1 July 2018. Adopting the fees and charges prior to adopting the 2018/19 budget in full allows advance notice for users and the community. This also allows the changes to be discussed as part of local training discussions in relation to the planning legislation.

Implementation

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

Once adopted, the 2018/19 Register of Cost Recovery Fees and Commercial Charges for Development Services will become operational for new applications and services from 1 July 2018. The fees and charges will be published on Council's website.

8.3.2 PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE AT 18, 26, 40, 50,66 COONEY ROAD AND 586 BLI BLI ROAD, BLI BLI.

File No: Council Meetings

**Author: Manager Development Services
Customer Engagement & Planning Services Group**

To be Provided

8.4 ECONOMIC AND COMMUNITY DEVELOPMENT

8.4.1 REQUEST FOR CLOSED CIRCUIT TELEVISION - CALOUNDRA CHAMBER OF COMMERCE

File No: F2015/88224

Author: Team Leader Community Development
Economic & Community Development Group

Attachments: Att 1 - Public Space Closed Circuit Television Policy 2014.....199
Att 2 - Mapping of current Caloundra CCTV locations (February 2018)209
Att 3 - Map of proposed CCTV system location (February 2018)211

PURPOSE

This report seeks Council consideration for an application received from the Caloundra Chamber of Commerce for the installation of a closed circuit television (CCTV) system within the Caloundra CBD.

EXECUTIVE SUMMARY

Council has received a formal request from the Caloundra Chamber of Commerce requesting Council install a closed circuit television system within the Caloundra CBD.

The applicant has requested CCTV to assist with increasing community safety and the perceptions of safety within the Caloundra CBD. Closed circuit television cameras have been requested to also discourage unlawful activity and to assist law enforcement with the identification and prosecution of offenders.

In accordance with Council's *Public Space Closed Circuit Television Policy 2014* (Attachment 1), this application has been assessed using the Closed Circuit Television Assessment Framework. As the application has successfully progressed through stages 1A, 1B and 2 of the Framework, the application has progressed to stages 3 and 4 and is now required to be presented to and considered by Council.

The application meets the requirements of this Policy as:

- the primary purpose of the system is for the investigation and/or prosecution of civil and criminal offences in relation to the security of Council's facilities and assets, and for improving public confidence in the safety and security of public spaces
- other crime prevention measures, including street scaping, improved lighting and activation of spaces, have been undertaken and
- there is strong evidence for the need and wide community support to install a CCTV system.

There are no immediate costs to Council as the Caloundra Chamber of Commerce will fund the capital works costs as a recipient of a Federal Government grant from the *Safer Communities Program*. However, the ongoing maintenance and repairs to this system, as with the existing CCTV systems, will be Council's responsibility and therefore added to Council's asset register and maintenance schedules.

Currently Council operates and maintains 42 open space CCTV camera systems in Mooloolaba (13), Nambour (9), Maroochydore (2) and Caloundra (18). These cameras are used to detect unlawful behaviour and to assist with improving public confidence in the safety and security of public spaces. The systems are currently operated and maintained by Council at a cost of \$95,900 annually.

In the 2016/2017 financial year, Council provided the Queensland Police Service with copies of CCTV footage on 28 occasions that assisted with criminal investigations, including the indecent treatment of a child under 16 years, homicide/missing persons, robbery, assault, traffic and drug related offences. The cost to Council for the retrieval of footage for the 2017/2018 financial year came to a total of \$4,105.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Request for Closed Circuit Television - Caloundra Chamber of Commerce”**
- (b) approve the application received from the Caloundra Chamber of Commerce, for the installation of a closed circuit television system within the Caloundra CBD, subject to:**
 - (i) both parties entering into a formal agreement detailing both parties’ responsibilities and the applicant’s commitment to finance the capital, design, and project management works and**
 - (ii) Council approving necessary maintenance funding in the 2018/19 budget process and**
- (c) note a review will be undertaken of the Public Space Closed Circuit Television (CCTV) Policy.**

FINANCE AND RESOURCING

There is no immediate cost to Council as the Caloundra Chamber of Commerce will be funding the capital works costs as a recipient of a Federal Government grant from the *Safer Communities Program*. However, the ongoing maintenance and repairs to this system, as with the existing CCTV systems, will be Council’s responsibility and therefore added to Council’s asset register and maintenance schedules.

Currently, Council operates and maintains 42 CCTV open space camera systems. These systems are operated and maintained by Council at a combined actual cost of \$95,900 annually.

Council’s Buildings and Facilities Assets Management Team have broken whole of life costs for any camera system into three categories:

- **Simple system** - \$2,900 ex GST (per unit per annum)
 - Easy Access and low exposure to corrosion
 - Half Yearly Maintenance schedule
- **Sensitive system** - \$3,500 ex GST (per unit per annum)
 - Medium exposure to corrosion
 - Light/medium levels of traffic management. required for servicing
 - Quarterly Maintenance schedule
- **Complex & Sensitive system** - \$5,500 ex GST (per unit per annum)
 - High exposure to corrosion
 - Medium to high levels of traffic management. required for servicing, specific access requirements
 - Fortnightly or Monthly Maintenance schedule

It is expected that the camera system within the Caloundra CBD would be designed and classed between a “Sensitive” and a “Complex & Sensitive” system.

Council has undertaken preliminary design investigations for a 13 camera system. If 13 cameras are installed, the annual expected cost to Council is \$45,500-\$71,500, depending on the category of the system installed. This figures excludes footage retrieval costs.

The expected life span on a CCTV system is five years, bringing the whole of life costs of a 13 camera system within the Caloundra CBD to between \$227,500 and \$357,500.

In addition to the annual maintenance of a new CCTV system, the retrieval of CCTV footage will need to be considered. Footage retrieval costs are variable as it is dependent on the number of the requests received. Footage retrieval costs Council approximately \$195 ex GST per request. Based on the 2016/17 financial years figures for footage retrieval of the Nambour CCTV system (18 requests), annual footage retrieval costs are estimated at \$3,510 per annum.

At the completion of the project installation, it is proposed that all CCTV cameras and association hardware will be owned by Council and recorded as a Council asset.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 2.1 - Safe and healthy communities

Operational Activity: 2.1.2 - Continue to enhance community safety partnerships with state agencies and community groups to enhance resident and visitor safety

CONSULTATION

Councillor Consultation

- Councillor T Dwyer - Divisional Councillor
- Councillor J McKay - Portfolio Councillor for Community and Environment

Internal Consultation

- Solicitor, Legal Services Branch
- Coordinator Contract Supply and Administration, Business Development Branch
- Management Accountant, Finance Branch
- Smart City Framework Living Lab Project Team

External Consultation

- Caloundra Chamber of Commerce
- Queensland Police Service – Southern Patrol Group
- CALM Caloundra Liquor Accord
- Caloundra Safe Committee

Community Engagement

Council has not undertaken formal community engagement activities regarding this report however notification of support have been received from the following entities:

- CALM Caloundra Liquor Accord
- Caloundra Business - Red Hot Chilli Pepper

- Caloundra Residents Association
- Caloundra Safe Committee
- Caloundra Tourism
- Former Federal Member for Fisher
- Queensland Parliament Member for Caloundra
- Queensland Police Service – Sunshine Coast District Office
- Queensland Police Service – Southern Patrol Group

PROPOSAL

Council currently owns and operates 20 public space CCTV cameras within the Caloundra CBD (1 x Minchinton Street Taxi Rank, 19 x Caloundra Parking Station) as indicated in Attachment 2. These cameras are currently used for:

- the investigation and/or prosecution of civil and criminal offences in relation to the security of Council's facilities and assets
- the investigation and/or prosecution of civil and criminal offences in relation to the security of public spaces and crimes against the person in the Sunshine Coast Council local government area and
- improving public confidence in the safety and security of public spaces.

The Caloundra Chamber of Commerce is the recipient of a Federal Government grant from the *Safer Communities Program* for \$140,000 towards the delivery of CCTV within the Caloundra CBD. Council has received a formal request from the Caloundra Chamber of Commerce for Council to install a CCTV system within the Caloundra CBD. The applicant has advised the primary purpose of the CCTV system is to increase the perception of safety within the Caloundra CBD, and to assist the Queensland Police Service with law enforcement.

The Caloundra Chamber of Commerce has advised expenses relating to capital works, project management and system design costs will be paid for by the Caloundra Chamber of Commerce to the total value of \$127,000. At the project completion, it is proposed that the CCTV system will be owned and managed by Council. The system is to be added to Council's asset register and maintenance schedules.

To ensure a unified, equitable and transparent consideration of the Caloundra Chamber's request for CCTV, the CCTV Assessment Framework detailed in Council's *Public Space Closed Circuit Television (CCTV) Policy* was used as follows:

1. determine the appropriateness of the system:
 - (a) define the purpose of CCTV
 - (b) site assessment
2. key stakeholder consultation/evidence gathering
3. identify resource requirements and implications including 'whole of life' cost
4. decision and notification.

In 2015, Council received a similar request from the Glasshouse Country Chamber of Commerce for the installation of a combined 21 camera CCTV system in the towns of Glasshouse Mountains, Beerwah and Landsborough, with infrastructure funded by a Federal Government grant. The applicant advised the primary purpose of the system was to protect commercial premises. As this purpose does not align with Council's *Public Space Closed Circuit Television (CCTV) Policy*, the request did not proceed to Council for consideration.

The Glasshouse Country Chamber of Commerce has installed the cameras and are managing and maintaining the system for their commercial premises purposes. Council does not contribute to these costs and does not manage the retrieval of footage requests.

The Caloundra Chamber of Commerce application identifies the purpose of the system is to increase the perception of safety within the CBD, and to assist the Queensland Police Service in apprehending offenders. This purpose does fall in line with the following purposes stated in Council's CCTV Policy:

- To assist the investigation and/or prosecution of civil and criminal offences in relation to the security of public spaces and crimes against the person in the Sunshine Coast Council local government area
- To assist improving public confidence in the safety and security of public spaces.

It is also recognised that the purpose of the cameras may also assist:

- in the deterrence of anti-social behaviours in high risk public areas and
- the investigation and/or prosecution of civil and criminal offences in relation to the security of Council's facilities and assets.

In July 2017, Council officers undertook a site assessment with representation from the Queensland Police Service and the Caloundra Chamber of Commerce. The site assessment identified minimal alternative crime prevention and design alternatives. The site assessment determined that CCTV will assist Queensland Police with addressing reported crime. The site assessment was undertaken in line with the Queensland Crime Prevention Through Environmental Design (CPTED) Guidelines.

An analysis of associated crime mapping has been conducted for all police calls for service in the Caloundra CBD. In consultation with the Queensland Police Service, the analysis indicates sufficient evidence to support the need for CCTV implementation.

Queensland Police have undertaken an analysis of the existing private and/or commercial CCTV coverage within the Caloundra CBD. These investigations concluded that there is no CCTV coverage of public spaces within the Caloundra CBD from private or commercial premises.

Council has undertaken preliminary design investigations for a 13 camera system, where infrastructure costs are expected to be covered by the Chamber's Federal Funding grant. Council has received a report from Queensland Police that identifies areas within the CBD that are 'hot spots' for police calls for service. These locations have been considered in this preliminary design phase. The proposed CCTV detailed system design will be undertaken as a component of the tender process.

The system design will include the public spaces of Felicity Park, Happy Valley and the Esplanade, Bulcock Street including laneways, and public space outside the Events Centre and Council's Administration Building as indicated in Attachment 3. As per Council's *Public Space Closed Circuit Television (CCTV) Policy*, Council's CCTV systems in public spaces are not be monitored in real time by Council, contractors, or other agencies unless monitoring is required for the early identification and rapid response to anti-social behaviours for identified law enforcement operations or major community events.

Legal

There are no legal implications relevant to this report.

Policy

The *Public Space Closed Circuit Television (CCTV) Policy 2014* outlines the principles which guide Council's decisions in the establishment and management of CCTV systems in public spaces. This application has been assessed against this policy.

To ensure compliance with the *Information Privacy Act 2009*, Council's *Public Space Closed Circuit Television (CCTV) Policy 2014* states "Requests from Organisations to install CCTV cameras/systems on Council owned or Council controlled land and/or infrastructure will be assessed using the CCTV Assessment Framework outlined in the CCTV Policy."

Risk

If approved by Council, the applicant is to enter into a formal Agreement with Council detailing roles and responsibilities for the design, installation, operations, management and associated costs of the CCTV system. Council officers will ensure system installation and operations comply with Council's *Public Space Closed Circuit Television (CCTV) Policy 2014* and the *Information Privacy Act 2009*.

Previous Council Resolutions

Ordinary Meeting 22 March 2018 (OM18/34)

That item 8.1.4 'Request for Closed Circuit Television - Caloundra Chamber of Commerce' lay on the table until the Ordinary Meeting of 17 May 2018.

Ordinary Meeting 11 December 2014 (OM14/176)

That Council:

- (a) receive and note the report titled "Community Safety Policy/Closed Circuit Television Policy"*
- (b) adopt the Community Safety Strategic Policy (Appendix A)*
- (c) adopt the Public Space Closed Circuit Television Strategic Policy (Appendix B) and*
- (d) refer appropriate Closed Circuit Television capital and operational funding to future annual Council budgets for consideration to ensure all systems are "fit for purpose"*

Related Documentation

- Sunshine Coast Community Safety Action Plan 2016-2020
- Sunshine Coast Community Safety Policy 2014
- Sunshine Coast Corporate Plan 2017-2021
- Sunshine Coast Public Space Closed Circuit Television (CCTV) Policy 2014
- Sunshine Coast Social Strategy 2015

Critical Dates

Due to the Federal Government funding agreement with the Caloundra Chamber of Commerce, the installation of the CCTV infrastructure must be completed by 30 July 2018.

Implementation

If endorsed by Council, officers will advise the applicant of Council's decision and enter into an agreement for the installation, operation and ongoing maintenance of the CCTV system.

Council officers will continue to work with all stakeholders to proceed with project scoping and procurement process.

8.4.2 2017/2018 COMMUNITY GRANTS PROGRAM MAJOR GRANTS ROUND 2 RECOMMENDATIONS

File No:	Council meetings	
Author:	Team Leader Community Connections Economic & Community Development Group	
Appendices:	App A - Major Grant Recommendations March 2018.....	223
	App B - Community Grants Program Guidelines - Tracked Changes	237
Attachments:	Att 1 - Internal Consultation	245
	Att 2 - Major Grant Recommendations March 2018 Additional Information.....	Conf 17/55
	Att 3 - Funding Comparisons	249

PURPOSE

This report seeks Council consideration and endorsement of funding recommendations for the second round of the 2017/18 Community Grants Program Major Grants.

EXECUTIVE SUMMARY

Council's Community Grants Program provides a transparent governance framework that complies with statutory requirements for the distribution of grant funding to community organisations across the region.

The program reflects Council's priorities as described in current corporate strategies, plans and policy positions. It ensures equitable opportunity for community organisations to access Council funding for projects and programs, which meet identified community need and result in community benefit.

The Community Grants Program for 2017/18 Major Grants Round 2, closed on 12 March 2018. Council received 122 applications requesting a total of \$1,079,535 across seven categories:

- Community Development
- Community Events
- Community Facilities
- Cultural Development
- Cultural Heritage
- Economic Development
- Sport, Recreation and Healthy Living.

Funding totaling \$595,440 for 94 projects is recommended for Council's consideration and endorsement (Appendix A).

This report also notes that the Cultural Heritage category priorities within the Community Grants Program Guidelines have been updated to reflect the conclusion of the period of WW1 centenary commemoration and more closely align with the Cultural Heritage Plan 2015-2020. The revised guidelines with tracked changes are provided as Appendix B.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “2017/2018 Community Grants Program Major Grants Round 2 Recommendations”
- (b) endorse the Major Grant Recommendations March 2018 (Appendix A)
- (c) endorse the transfer of \$63,078 from the 2017/2018 Sports Field Maintenance Funding Program budget to the Community Grants Program 2017/18 and
- (d) note the updated “Community Grants Program Guidelines” (Appendix B).

FINANCE AND RESOURCING

The 2017/18 Grants and Partnerships budget provides funding for the Community Grants Program, the Community Partnership Funding Program and the Sports Field Maintenance Funding Program.

Table 1 below provides details of program budgets, expenditure to date and remaining budgets (before endorsement of recommendations in this report).

Program	2017/18 Budget	Actuals	Commitments	Budget Remaining
Community Partnership Funding Program	\$730,000	\$695,598	\$34,400	\$2
Sports Field Maintenance Funding Program*	\$648,014	\$550,169	\$34,767	\$63,078
Community Grants Program	\$1,549,633	\$693,768	\$239,252	\$616,613
TOTAL	\$2,927,647	\$1,939,535	\$308,419	\$679,693

Table 1. Program Budgets

* Unallocated funds still remain in the Sports Field Maintenance budget for 2017/18. The balance remains as the anticipated transfer of responsibility for fields to two sporting organisations was postponed to the 2018/2019 financial year.

This report recommends the transfer of \$63,078 from the unallocated funds (Sports Field Maintenance Funding Program) to the Community Grants Program. This will provide sufficient funds for the anticipated applications to the fourth and final round of the Minor Grants program for 2017/18, and the Individual Development Grants and Emergency Grants, which are available as required (open all year), for the remainder of the 2017/18 financial year.

The 2017/18 Community Grants Program includes:

- two Major Grant funding rounds
- four Minor Grant funding rounds
- Individual Development Grants (year-round) and
- Emergency Grants (year-round).

This report to Council is in relation to the second Major Grant round for the 2017/18 Community Grants Program. Council received a total of 122 applications requesting a total of \$1,079,535 at the closure of the second round on 12 March 2018.

This report recommends that 94 applicants be funded a total of \$595,440. Details are provided in the Major Grant Recommendations March 2018 document.

Budget Implications

Projects recommended in this report are supported by three separate budgets as detailed in Table 2 below.

BUDGETS	Community Grants Program Budget	Domestic Animal Management Budget*	Recreation Trails Activation Budget**	TOTAL
March 2018 Recommendations	\$534,985	\$10,000	\$50,455	\$595,440

Table 2. Budgets for Recommended Projects

* One of the recommended applications address the key objectives of Council's Domestic Animal (Cats and Dogs) Management Strategy (2014-2020) and will be funded through the Domestic Animal Management Strategy Budget (application MJCD172002 Operation Wanted 2018 Desexing Campaign).

** Four applications address Council's priority to encourage the community to lead and guide nature-based recreation projects and will be funded by Council's endorsed Recreation Trails Activation Budget (applications MJCF172031 West Cooroy State Forest Recreation Trailhead (SCC LGA) Infrastructure, MJCF172035 Ferny Forest Mountain Bike Trail Upgrade, MJCF172037 Parklands Mountain Bike Trails Project and MJSR172030 Sunshine Coast Active, Sustainable and Healthy E-Bike Cycling Project (SCASHE).

The project budgets (based on figures supplied by applicants) for the successful applications total more than \$2.8 million. This is 4.7 times greater than the Council contribution recommended in this report.

This report also notes that the Cultural Heritage category priorities within the Community Grants Program Guidelines have been updated to reflect the conclusion of the period of WW1 centenary commemoration and more closely align with the Cultural Heritage Plan 2015-2020.

These changes will have no implications on the Community Grants Program budget.

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
Outcome:	2.2 - Resilient and engaged communities
Operational Activity:	2.2.4 - Continue to ensure the manner in which Council distributes grant monies to community and not-for-profit organisations supports Council's social vision for the region

CONSULTATION

Portfolio Councillor Consultation

Councillor J McKay – Portfolio Councillor for Community and Environment

Internal Consultation

Community Grants Development Officers attended assessment panels, reviewed outcomes and moderated across all grant categories to ensure equity and consistency.

Assessment panel membership for each category was made up of a number of key staff from the relevant area of Council. In addition, Council officers with expertise relevant to specific applications were consulted and provided information and/or advice to inform assessment processes. Attachment 1 outlines the Council officers involved in each panel and additional staff consulted.

External Consultation

Community Grants Development Officers and internal category experts liaised with community organisations across the Sunshine Coast Council Local Government Area via a range of community meetings and conversations to ensure a high level of awareness of the Major Grants Program and the application dates.

Assistance was provided for project development, preparation of application content and advice on the application process.

A wide range of traditional and social media tools were used to promote the Community Grants Program generally, and to invite applications.

Community Engagement

There has been no community engagement in relation this report.

PROPOSAL

Council recognises the vital contribution that community organisations make to the economic, environmental, social and cultural wellbeing of Sunshine Coast communities.

Through the provision of community grants, Council is committed to supporting the implementation of community initiatives and partnerships that align with Council's strategic corporate priorities and demonstrate a purpose that is in the interests of the Sunshine Coast community.

The following principles provide a consistent approach to the administration of the Community Grants Policy and the delivery of Council's Community Grants Program:

- Community organisations are provided with funding support to provide benefit to the Sunshine Coast community, in line with Council's strategic corporate priorities
- Vibrant, engaged and more resilient communities are developed through capacity-building and partnerships
- Community organisations and volunteers are acknowledged for the positive contribution they make to the local community and Council's vision for the future
- Funds are distributed in an equitable and transparent manner that ensures good governance and adherence to the *Local Government Act 2009* and the *Local Government Regulation 2012*.

The Community Grants Program Guidelines ensure an equitable, open and transparent process for applicants to seek financial assistance, and detail the specific aims and priorities of each category.

The Cultural Heritage category priorities within the Community Grants Program Guidelines have been updated in order to provide greater clarity for applicants and to better align with the current Cultural Heritage Plan. A notable change is a broader approach to the region's contribution to the war effort which now replaces the singular WW1 anniversary priority as the period for centenary commemorations concludes this year. The replacement priority also seeks to capture the region's contribution to innovation and industry including mining, transport, agriculture, fisheries and tourism.

The updated guidelines highlight Cultural Heritage Plan strategies that were not previously featured, specifically education and the conservation of significant objects. The changes further define the representation and preservation of Aboriginal and South Sea Islander culture and heritage.

The revised guidelines with tracked changes are provided as Appendix B.

Promotion and Support

A wide range of traditional and social media tools were used to promote the Community Grants Program generally and then to invite applications. These included:

- Council's website and Facebook
- online community newsletters
- newspaper advertising in local community newspapers including media releases and spotlight print columns
- Spotlight radio, Council's e-news, and messages on hold
- features in Councillor columns
- grant information and writing sessions held at 5 locations and
- grant factsheets were available in libraries and customer service centres.

Community Grants Development Officers and internal category specialists liaised widely with the community by:

- responding to telephone enquiries, emails and action requests
- providing assistance with project development
- providing advice on the preparation of application content and the application process
- linking applicants with category specialists in all grant categories and
- assisting applicants with identifying other grant and funding opportunities.

Applications

A total of 122 applications were received across the seven grant categories of the 2017/18 Community Grants Program Major Grants Round 2, requesting \$1,079,535 in funding.

Assessment

Council officers pre-assessed each application to determine eligibility. Assessment panels for each category were then established (as detailed in Attachment 1 – Internal Consultation). Panel members reviewed all eligible applications prior to the panel meeting and then met to assess the applications.

In accordance with Council's Community Grants Policy, any declaration of a panel member's conflict of interest must be recorded. That panel member must not be involved in the related deliberations. There was no conflict of interest declared in this Major Grants round.

Panel discussion focused on alignment to category aims and priorities, alignment to Council's strategic corporate priorities, community need and benefit, and the capacity of the organisation to achieve the project outcome. The panels also took into consideration the number of applications received and the amount of funding available. Panel members determined funding recommendations for Council's consideration.

Due to the large number of applications in each grant category, part funding was recommended in some instances. In each case where part funding was recommended, the panel considered whether:

- the project could be successfully completed with the part funding allocated and
- funding for stand-alone components of the project could be provided.

Recommendation

Funding totaling \$595,440 for 94 projects is recommended for Council's consideration and endorsement as provided in Appendix A: Major Grant Recommendations March 2018.

Confidential Attachment 2: Major Grant Recommendations March 2018 - Additional Information provides further detail relating to the assessment of applications and is provided in confidence under Section 275 (h) of the *Local Government Act 2009*.

Table 3 is a summary of the applications and the recommended funding for each category.

Category	Applications received	Funding requested	Applications recommended	% Applicants recommended	Funding recommended (GST exc.)
Community Development	25	\$198,852	19	76%	\$101,661
Community Events	20	\$182,472	17	85%	\$85,657
Community Facilities	40	\$413,165	31	78%	\$256,174
Cultural Development	13	\$117,217	10	77%	\$55,500
Cultural Heritage	5	\$37,516	3	60%	\$17,975
Economic Development	2	\$10,500	2	100%	\$10,500
Sport, Recreation and Healthy Living	17	\$119,813	12	71%	\$67,973
Total	122	\$1,079,535	94	77%	\$595,440

Table 3. Applications Summary and Recommended Funding

The Funding Round Comparisons document at Attachment 3 details the funding comparison of the current round to previous Major Grant rounds.

The total cost of the recommended projects is valued over \$2.8 million (based on figures supplied by applicants). This is 4.7 times greater than the Council contribution recommended in this report.

Program Evaluation

Ongoing evaluation of the Community Grants Program draws information from a variety of sources including:

- analysis of data provided by community organisations in application and acquittal reports
- engagement with community organisations and
- consultation with internal stakeholders including category representatives.

Benefits

Organisations recommended for funding in this round:

- reported the engagement of 1,760 volunteers to deliver their funded projects and
- estimated 275,035 people would be direct beneficiaries of their projects (includes event patrons and/or participants).

Legal

There are no legal implications relevant to this report.

Policy

The recommendations contained within this report are in accordance with the *Local Government Act 2009*, *Local Government Regulation 2012* and in line with the adopted *Community Grants Policy*. Any requested changes to funding recommendations made by the panel need to be supported by evidence and that evidence recorded.

Risk

There may be some community concern in relation to the number of community groups that were unsuccessful in their application for funding under this program or were only part funded. The panels' considerations were thorough and in line with the *Community Grants Policy* and *Community Grants Guidelines*, as well as budget availability. In each case where part funding was recommended, the panel:

- considered whether the project could be successfully completed with the part funding allocated and
- considered whether funding for stand-alone components of the project could be provided.

Previous Council Resolution**Ordinary Meeting 9 November 2017 (OM17/223)**

That Council:

- (a) receive and note the report titled "2017/2018 Community Grants Program Major Grants Round 1 Recommendations"
- (b) endorse the Major Grant Recommendations August 2017 (Appendix A as amended) and
- (d) note the updated "Community Grants Program Guidelines" (Appendix B).

Ordinary Meeting 23 March 2017 (OM17/38)

That Council:

- (a) receive and note the report titled "**Recreation Trails Activation Program**"
- (b) endorse the 15 year Recreation Trails Development Plan (Appendix A as amended) and the projects within this Development Plan for further scoping, planning, and delivery
- (c) through the 2017/18 budget deliberations consider
 - (i) the allocation of \$600,000 in the Recreational Tracks & Trails Sub-program of Environmental Assets section of the Capital Works Program
 - (ii) establishment of a community grants program for recreation trails or supporting infrastructure with an allocation of \$60,000 to be administered as per the *Community Grants Policy* by the Community Connections Team; and
 - (iii) a further annual allocation of \$60,00 to be provided for operational trail maintenance and promotional activities.

Ordinary Meeting 29 January 2015 (OM15/5)

That Council:

- (a) *receive and note the report titled "Community Grants and Partnership Funding Review 2014"*
- (b) *endorse Option 1 for Council support to community organisations for 2015/16 and beyond*
- (c) *endorse multi-year funding under the Community Partnership Funding Program to provide funding for periods of up to 3 years*
- (d) *note "Community Grants Program and Community Partnership Funding Program Review Report" (Appendix A)*

Ordinary Meeting 20 June 2013 (OM13/109)

That Council:

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

Related Documentation

Related documentation includes funding agreements with successful community organisations.

Relevant policy and strategy documents include the following:

- Asset Management Policy (2010)
- Community Engagement Policy (2009)
- Community Grants Guidelines (2017)
- Community Grants Policy (2013)
- Community Land and Complimentary Commercial Activity Policy (2011)
- Cultural Development Policy (2012)
- Environment and Liveability Strategy
- Events Policy (2010)
- Heritage Levy Policy (2010)
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- Public Art Policy (2011)
- *Statutory Bodies Financial Arrangements Act 1982*
- Sunshine Coast Access and Inclusion Plan 2011-2016
- Sunshine Coast Aquatic Plan 2011-2026

- Sunshine Coast Domestic Animal (Cats and Dogs) Management Strategy 2014-2020
- Sunshine Coast Positive Ageing Strategy 2011-2016
- Sunshine Coast Reconciliation Action Plan 2017-2019
- Sunshine Coast Regional Economic Development Strategy 2013-2033
- Sunshine Coast Multicultural Action Plan 2017-2020
- Sunshine Coast Social Infrastructure Strategy (2011)
- Sunshine Coast Social Strategy 2015
- Sunshine Coast Sport and Active Recreation Plan 2011-2026
- Sunshine Coast Youth Action Plan 2018.

Critical Dates

The next Major Grants round under the Community Grants Program will open in July 2018 and close in September 2018.

Implementation

Following endorsement of this report, notification of outcomes will take place. Funding will be distributed during May and June 2018, following receipt of invoice and signed conditions of agreement and compliance with any conditions of funding.

The Community Grants Program Guidelines will be updated as per the tracked changes contained in Appendix B and will be made available on Council's website.

8.5 LIVEABILITY AND NATURAL ASSETS

Nil

8.6 BUILT INFRASTRUCTURE

Nil

9 NOTIFIED MOTIONS**9.1 NOTICES OF RESCISSION****9.2 NOTICES OF MOTION****9.3 FORESHADOWED NOTICES OF MOTION****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 OFFICE OF THE CEO****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - QUARTERLY
PROGRESS REPORT - QUARTER 3, 2017/2018**

File No: Council meetings
Author: Manager Corporate Governance
Office of the CEO

This report is confidential in accordance with section 275 (f) of the *Local Government Regulation 2012* as it contains information relating to starting or defending legal proceedings involving the local government.

11.2 BUSINESS PERFORMANCE

Nil

11.3 CUSTOMER ENGAGEMENT AND PLANNING**11.3.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED ROUND 6B
PLANNING SCHEME AMENDMENTS - REGULATION OF
ENTERTAINMENT USES**

File No: Council meetings
Author: Principal Strategic Planner
Customer Engagement & Planning Services Group

This report is confidential in accordance with section 275 (g) of the *Local Government Regulation 2012* as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

11.4 ECONOMIC AND COMMUNITY DEVELOPMENT**11.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED SPORTING INITIATIVE**

File No: Council meetings
Author: Head of Economic Development
Economic & Community Development Group

This report is confidential in accordance with section 275 (e) of the *Local Government Regulation 2012* as it contains information relating to contracts proposed to be made by Council.

11.5 LIVEABILITY AND NATURAL ASSETS**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED LAND ACQUISITION, BUDERIM**

File No: Council Meetings
Author: Coordinator Biodiversity and Waterways
Liveability & Natural Assets Group

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.

11.6 BUILT INFRASTRUCTURE

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 14 June 2018 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE