

Agenda

Ordinary Meeting

Thursday, 12 December 2013

commencing at 9.00am

Council Chambers, 9 Pelican Street, Tewantin

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Special Meeting (Palmview Structure Plan and Associated Matters) held on 11 November 2013, Ordinary Meeting held on 14 November 2013, Special Meeting held on 18 November 2013 and Special Meeting held on 25 November 2013 be received and confirmed.

4 OBLIGATIONS OF COUNCILLORS**4.1 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.

4.2 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.

5 MAYORAL MINUTE

6 PRESENTATIONS

6.1 SUNSHINE COAST LOCAL GOVERNMENT

7 REPORTS DIRECT TO COUNCIL**7.1 REGIONAL STRATEGY AND PLANNING****7.1.1 DEVELOPMENT APPLICATION FOR MULTIPLE HOUSING TYPE 2 - DUPLEX AND OPERATIONAL WORKS AT 7 LAKE WEYBA DRIVE NOOSAVILLE****File No:** MCU13/0200 & OPW13/0799**Author:** Planning Technical Officer
Regional Strategy & Planning Department**Appendices:** App A - Conditions of Approval 15**Attachments:** Att 1 - Proposal Plans 27**Link to PD Online:**<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1406160>

APPLICATION DETAILS	
Applicant:	Mr DLE Squires, Ms HM Jamieson
Proposal	Development Permit for a Material Change of Use - Multiple Housing Type 2 (Duplex) & Development Permit for Operational Work (Drainage works, earthworks & landscaping)
Properly Made Date:	15/10/2013
Information Request Date:	Not Applicable
Information Response Received Date:	Not Applicable
Decision Due Date	12 December 2013
Number of Submissions	Not Applicable
PROPERTY DETAILS	
Division:	11
Property Address:	7 Lake Weyba Drive, Noosaville
RP Description:	Lot 47 RP 76937
Land Area:	640m ²
Existing Use of Land:	Dwelling House
STATUTORY DETAILS	
SEQRP Designation:	Urban Footprint
Planning Scheme	The Noosa Plan (16 September 2013)
Strategic Plan Designation:	Not Applicable
Locality:	Noosaville Locality
Zone:	Semi-Attached Housing
Assessment Type:	Code

PURPOSE

The purpose of this report is to seek council's determination of an application for Development Permit for a Material Change of Use - Multiple Housing Type 2 (Duplex) at 7 Lake Weyba Drive, Noosaville. The application is before council as the applicant is a council employee.

EXECUTIVE SUMMARY

The proposal seeks approval for a duplex on the corner of Lake Weyba Drive and Nannygai Street, Noosaville. The two storey duplex consists of 1 x 3 bedroom unit and 1 x 2 bedroom unit. Good north facing indoor and outdoor living spaces are used, together with a variety of external finishes. Separate vehicle accesses are provided, one from each street frontage, with garages set back more than 10 metres from the street boundary. The duplex complies with all key development parameter provisions, except for the setback to Nannygai Street frontage and the total landscape open space for the development.

The majority of the setback encroachment consists of roof overhangs and screening devices. Given that the bulk of the building meets setback requirements and the building is well-designed with good articulation and a variety of external finishes, it will not be imposing when viewed from the street. The proposed setback is also consistent with other nearby developments.

The proposal is deficient by 4m² of landscaping open space, but exceeds the total soft landscaping required by the planning scheme for the whole development, as well as for the open space required for each individual unit. The proposal provides sufficient space for landscape screening, residential amenity and, overall, is a good outcome for the site.

OFFICER RECOMMENDATION

That Council APPROVE WITH CONDITIONS Application No. MCU13/0200 and OPW13/0799 and grant a Development Permit for a Material Change of Use - Multiple Housing Type 2 (Duplex) and a Development Permit for Operational Works (Drainage works, earthworks & landscaping) situated at 7 Lake Weyba Dr Noosaville, in accordance with the conditions at Appendix A.

FINANCE AND RESOURCING

If council were to approve this development, the applicant would be required to pay infrastructure charges for trunk infrastructure.

Council's Infrastructure Policy Branch have provided the following estimate of the infrastructure charges required by this development:

Allocation of adopted infrastructure charge to trunk infrastructure networks	Amount Payable
Transport	\$5,179
Public Parks & Land for Community Facilities	\$6,474
Stormwater (applicable to Residential development)	\$1,295
TOTAL (Sept 2013 index)	\$12,948

PROPOSAL

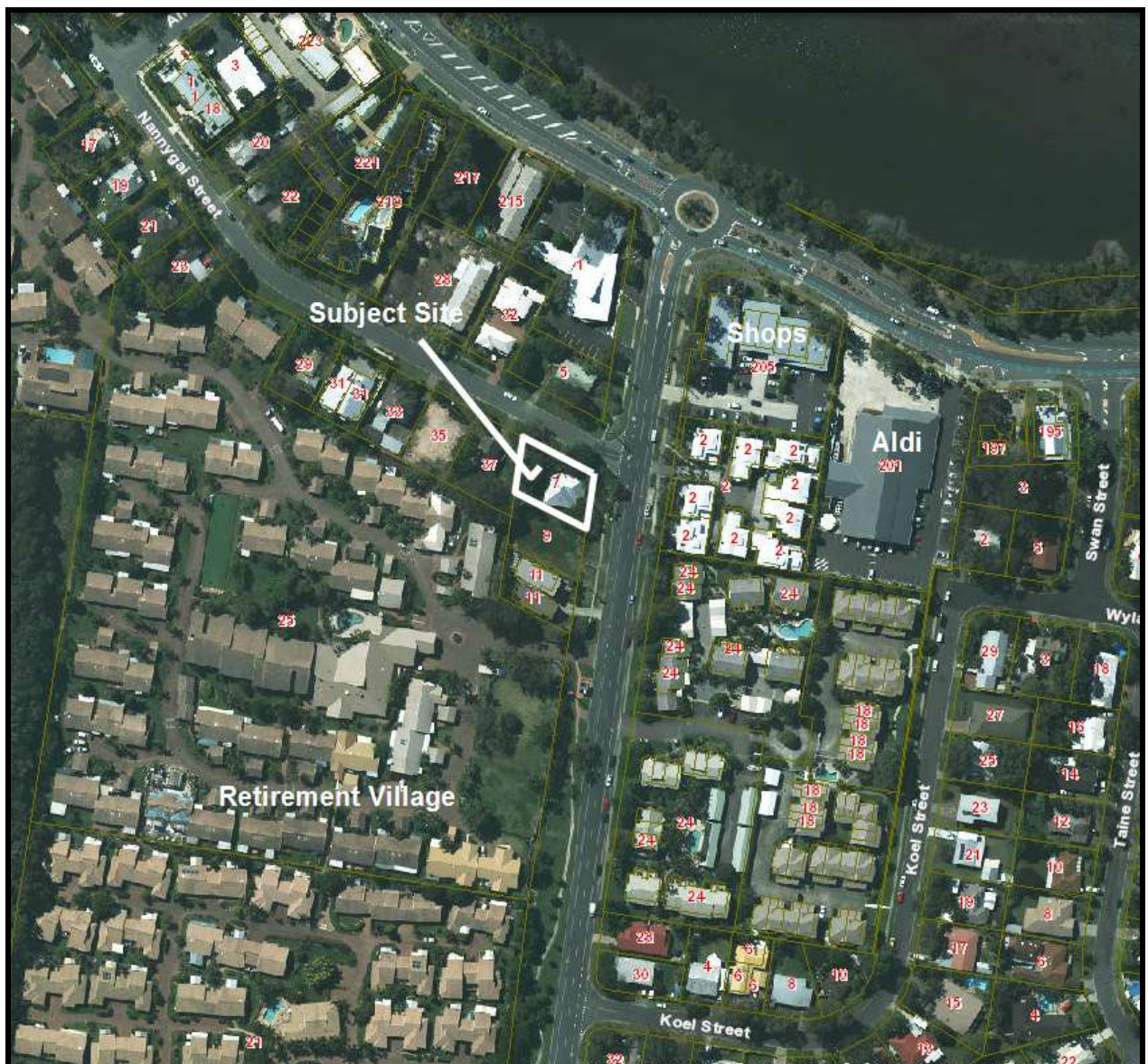
The application seeks approval for a two storey duplex on a level lot at the corner of Lake Weyba Drive and Nannygai Street, Noosaville. The duplex consists of 1 x 3 bedroom unit (Unit 1) facing northeast, and 1 x 2 bedroom unit (Unit 2) facing north. The design includes a small 14m² basement cellar, with kitchens, living and garages on the ground floor, and bedrooms and bathrooms located on the upper floor. Design features include large outdoor living spaces, ground level timber decks, and the use of operable awnings and louvres on the upper level for privacy and climate control. A variety of external finishes are proposed, such as plywood, masonry, aluminum, zinc, zincalume sheeting (for roof and walls) and polycarbonate sheeting to some areas of the roof. Separate vehicle accesses are provided, one from each street frontage, with garages set back more than 10 metres from the street boundary.

The lot is fully serviced with reticulated water, sewer and power. The site is required to be filled to meet the minimum floor level for the area.

SITE DETAILS

Site Description

The location of the subject site in relation to its surrounds is shown on the image below:



Surrounding Land Uses

The site is surrounded by the Semi-Attached Housing zone, where the majority of land is developed into duplexes or multiple dwellings. A single older style dwelling adjoins the subject site to the west and to the south is a recently constructed duplex. Nearby, to the south west, is a large retirement village and a short walk (approximately 50 metres) to the north is a local village centre, consisting of a medical centre, shops, restaurants and an Aldi supermarket.

ASSESSMENT

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is The Noosa Plan (16 September 2013). The following sections relate to the provisions of the Planning Scheme.

Local Area Provisions

The subject site is located in Noosaville Locality within the Semi-Attached Housing zone where duplexes are a consistent use and required to follow a Code Assessable application.

An assessment of the proposed duplex against the key development parameters is detailed in the table below.

CRITERIA	PLANNING SCHEME	PROPOSAL	COMPLIES
Site area	600m ² min	641 m ²	✓
Population density	6.6 persons max	5.7 persons	✓
Plot ratio	0.45:1 max	0.45:1	✓
Gross floor area	288m ² max	288 m ²	✓
Site cover	40% max	40 % (260m ²)	✓
Landscaped open space	Total 228 m ² min	Total 224 m ² (<4m ²)	X
	Soft 136m ²	Soft 180m ²	✓
Length of wall	15 metres max.	8 metres	✓
Boundary setbacks Frontage (corner lot)			
• Lake Weyba Dr.	6 metres min	6 metres	✓
• Nannygai St.	6 metres min	5 to 8 metres (roof 4m)	X
• South Side	1.5 to 2metres	2 metres (lower & upper floor)	✓
• West Side	1.5 to 2 metres	2 metres (lower & upper floor)	✓
• Rear	Not Applicable (corner lot)		

CRITERIA	PLANNING SCHEME	PROPOSAL	COMPLIES
<ul style="list-style-type: none"> Garage setback 	Class 10a building is exempt from Schedule 1 – Minimum boundary setbacks of the planning scheme. Subject to the Queensland Development Code (QDC)	Zero	✓
Building height <ul style="list-style-type: none"> In storeys In metres 	2 storeys max 8 metres max	2 storeys 8 metres	✓ ✓
Carparking	2 covered	4 covered	✓
	1 uncovered		✓
Min floor level	2.5m AHD	2.5 AHD	✓

The above table demonstrates that the proposal complies with the planning scheme provisions for a duplex in the Semi-attached Housing zone, except for the quantity of landscaping and the setbacks to the Nannygai Street frontage, which are discussed below.

Landscaping

The proposal is deficient in landscaping open space by 4m² but exceeds the minimum requirement for soft landscaping required by 44m². The design is not an over-development of the site as it complies with the key development parameters, in particular Site Cover and Plot Ratio. The open space deficiency is due to the corner location where the planning scheme prefers each dwelling unit to have separate vehicle access, one from each street frontage rather than a shared access from one frontage. Each vehicle is required to enter and exit the site in a forward gear requiring additional turnaround and driveway space and, in doing so, reducing the open space area possible on site. Unit 1 has more than 100m² and Unit 2 has more than 50m² of open space facing north, exceeding the planning scheme requirement of 25m² per unit. The development provides sufficient soft landscaping to screen the development and to provide amenity for the residents.

Nannygai Street Building Setback

The building façade setback to the Nannygai Street frontage varies from 5-8 metres and generally complies with Schedule 1- Setbacks, except for a small triangular portion of the upper level façade which is set back 5 metres rather than the required 6 metres. Portions of the roof and the upper floor screening devices to the Nannygai frontage encroach a little further into the setback, having a setback of 4-6 metres. The bulk of the facade is well set back, with the roof and screening devices being the majority of the encroachment. The building is well articulated and uses a variety of external materials and, as such, the development is not imposing on the streetscape. Furthermore, similar setbacks exist on corner lots in the surrounding area and, therefore, the proposal maintains the visual continuity in the street. Given that there is sufficient space for landscaping and the majority of building is well set back, the proposal meets the provisions of the Code and raises no concerns.

Land Use and Works Provisions

The following codes which regulate land use and design are applicable to this application:

- Residential Uses Code
- Landscaping Code

- Driveways & Carparking Code and
- Engineering Works Codes.

The application has been assessed against each of the above applicable codes and found to be compliant with, or can be conditioned to comply with, each.

The following Overlay is applicable to this application:

- Natural Hazards Overlay – Flood Hazard

The application has been assessed against this Overlay code and found to be compliant with, or can be conditioned to comply. The pertinent issues arising out of assessment against this code is discussed below.

Code	Discussion
Natural Hazards Overlay Code	The site is affected by the Flood Hazard Overlay and the applicant has not provided a flood certificate, however, the plans indicate the correct minimum floor level for the site. A condition is recommended to ensure the development is constructed to meet the minimum floor level of 2.5m AHD.

CONSULTATION

IDAS Referral Agencies

There are no IDAS referral agencies.

Other Referrals

Unitywater

The application was forwarded to Unitywater and their assessment forms part of this report.

Internal Referrals

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

- Development Engineer, Engineering and Environment Assessment Branch
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment Branch and
- Landscape Officer, Engineering and Environment Assessment Branch.

Their assessment forms part of this report.

Public Notification

The application was not required to be publically notified in accordance with the requirements of the *Sustainable Planning Act 2009*.

CONCLUSION

The proposal does not raise any significant planning or engineering concerns and is therefore recommended for approval subject to conditions.

7.1.2 DEVELOPMENT APPLICATION FOR ANIMAL HUSBANDRY TYPE 2 INTENSIVE (POULTRY FARM) AT 136 TOP FORESTRY ROAD, RIDGEWOOD

File No: MCU12/0184

Author: Development Planner
Regional Strategy & Planning Department

Attachments: Att 1 - Site Plan and Elevations.....47
Att 2 - Traffic Route.....51
Att 3 - Traffic53

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/masterview/Modules/Applicationmaster/default.aspx?page=wrapper&key=1246601>

APPLICATION DETAILS	
Applicant:	W Donald Milligan Pty Ltd
Proposal:	Development Permit for Material Change of Use (Animal Husbandry Type 2 - Intensive) and Environmentally Relevant Activity (ERA 4 - Poultry Farming)
Properly Made Date:	21/11/2012
Information Request Date:	10/12/2012
Info Response Received Date:	08/05/2013
Decision Due Date:	14 November 2013
Number of Submissions:	12 Properly made submissions; and 118 Not properly made submissions
PROPERTY DETAILS	
Division:	12
Property Address:	136 Top Forestry Rd, Ridgewood, Qld, 4563
RP Description:	Lot 21 SP 226606
Land Area:	105.017ha
Existing Use of Land:	Avocado orchard and associated sheds
STATUTORY DETAILS	
SEQRP Designation:	Regional Landscape and Rural Production
Planning Scheme:	The Noosa Plan (8 August 2011)
Planning Locality:	Mary River Catchment
Planning Zone	Rural
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming) at 136 Top

Forestry Rd, Ridgewood. The application is before council as there were 101 submissions objecting to, and 29 submissions supporting, the development proposal.

EXECUTIVE SUMMARY

This application seeks approval for a Poultry Farm defined by The Noosa Plan as Animal Husbandry Type 2 – Intensive at 136 Top Forestry Road, Ridgewood. The applicant proposes to construct 8 large sheds (100m to 130m long x 16m wide) on the site's ridgeline to house up to 250,000 birds, with day old chicks reared for a period of 6-9 weeks before being transported off site overnight for chicken meat production. The sheds are then cleaned out over a 2 week period and spent litter from the sheds is stockpiled within 2 bunded areas, before being spread on the avocado tree orchard. The cycle then starts again, with up to 6 cycles a year possible.

The site is zoned Rural under The Noosa Plan and, in this zone, a poultry farm is required to follow an impact assessment process. Accordingly, the applicant must demonstrate the selected site is suitable for the proposed use, and that the potential impacts can be appropriately managed.

This report concludes that the site is not suitable and the proposed poultry farm will have unacceptable impacts on the traffic safety of Top Forestry Road, and adverse amenity impacts for residents living near the farm and on the transport route.

Top Forestry Road is not of a suitable standard to cater for the number of heavy vehicles expected to be generated by the poultry farm, being an unsealed road with a number of tight bends. In any one of the 9 week batch cycles, the poultry farm is likely to generate approximately 348 heavy vehicle trips. During peak times, the number of truck movements is anticipated to be 92 trips (in and out) a week, with the last bird collection potentially being up to 90 truck trips over 1 to 2 nights. These truck numbers would also significantly impact on residents living along the traffic route, given bird collection is anticipated to be throughout the night and the route travels through Cooroy's urban residential streets. Dust generated from these movements along Top Forestry Road is also likely to cause a nuisance for residents.

In terms of potential odour impacts, Pacific Environment on behalf of council advise that no data has been provided of the emissions from manure stockpiles and manure spreading. Therefore, they are unable to support the applicant's submission that the poultry farm complies with the Queensland odour guidelines for rural zoned land. Odour modelling also identifies that the closest houses are at risk of distinct odour impacts at times, with the report failing to address one of the closest sensitive receiver locations.

While a number of submissions were concerned about the proposal's potential to adversely impact on water quality in the Mary River Catchment, council's environmental specialist concludes this is unlikely but, were the application to be approved, ongoing monitoring of the waterways would be necessary. Notwithstanding this, it should be noted that discussions with the Department of Agriculture, Forestry and Fisheries indicates that manure should be composted for a minimum of 12 weeks before use on farms and that the proposed application rate is likely to kill the tree crop.

The application is, therefore, recommended for refusal.

OFFICER RECOMMENDATION

That Council REFUSE Application No. MCU12/0184 for a Development Permit for Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming), situated at 136 Top Forestry Rd, Ridgewood for the following reasons:

1. the proposed poultry farm does not comply with the Overall Outcomes of The Noosa Plan's Mary River Catchment Locality, Agricultural Uses and Transport, Roads and Drainage Codes
2. the proposed poultry farm does not achieve sufficient separation distance from surrounding residents so as to avoid adverse odour impacts on residents' amenity, with insufficient details provided on the emissions from manure stockpiles, manure spreading, and for one of the closest sensitive receiver locations
3. the proposal will have unacceptable impacts on the safety of Top Forestry Road and the proposed road improvements are not sufficient to provide the necessary safe environment
4. traffic generated by the development proposed will have significant adverse impacts on the amenity of residents, given Top Forestry Road is unsealed and bird collection is likely to be through the night and
5. the proposed sheds and earthworks necessary for shed construction is likely to adversely impact on the scenic amenity of the area, as the applicant has not demonstrated that they will integrate satisfactorily with the landform and landscape.

FINANCE AND RESOURCING

If council were to approve this development, the applicant would be required to pay infrastructure charges for trunk infrastructure.

Council's Infrastructure Policy Branch has provided the following estimate of the infrastructure charges required by this development (which excludes infrastructure charges to Unitywater):

Allocation of adopted infrastructure charge to trunk infrastructure networks	Amount Payable
Transport	\$156,672
Public Parks & Land for Community Facilities	\$27,648
Stormwater (applicable to Non-Residential development)	\$500,000
TOTAL (June 2013 index) =	\$684,320

PROPOSAL

The application seeks approval for a Material Change of Use for Animal Husbandry Type 2 – Intensive (Poultry Farm) and Environmentally Relevant Activity (ERA 4 - Poultry Farming), situated at 136 Top Forestry Rd, Ridgewood.

The development involves the construction of 8 x 100m to 130m long x 16m wide sheds along the ridgeline of the site, with each shed containing 30,000 to 38,500 chickens. On this basis, the site has the potential to carry in the order of 250,000 birds at any one time. The applicant indicates the process involves the rearing day old chicks to chickens for a period of 6-9 weeks, before being removed from the site for chicken meat production (batch cycle).

Feed for the birds is brought onto the site throughout the batch cycle by 19m B-doubles, with an increase in frequency associated with the birds' mass. The applicant provided details for the feed requirements for an 8 shed farm, with 4 deliveries in the first week, increasing to 24 deliveries during week 7 of the 9 week cycle. The grown chickens are then removed from the site by truck in weeks 6, 7 and 9, most likely at night when the birds are less active.

The applicant also proposes that, upon the completion of the bird growing cycle, the sheds are cleaned out and prepared for the next batch cycle over a 2 week period. Spent litter from the sheds is proposed to be stockpiled within 2 bunded areas for a period of 4 to 5 weeks, before being spread onto the existing avocado orchard. The bunded areas have a total lineal distance of 300m x 20m wide and are located adjacent to the proposed sheds.

A Preliminary Operational Management Plan has been prepared by the applicant to address the operation of the proposed poultry farm and the existing avocado farm.

The proposal plans are included as **Attachment 1**.

SITE DETAILS

Background/Site History

There are no existing development approvals over the site. The owner of the farm indicates avocados have been grown on the site for the last 20 years.

A prelodgement meeting was held in December 2011 regarding the current proposal. Advice was given about the numerous detailed reports required for council to assess the impacts of the proposal. The applicant then approached the Department of Natural Resources and Mines, to remove the site from the Queensland Strategic Cropping mapped area.

The application was made on 21 November 2012, with a subsequent information request issued on 10 December 2012. Further detailed information was asked of the applicant regarding visual amenity, stormwater management, site stability, traffic generation and movement. A response to the request was given on 8 May 2013. The application then commenced advertising for 15 business days, which was finalised on 12 June 2013.

Following a further site meeting with the applicant to clarify a number of aspects of the proposal, which were not satisfactorily addressed within the information response, council issued a further outstanding issues request on the 28 June 2013. The applicant responded with the revisions to the proposal on 12 and 24 September 2013.

Site Description

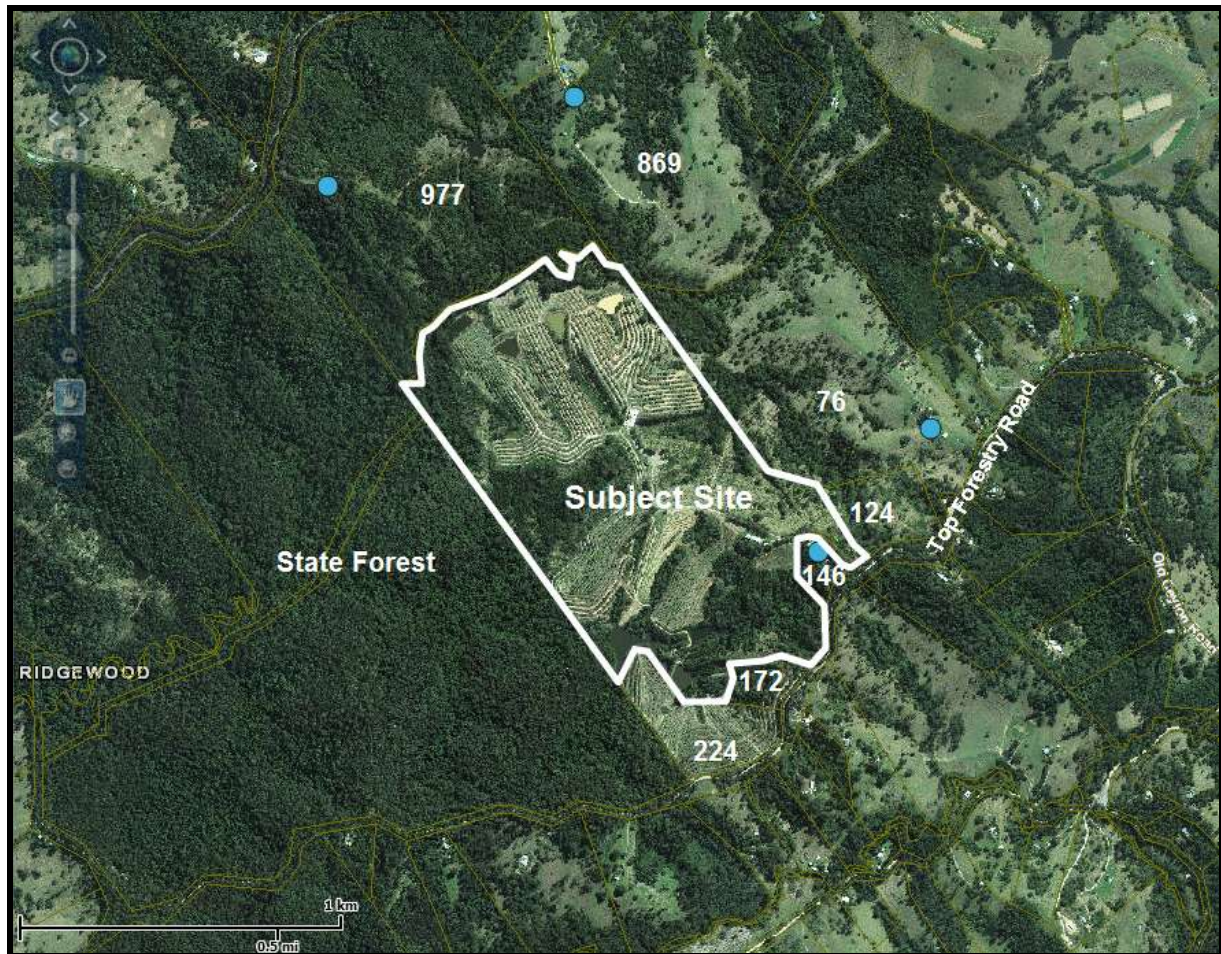
The subject site is 105ha in size and is located at 136 Top Forestry Road, Ridgewood. The site is characterised as having relatively steep sloping terraces, planted out with avocado orchards connected by farm access roads extending along the ridgelines. There is an existing farm shed located on the ridgeline within the middle of the site, housing much of the farm equipment associated with the avocado cropping. There are 7 dams on the site located at the bottom of each of the hillsides, which are used to irrigate the existing avocado orchard.

A 120m wide easement extends along the site's western boundary. This easement includes Powerlink's electricity stanchions.

There is an existing farm house located close to the existing access to Top Forestry Road in the south eastern portion of the site. The existing access to the site is via an unsealed driveway, while Top Forestry Road is unsealed for 1.3km from the intersection with Old Ceylon Road.

Surrounding Land Uses

The site is located adjacent to 1,150ha of State Forest to the west. The other adjoining properties to the subject site are included on the locality plan below, with a summary of each of the adjoining properties detailed in the corresponding table.



Neighbouring Property	Lot Size	House Site	Current Use
977 Cooroy Belli Creek Road	67.4 ha	There is an existing house located close to Cooroy Belli Creek Road in the north western portion of the lot. The house is 1,150m from the existing farm sheds on the subject site.	Predominantly vegetated with a single detached house.
869 Cooroy Belli Creek Road	49.3 ha	There is an existing house located in the northern portion of the lot. The house is 980m from the existing farm sheds on the subject site.	The lot is partially cleared with cattle grazing.
76 Top Forestry Road	49.4 ha	There is an existing house located in the northern portion of the lot. The house is 950m from the existing farm sheds on the subject site.	The lot is partially cleared with cattle grazing.
124 Top Forestry Road	6.47 ha	The lot is currently cleared with no houses on the site. This lot is owned by the applicant and is approximately 700m from the existing farm sheds on the subject site.	The lot is partially cleared with cattle grazing.
146 Top Forestry Road	2.04 ha	There is an existing house with shared access to the subject site. This lot is owned by the applicant and is approximately 650m from the existing farm sheds on the subject site.	Predominantly vegetated with a single detached house.
172 Top Forestry Road	2.92 ha	The lot is predominantly vegetated with a farm shed in the south eastern portion of the lot. This lot is owned by the applicant and is approximately 850m from the existing farm sheds on the subject site.	Predominantly vegetated with no detached houses.
224 Top Forestry Road	9.5 ha	The lot is currently cleared with no houses on the site. This lot is owned by the applicant and is approximately 750m from the existing farm sheds on the subject site.	Avocado cropping with the irrigation of trees from the dams on the subject site.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

Under the Sustainable Planning Act 2009, the application must be assessed against each of the following planning instruments to the extent they are relevant to the development:

- State Planning Policies
- the South East Queensland Regional Plan

- State Planning Regulatory Provisions and
- the Planning Scheme for the local government area.

Of these, the planning instruments relevant to this application are discussed in the sections that follow.

Statutory Instruments – State and Other

State Planning Policies

The relevant State Planning Policies applicable to this application have been deemed by the Minister for Local Government and Planning as being appropriately reflected in The Noosa Plan and, therefore, do not warrant a separate assessment.

South East Queensland Regional Plan

The site is located within the Regional Landscape and Rural Production designation of the SEQ Regional Plan. The regional policies in Part D of the Regional Plan are relevant when assessing a development application. The proposed development is consistent with the regional policies.

State Planning Regulatory Provisions

The SEQ Regional Plan Regulatory Provisions are applicable to this application. The proposal is for a rural activity within the Regional Landscape and Rural Production Area designation of the SEQ Regional Plan. The proposed use is consistent with Division 2 of the SEQ Regulatory Provisions.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is The Noosa Plan (8 August 2011). The subject site is located in the Mary River Catchment and zoned Rural. The proposed use is identified as Animal Husbandry Type 2 – Intensive (Poultry Farm). The proposed poultry farm, being a rural use, is identified as a consistent use in the rural zone. However, intensive animal husbandry uses are required to follow an impact assessment process and must demonstrate that the selected site is suitable, and the potential impacts can be appropriately managed.

Local Area Provisions

The Overall Outcomes of the Mary River Catchment locality seek to maintain the rural character, lifestyle and accessibility enjoyed by residents. Agricultural uses are to remain a significant part of the economic activities in the locality, ensuring that these uses are continued on better agricultural land on and adjacent to the valley floors.

Land Use and Works Provisions

The application has been assessed against The Noosa Plan. The pertinent issues arising out of the assessment against the relevant codes are discussed in terms of their relevant topic below.

Traffic

The site is accessed from Cooroy township (residential streets) via Cooroy Belli Creek Road, Old Ceylon Road and Top Forestry Road. See **Attachment 2**.

The applicant indicates that the use will require servicing by a mix of semi-trailers and truck and dog combinations (litter delivery, bird delivery and collection, dead bird collection) and 19m B-doubles for the delivery of feed. During the assessment of the application, the applicant submitted a number of versions of the originally submitted traffic report prepared by Hayes Traffic Engineering, to address council's concerns with traffic movements.

The submitted traffic report describes the number of traffic movements (trips) of the existing cropping use of the site and the potential number of traffic movements (trips) of the proposed use of the site (reduced cropping and new poultry use). The report is based upon the assumption that the "poultry" use will be staggered through the 8 sheds to spread the traffic demands over the 8 week "batch" cycle. However, the applicant's MWA Environmental report, and industry advice, suggest this assumption is incorrect and that the poultry processors prefer all sheds on a property to be at the same stage within the "batch".

The report uses methodology to calculate the yearly trip generation from the existing and proposed uses and divide the total by 365 to determine a "per day" trip rate. This methodology does not give any consideration to:

- the type of vehicle for the "trip" or
- the impacts (safety, noise, dust, road maintenance) of a "heavy vehicle" trip compared to the "trip" of a passenger vehicle. It is considered in this instance that, due to the location of the site, assessment of the impacts of the traffic generated by the proposed development must go beyond "trip" numbers or
- the variations in daily "trip" numbers due to the specific use. The variations occur in the cropping use due to the seasonal requirements (e.g. picking season) and in the poultry use due to the production timeframes (e.g. bird collection). It is considered in this instance that, due to the location of the site, assessment of the impacts of the traffic generated by the proposed development must consider the daily/weekly variations in "trip" numbers.

It is noted that, while the application originally included a reduction in the cropping on the site and, therefore, a reduction in traffic movements, information supplied by the applicant on 12 September 2013 indicates an additional 3,000 trees will be planted in currently fallow areas of the site. It is reasonable to assume that, although some cropping area would be lost to the proposed poultry use, the 3,000 additional trees would not result in any net loss in traffic movements of both passenger and heavy vehicles for the original cropping use of the site.

With regard to the potential number of traffic movements (trips) generated by the proposed poultry use, there are discrepancies between the total number of heavy vehicle trips per "batch" from the submitted Hayes traffic report (218 trips), the submitted MWA Environmental report (234 trips), and council's calculations (348 trips) (**Attachment 3**). Council's calculations have been based on the submitted MWA Environmental report and industry advice. The activities that appear to have been overlooked or under-estimated are dead bird collection and the collection of the birds for market. Notably council's traffic calculations mentioned above have not considered the removal of litter from the site which would equate to approximately an additional 20 trips at the end of each batch. The highest number of traffic trips are created during the second half of the "batch" (days 36-63) with the trips increasing for feed deliveries and bird collection. It is noted that industry practice is for the bird collection to occur at night. It is also noted that the application refers to "5-6 batches" per year".

A breakdown of council's estimation of traffic movements to the site is included as **Attachment 3**. Notably, during peak times at the end of each batch cycle, the number of

truck movements is anticipated to be 92 trips (in and out) in any one week, with the last bird collection potentially being up to 90 truck trips over 1 to 2 nights.

Cooroy Belli Creek Road and Old Ceylon Road are sealed rural standard roads. These roads are of a suitable standard to cater for the vehicle types, although there are concerns with the number of heavy vehicles proposed.

The existing formation of Top Forestry Road is gravel with variable widths and a number of tight bends, and is not of a suitable standard to cater for the number of heavy vehicles expected to be generated by the poultry farm. The first section of Top Forestry Road extending from Old Ceylon Road to No. 101 predominately runs along the ridgeline. There is limited opportunity to widen the formation due to the existing vegetation. The bends along Top Forestry Road are narrow with obscured sight lines. The most significant bend is located adjacent to the western corner of No. 101. The bend is located in a gully with a formation width of approximately 4m. The sight lines across this bend are obscured by vegetation located within the road reserve. The topography of the gully at this point is such that a widening of the road at this location in either direction is not feasible. It is also noted that the school bus travels along Top Forestry Road from Old Ceylon Road to a turnaround area adjacent to the entrance to the subject site.

In order to provide a safe environment for local road users (residents, school bus, etc.) it is considered that substantial improvements to Top Forestry Road would be required to cater for the number of heavy vehicles required to service the poultry use. These improvements would need to be sufficient to cater for the demands during inclement weather, especially during the peak times in the "batch" and at those times when the peak times in the "batch" coincide with the seasonal peaks of the cropping use. It is considered that the improvements suggested in the most recent Hayes traffic report are not sufficient to provide the necessary safe environment.

It is considered that, given the natural topography and the extent of works required to construct Top Forestry Road to the required standard, it is neither feasible nor reasonable to condition the developer to construct the necessary improvements.

Dust and Noise Nuisance

The operations of the poultry farm have the potential to cause dust and noise nuisance for the surrounding residential properties. The Noise and Air Quality Impact Assessment, prepared by MWA Environmental concludes that the dust dispersion and noise amenity criteria for the poultry sheds meet the relevant guidelines. This report has been reviewed by council's specialists who advise the proposal will meet the relevant guidelines for on-site operations.

However, the application does not address noise and dust emissions from the heavy vehicles using the 1.3km section of Top Forestry Road, which is unsealed and built into the side of a hill, and noise from heavy vehicles on the remainder of the route. The noise pressure levels of trucks travelling along Top Forestry Road, both day and night, will affect the amenity of the residential properties adjacent to it. Dust nuisance could only be mitigated by the frequent application of dust suppressants or the permanent sealing of the road for those houses within 50m.

The proposal is also likely to generate a noise nuisance for those residents living on the local roads, in particular for those residents on the residential streets of the route. While the applicant's preferred route, including Myall Street, Crystal Street, Maple Street then to Cooroy Belli Creek Road is a logical route, the second stage of each "batch" is likely to include night trips and noise from trucks is likely to be unacceptable for residents on these residential streets.

Odour Nuisance

The proposed use of the site for intensive poultry farming, including the storage and spreading of the manure, has the potential to affect the air quality of surrounding neighbours.

The applicant included an Air Quality Impact Assessment prepared by MWA Environmental, for the 8 poultry growing sheds. Pacific Environment reviewed the report's methodology and emissions estimations on behalf of council. It was found the emissions estimation and modelling was calculated generally in line with standard methods. However, there is a lack of data on the emissions from manure stockpiles and manure spreading. Pacific Environment are, therefore, unable to support the findings by the applicant that the farm complies with the Queensland odour guideline for rural zoned land of 2.5 odour units = $C_{99.5}$ _{1hr}. Notably, even were the applicant to meet this guideline, the odour concentration levels would be noticeable for nearby residents although classified as weak by the guidelines, but with the smell considered "distinct" for at least 44 hours/year.

Pacific Environment also describe how most new poultry farms in SEQ Queensland are not approved with litter stockpiling or spreading on site, as there is little data available about the resultant emissions.

The applicant's Preliminary Operations Management Plan details the fertiliser stockpiles and application are an integral component of the proposed use, with a number of management practices having to be adhered to for the development not to cause nuisance, including:

- litter stockpiles being covered
- litter stockpiles turned at least weekly, and only when prevailing winds are below 10km/h and from the northeast to southeast sector
- applying litter within 4-5 weeks of the cleanout of the sheds to avoid stockpile odours coinciding with high shed odours
- minimum setback of 50m is retained from spreading areas to boundaries and waterways
- litter is spread only during 6am to 6pm, and only when prevailing winds are from the northeast to southeast and
- only low velocity spreading equipment is used.

The applicant submits that these management practices would minimise odour emissions, yet no modelling has been undertaken to quantify such claims. Council's Environment Officer recommends that this practice has the potential to be problematic and onerous on the operator, with conditions required to manage this practice unlikely to be feasible. Furthermore, the Department of Agriculture, Forestry and Fisheries guidelines recommend composting for a minimum of 12 weeks and, therefore, the applicant's composting timeframes of 4-5 weeks may be unrealistic.

The applicant includes advice from an agronomist (Myriad International) detailing that all of the poultry manure compost can be utilised by the existing orchard. Using the Department of Agriculture, Fisheries and Forestry guidelines for applying poultry manure on farms, it is likely the modelling over-estimates the manure application rates, and under-counts the area of trees to which the manure could be spread. Furthermore, in discussions with the department, officers advised that the proposed application rates may eventually kill the tree crop.

An additional shortcoming of the odour modelling report identified by Pacific Environment is the failure to include the sensitive receiver location at 146 Top Forestry Road. This site includes a detached house and is currently a separate freehold lot under the ownership of the applicant. As with other SEQ poultry farm applications, it is regionally acceptable for this existing house to be included in the modelling. This sensitive receiver site would not meet the Queensland odour guidelines for rural zoned land, based on the predicted odour from the chicken sheds.

Water Quality

The Noosa Plan seeks that the water quality of watercourses within the Mary River Catchment Locality is maintained and enhanced. A Stormwater Treatment and Water Quality Management Plan have been prepared by Callaghan and Toth, which aims to address the impacts and proposes stormwater treatments for the proposed poultry farm operations.

The report details how the proposed treatment train is capable of removing nutrients and heavy metals from the poultry shed areas. However, it does not adequately address how the spreading of the litter will be managed with regard to nutrient and stormwater runoff. In particular, there is uncertainty with regard to nutrient uptake from the application of litter on the avocado orchard and how this will be managed.

Guidelines used by the Department of Agriculture, Fisheries and Forestry indicate that approximately 38% of phosphorus in poultry litter is in the available water soluble form. This results in the manure being more prone to being transported in a leaching or runoff event. In addition, the orchard is of a relatively low tree density and cover on steep land, and these factors would increase the likely risk of nutrient transport in runoff events.

Callaghan and Toth's report for the applicant indicates that the use of poultry litter to fertilise the existing avocado trees will be managed, to ensure nutrient levels do not exceed current application rates of commercial fertiliser. However, there is uncertainty involved with the information provided about the new fertiliser regime of spreading the manure on the existing avocado orchard, in terms of the effects on water quality entering the Mary River tributary. Council's specialists advise that, while the receiving vegetation environment may not be significantly affected by increased phosphorous levels, there is insufficient quantitative information provided about the specific design of the catchments within the avocado orchard, to assess all the potential impacts on the adjoining waterways. Notwithstanding this, it must be acknowledged that poultry manure could be spread on the avocado orchard now, with no approval required from council, although this is unlikely to occur as frequently compared with the proposed poultry farm operations.

Visual Amenity

For development on sloping sites and ridgelines, The Noosa Plan seeks for buildings and structures to be responsive to the natural topography and landscape character. The proposed development is for 8 x 100m to 130m long x 5m high sheds along the existing ridgelines of the site. Large quantities of cut and fill are required on the existing ridgelines, to accommodate not only the sheds, but also the roads for trucks to service each of them and 300m long x 20m wide bunded litter storage areas. Retaining structures are required in some locations, which include a height difference of approximately 8m between the floor levels and the existing hillslopes.

The applicant proposes to screen the buildings and structures by finishing the sheds in muted tones, and using existing avocado trees along the sides of the slopes. However, due to the nature of the cut and fill to accommodate the buildings, roads and bunded areas on the ridgelines, there are some locations where vegetation screening will be ineffective.

CONSULTATION

IDAS Referral Agencies

The application was referred to the following IDAS referral agencies:

Concurrence

Department of Transport and Main Roads

The department is a concurrence agency for the application, as the proposal exceeds the threshold for development impacting on State transport infrastructure (>200,000 poultry). The department responded by letter dated 13 December 2012 stating that they have no requirements.

Advice

Powerlink

The department is an advice agency for matters associated with the Eerwah Vale Transmission Line Corridor. The department responded by letter dated 20 December 2012 stating that all buildings shall not extend into their electricity easement area, also the proposed gravel road within the easement shall maintain a minimum 20m separation from the edge of Powerlink's structure footings.

Third Party Advice

Department of Agriculture, Fisheries and Forestry

The department does not have any formal role in the assessment of this application. At the time the application was made (21/11/12) the application involved prescribed ERA 4 Poultry Farming in which the administration and enforcement is devolved to Local Government under the *Environmental Protection Regulation 2008*.

On 31 March 2013, the State Government introduced the *Greentape Reduction Act 2012* which resulted in changes to the prescribed Environmentally Relevant Activity (ERA) in the *Environmental Protection Regulation 2008*. The administration and enforcement of this ERA is now devolved to the Department of Agriculture, Fisheries and Forestry. This means council will no longer be responsible for enforcement of the farm if it became operational.

The department's Senior Environmental Scientist, responsible for poultry farms, provided advice to council as a third party advice agency. The advice is of a general nature and provided links to the department's guidelines relating to avocado growing and using poultry litter on pastures, which is incorporated into this report.

Other Referrals

Internal

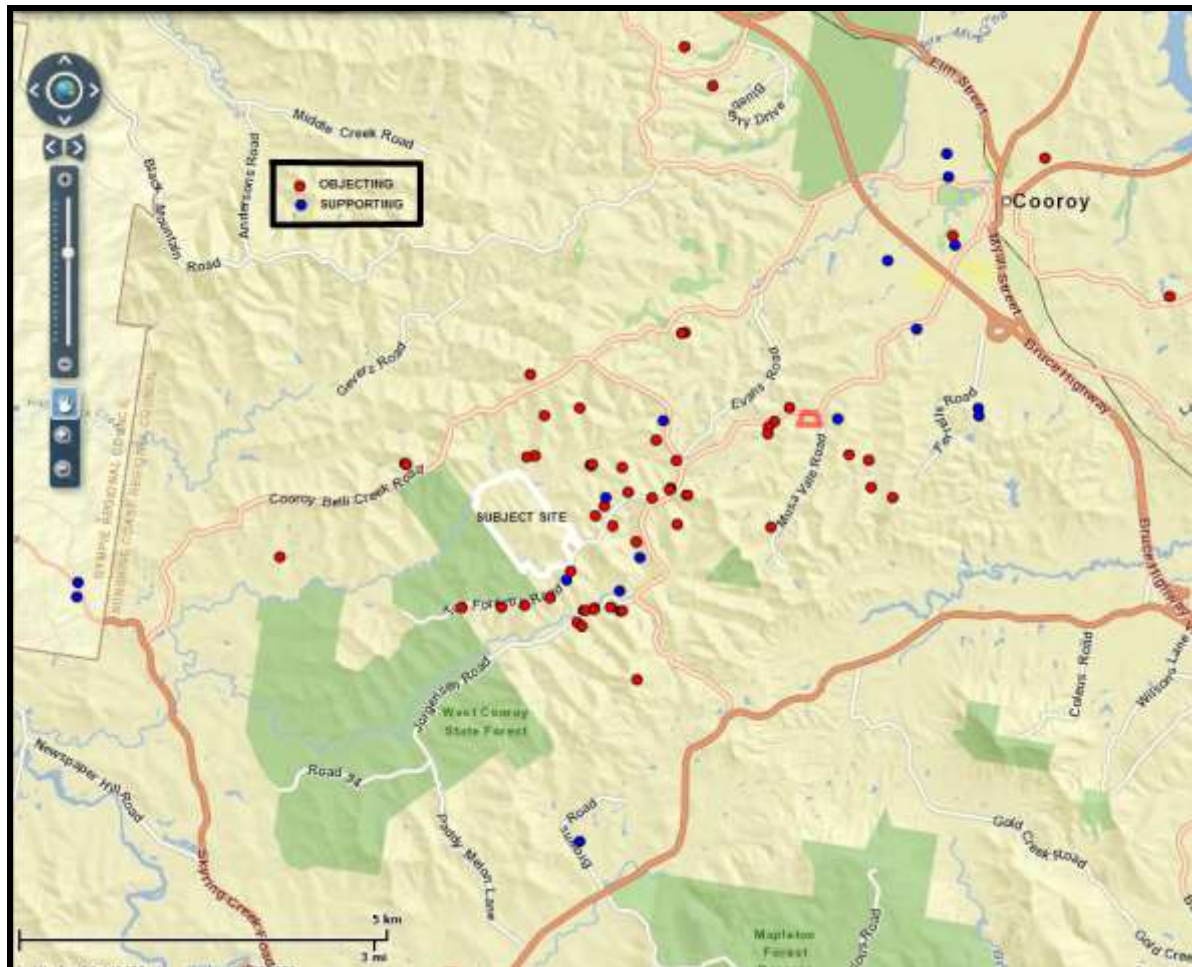
The application was forwarded to the following internal council specialists and their assessment forms part of this report:

- Development Engineer, Engineering and Environment Assessment Branch
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment Branch
- Landscape Officer, Engineering and Environment Assessment Branch

- Environment Officer, Engineering and Environment Assessment Branch
- Urban Designer, Planning Assessment Branch and
- Traffic Engineering, Engineering and Environment Assessment Branch.

Public Notification

The application was publicly notified for 15 business days in accordance with the requirements of the *Sustainable Planning Act 2009*. 12 properly made submissions and 118 not properly made (late) submissions were received. Of the 130 total submissions, 101 are objecting and 29 supporting the application. A map of the nearby submitters is provided below:



The following table provides a summary and assessment of the issues raised by submitters.

Issues	Comments
Operations Broiler shed production is now a synchronized operation, rather than staged. This streamlines production but means enormous volumes of odourous shed litter require processing in huge batches at each shed clean out.	The Preliminary Operational Management Plan calculates the total amount of shed litter potentially generated by a full shed cleanout to be 1,027m ³ per batch. No quantitative data has been provided to estimate the odour emissions from this source.

Issues	Comments
<p>Noise Impacts</p> <p>Noise impacts on neighbouring dwelling as a result of day and night operations, including ventilation, shed clean out and traffic.</p>	<p>No road improvements have been suggested by the applicant to suppress increased sound pressure emissions from trucks travelling along the associated roads, both day and night. All other noise impacts from the sheds are considered to comply with the relevant noise criteria.</p>
<p>Odour Impacts</p> <p>Odour impacts will adversely affect the neighbouring residents.</p>	<p>The odour modeling fails to account for the impacts associated with the stockpiling of manure and spreading on the existing avocado orchard. The report also does not satisfy the QLD Odour Guidelines of 2.5 odour units = C99.5 1hr for the neighbouring property at 146 Top Forestry Road.</p>
<p>Dust Impacts</p> <p>The dust problems will adversely affect the neighbouring residents.</p>	<p>The modeling of the dust impacts associated with the cleanout of the sheds indicates no nuisance to neighbouring dwellings. However, no modeling has been undertaken to assess the dust impacts as a result of the increased truck movements along Top Forestry Road. These movements have the potential to cause a nuisance to neighbours, especially during the second stages of the batch cycle, which involves increased truck movements throughout the day and night.</p>
<p>Shed Waste and Fertilizer Application</p> <p>Waste litter storage area massively increased from 280m² to 5,273m², an area equivalent to 3 more broiler sheds.</p> <p>Applicant now plans to remove waste litter off the property that can't be stockpiled.</p> <p>Composting times of 4-5 weeks are less than half that of industry standards for full composting and therefore no thorough treatment of the pathogens.</p> <p>No gradient plan to determine appropriate litter spreading sites as per Department of Forestry and Fisheries (DAFF) guidelines.</p> <p>Revised tree audit fails to account for the hundreds of avocado trees to be removed for the huge new compost litter zones.</p> <p>Revised agronomist's report does not take differing ages and conditions of existing trees in composted litter application data.</p> <p>No information supplied of similar broiler operations that are using on-site processed litter material on tree crops.</p>	<p>The potential impacts associated with the reuse of spent poultry litter back on to the existing avocado orchard have not been satisfied or addressed. The proposal includes reduced composting times compared to DAFF guidelines, and there is ambiguity in the nutrient uptake of the avocado orchard from poultry manure.</p> <p>DAFF guidelines are only available about the reuse of this spent litter on existing pastures over large areas and infrequent spreading regimes. Furthermore, any spent litter that is not to be used on the site is planned to be removed from the site and sold to local farms.</p> <p>The traffic report does not appropriately consider this aspect of the proposal, resulting in additional truck movements from the site.</p>
<p>Traffic</p> <p>The roads servicing the site are inappropriate for the use of B double and other heavy vehicles, with no plan to improve the surface of</p>	<p>The poultry use requires servicing by a mix of semi-trailers and truck and dog combinations (litter delivery, bird delivery and collection, dead bird collection) and</p>

Issues	Comments
<p>Top Forestry Rd or ameliorate the dust nuisance to properties along the road. No traffic plan has been provided for heavy vehicles passing through the town of Cooroy, heading south to the Bruce Highway. Is it a true assessment of how many trucks will be using this road and will it be 7 days a week? (No accounting for the traffic generated by the heavy vehicles removing excess shed litter from the property and no accounting for any extra staff movements or dead bird removal in the traffic plan). A school bus stop is near the site and no consideration has been given to pedestrians.</p>	<p>19m b-doubles for the delivery of feed. These types of trucks are small enough not to require an approved B Double route.</p> <p>A further revision to the traffic plan was received to council on the 24 September 2013, showing truck movements from the Highway to Myall St, Crystal St, Maple St, Cooroy Belli Creek Rd, Old Ceylon Rd, Top Forestry Rd and then the site.</p> <p>The main traffic concern involves the use of the currently unsealed and constrained Top Forestry Road. The proposal undercounts truck movements to and from the site and does not account for excess shed litter. Road improvements will be an unreasonable cost to improve the safety for all users of Top Forestry Road.</p>
<p>Visual Amenity The sheds and associated earthworks will have a visual impact to the surrounding houses. Too many signs will have to be erected along the roads warning of trucks etc. The proposal is completely out of scale with other agricultural uses.</p>	<p>The development involves substantial cut and fill on the existing ridgelines to accommodate the sheds, roads and litter storage areas. Vegetated screening is unlikely to be successful due to the sites slope and significant earthworks proposed.</p>
<p>Water Quality Rainfall data has been taken from Tewantin, whereas the rainfall totals in the Top Forestry area have been a lot more in the previous three years. Impacts on the tributary to the Mary River.</p>	<p>The water quality specialists consider the rainfall data used to be adequate for this location. However, there is uncertainty regarding the water quality impacts associated with the application of spent litter on the existing avocado orchard. MUSIC modeling does not apply to calculate the impacts, as this is predominantly an urban catchment model and assess different nutrient criteria.</p>
<p>Public Notification Residents along Top Forestry Road advise that there was a lack of signs along Top Forestry Road</p>	<p>The applicant's consultant advises that he carried out the public notification for the application in accordance with the Act's requirements and did maintain a sign to this road frontage.</p>
<p>Submissions in support The applicant has a proven track record and is a skilled operator Significant investment in local economy The proposal will create additional employment Is consistent with planning scheme and impacts are addressed appropriately</p>	<p>Were the application to be approved, the approval is for the site, not the operator.</p> <p>The proposal is not consistent with the planning scheme as the applicant has not satisfactorily demonstrated that the impacts can be mitigated appropriately.</p>

DRAFT SUNSHINE COAST PLANNING SCHEME

The proposal is defined in the rural activity group being an Intensive Animal Industry– Poultry and located within the Rural Zone of the draft Sunshine Coast Planning Scheme.

The application would trigger impact assessment under the draft planning scheme, as the development involves more than 1,000 birds and would be affected by the following overlays:

- Biodiversity, Waterways and Wetlands – Waterways: Stream Order 1-2 & 3-4
- Biodiversity, Waterways and Wetlands – Riparian Protection Area
- Biodiversity, Waterways and Wetlands – Native Vegetation Area
- Biodiversity, Waterways and Wetlands – Koala Habitat Area
- Bushfire Hazard – High Hazard Area
- Height of Buildings and structures – 8.5 metres
- Landslide Hazard Area
- Regional Infrastructure – High Voltage Electricity Line and Buffer and
- Scenic Amenity – Scenic Route.

The applicant has not satisfactorily demonstrated that the potential adverse impacts can be appropriately mitigated in accordance with the draft Sunshine Coast Planning Scheme. However, it should be noted that on 18 March 2013 council resolved to not include the Noosa Planning Scheme area in the yet to be finalised Sunshine Coast Planning Scheme due to de-amalgamation of the Noosa area on 1 January 2014.

CONCLUSION

It is concluded that the proposed poultry farm does not meet The Noosa Plan provisions. While the site is zoned Rural, the access and location is not suitable for such an intensive animal husbandry use. The proposed development does not achieve sufficient separation distances from the surrounding residents, so as to avoid adverse odour impacts on residents' amenity. The applicant has not provided sufficient details on the potential emissions from manure stockpiles and manure spreading to demonstrate that the poultry farm complies with the Queensland odour guidelines for rural zoned land. The closest houses to the site are also at risk of distinct odour impacts at times, with the applicant's report failing to address one of the sensitive receiver locations.

The proposal will also generate significant traffic movements, impacting on the traffic safety of Top Forestry Road, with the applicants proposed improvements not sufficient to provide the necessary safe environment. It is neither feasible nor reasonable to condition for the developer to construct the necessary improvements to this road, given the topography and the extent of works required to achieve a reasonable standard. Traffic movements are also likely to adversely impact on residents' amenity due to dust and noise generation on Top Forestry Road. Collection of birds is also likely to be through the night during the peak batch cycle, affecting residents living along the route, particularly the residential streets in the Cooroy township.

It is, therefore, recommended that the application be refused.

7.2 FINANCE AND BUSINESS**7.2.1 OCTOBER 2013 FINANCIAL PERFORMANCE REPORT**

File No:	Financial Reports
Author:	Financial Services Manager Finance & Business Department
Attachments:	Att 1 - October 2013 Financial Performance Report 61

PURPOSE

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

EXECUTIVE SUMMARY

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

The operational result at 31 October 2013 shows a positive variance of \$7.0 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$3.1 million (1.7%) and lower than anticipated operating expenses of \$3.9 million (2.7%). Further detail is provided in the proposal section of this report.

As at 31 October 2013, \$43.3 million (24.4%) of council's \$177.7 million 2013/2014 Capital Works Program was financially expended.

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

A recommendation has been made to write-off three unrecoverable debts for the overall value of \$135,730.80. As the individual amounts are greater than the \$10,000 delegation from council, it is required to be approved by council. The amounts have been included in the provision for doubtful debts within the 2012/2013 audited financial statements.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "October 2013 Financial Performance Report" and**
- (b) write-off unrecoverable income of \$11,000.00 in relation to Petrac Leisure NNS-S Pty Ltd, \$75,556.30 in relation to Whites Waste Pty Ltd (T/A Jim's Skip Bins) and \$49,174.50 in relation to Caravan Park Management.**

FINANCE AND RESOURCING

The unrecoverable debts totalling \$135,730.80 have been provided for in the provision for doubtful debts, and will be written off following Council approval. There will be no impact to the net financial position of Council.

CORPORATE PLAN

Corporate Plan Theme:	<i>Great governance</i>
Emerging Priority:	8.1 - Ethical, accountable and transparent decision-making
Strategy:	8.1.2 - Ensure legislative compliance and awareness
Corporate Plan Theme:	<i>Great governance</i>
Emerging Priority:	8.3 - Strong financial management
Strategy:	8.3.1 - Develop long term financial plans and indicators to achieve optimum use of resources and alignment to strategic priorities
Corporate Plan Theme:	<i>Great governance</i>
Emerging Priority:	8.3 - Strong financial management
Strategy:	8.3.2 - Ensure council's financial performance is well managed and leads to a strong financial position

CONSULTATION

Internal Consultation

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

The operational result at 31 October 2013 shows a positive variance of \$7 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$3.1 million (1.7%) and lower than anticipated operating expenses of \$3.9 million (2.7%). Further detail is provided in the proposal section of this report.

The external audit of council's 2012/2013 financial statements continues into November 2013, which may result in further end of financial year adjustments.

Operating Revenue

Fees and Charges

Of the \$1.5 million favourable variance in fees and charges, \$1million relates to development applications, with the volume being approximately 14% higher in 2013/2014 than compared to same time in 2012/2013. Change of ownership fees, search fees, Caloundra Music Festival tickets sales and an increase in Airport fees are also contributing to this favourable variance.

Grants and Subsidies

The favourable variation of \$261,000 is a result of various grants, namely Get Ready Qld state government grant (\$85,000), Flood Mapping Hazard (\$57,000) and Creative Collective Skills (\$42,000). The additional revenue has all been recognised as part of the Budget Review 2 2013/2014 requests.

Other Revenue

Of the \$1.3 million favourable variance in other revenue, \$700,000 relates to a refund from the Office of State Revenue for over charged payroll tax. \$200,000 relates to the Roads Maintenance Performance Contract program being ahead of budget and \$150,000 relates to higher than anticipated sales of recyclable materials.

Operating Expense**Materials and Services**

The favourable variance of \$3 million is largely due to variations of:

- \$720,000 for the Information Communication Technology Services Branch, of which \$540,000 relates to telecommunication reimbursement from overcharges in previous invoices
- \$680,000 for the Environmental Operations Branch, which relates to levy and grant projects currently underspent
- \$580,000 for the Civil Works Branch, which has been addressed through Budget Review 2 requests
- \$460,000 for the Economic Development Branch, where anticipated expenditure has not yet occurred
- \$400,000 for the Waste Branch, where contractor invoices are yet to be received
- a general underspend across majority of branches within Council, in part due to the uncertainty that de-amalgamation and organisational review may impact on budgets.

These favourable variations have been offset by an over spend of \$1.2 million in legal fees, primarily the required funding for the Thompson case.

Other Expenses

The favourable variance of \$650,000 in other expenses is made up of:

- \$265,000 for the Economic Development Branch due to timing issues with event sponsorships and donations
- \$160,000 for audit fees, due to delays in the audit process (relating to de-amalgamation), the invoice has not been received
- \$185,000 for underspend on leased office equipment.

Capital Expenditure

As at 31 October 2013, \$43.3 million of council's \$177.7 million 2013/2014 Capital Works Program was financially expended. Detail by Capital Program is outlined below:

Program	Original Budget \$000	Current Budget \$000	YTD Actual \$000	% of Annual Budget Spent
Buildings and Facilities	6,548	7,666	2,418	32%
Coast and Canals	1,949	2,388	262	11%
Divisional Allocations	3,100	4,948	1,188	24%
Environmental Assets	1,238	1,276	88	7%
Fleet	1,000	1,000	688	69%
Parks and Gardens	10,317	11,580	2,288	20%
Stormwater	4,161	4,309	1,559	36%
Transportation	52,952	62,411	17,386	28%
Information Communication Technology	3,927	4,687	1,072	23%
Strategic Land & Comm Properties	9,422	48,967	10,266	21%
Aerodromes	-	107	2	1%
Sunshine Coast Airport	3,400	7,992	3,519	44%
SC Holiday Parks	1,455	3,093	247	8%
Quarries	150	637	303	48%
Waste	9,651	16,596	2,000	12%
TOTAL COUNCIL	109,270	177,658	43,286	24%

Investment Performance

All investment parameters remained within the guidelines established under the Investment Policy. The official cash rate remains at 2.50%.

Council has maintained a strong return in the current market conditions with \$282.5 million cash (excluding Trust Fund) as at 31 October 2013 with an average interest rate of 3.72%, being 1.12% above benchmark. This is compared to 31 October 2012 with \$259.3 million cash (excluding Trust Fund) where the average interest rate was 5.03%, being 1.48% above benchmark.

The benchmark used to measure performance of cash funds is the UBS Bank Bill Index, whereas the Bank Bill Swap Rate (BBSW) is applied against term deposits. These rates fluctuate daily and the conditions prevailing as at the date of the original investment decision may be significantly different to the position as at the reporting date.

It was previously mentioned in the September 2013 Financial Performance Report that Interest Received from Investments had an unfavourable variance. During October 2013 the budget projection was amended following a review of interest rates and cash position, with the results being a minimal variance for month end October 2013.

Write-off of unrecoverable income

The three amounts determined as unrecoverable relate to \$11,000.00 owed by Petrac Leisure NNS-S Pty Ltd, \$75,556.30 owed by Whites Waste Pty Ltd (T/A Jim's Skip Bins) and \$49,174.50 for Caravan Park Management.

1. In relation to the Petrac matter, an invoice was issued to the company for Sponsorship of Noosa Regional Gallery travelling scholarship on 5 August 2008.

In October 2008, the company was put in the hands of Receivers and Managers, Ferrier Hodgson. Council is an unsecured creditor and it has been advised that it is likely that no dividend distribution will be paid to unsecured creditors.

2. In relation to the Whites matter, a number of outstanding invoices were issued for usage of the Noosa, Nambour and Caloundra landfills between October 2010 and June 2011.

On 3 November 2011, the Australian Government advised Council the company was bankrupt. On 8 November 2011, Council contacted Australian Government Insolvency and Trustee Service Australia who advised no likelihood of dividends being paid.

3. In relation to Caravan Park Management, a number of outstanding charges were issued for waste water disposal between July 2010 to 15 November 2011. However, the invoice for these charges was sent in February 2012. In addition, the property was sold 16 November 2011. These charges are not applicable to the new owners of the property.

Advice has been received from Legal Services, and in this instance the cost of pursuing the matter through litigation will likely exceed any money recovered.

Legal

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

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

Policy

Council's Investment Policy.

Council has delegated authority to the Chief Executive Officer to write-off unrecoverable debts up to a maximum of \$10,000 - Delegation of Authority 2008-03.

Risk

The current risks associated with the operating result are as follows:

1. the expected full year growth in rateable properties is less than forecast, with lower revenue than budgeted of \$1.0 million
2. in June 2013 the Federal Government pre-paid half of the 2013/2014 Financial Assistance Grant of \$6.3 million. Since half of the grant was pre-paid into 2012/2013 there is a potential shortfall of \$2.1 million in the current budget
3. there is \$4.7 million net savings for the Organisational Review loaded into the budget
4. the achievement of de-amalgamation reductions in Materials & Services budget after separation occurs 1 January 2014 and
5. there is \$4.4 million employee vacancy savings loaded into the budget which may be difficult to achieve along with the Organisational Review.

Previous Council Resolution

On 25 June 2013, council adopted the 2013/2014 budget.

On 19 September 2013, council adopted the Budget Review 1 2013/2014.

Related Documentation

There is no related documentation for this report.

Critical Dates

The 2012/2013 Financial Statements remain under external audit review and may not be signed off until 31 December 2013.

Implementation

There are no implementation details to include in this report.

7.2.2 BUDGET REVIEW 2 2013/2014

File No:	Budget
Author:	Financial Services Manager Finance & Business Department
Appendices:	App A - 2013/2014 Budget Review 2 Financial Statements75
Attachments:	Att 1 - 2013/2014 Budget Review 2 Requests and Adjustments 85

PURPOSE

To amend the 2013/2014 budget to reflect council's anticipated revenue and expenditure forecasts to 30 June 2014.

EXECUTIVE SUMMARY

Section 170 of the *Local Government Regulation 2012* allows council to amend its budget by resolution at any time before the end of the financial year. Major budget reviews are undertaken on a periodic basis to reflect management's best estimate of its financial position at the end of a financial year.

The result of this review will:

- decrease the 2013/2014 operating result from \$8.0 million to \$7.5 million
- increase the capital revenues from \$14.7 million to \$19.2 million and
- increase the capital expenditure from \$177.7 million to \$185 million.

The amendments in this budget review will decrease the cash position by \$3.3 million, of which \$3.1 million will come from restricted cash and \$200,000 from the general cash balance.

There was a \$3.2 million adjustment reducing the opening cash balance, which is as a result of changes made during the 2012/2013 audit of the financial statements.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Budget Review 2 2013/2014" and
- (b) adopt the amended 2013/2014 Budget Review 2 Financial Statements to include the identified operating and capital budget adjustments (Appendix A).

FINANCE AND RESOURCING

Adoption of the recommendation of this report will formally amend the 2013/2014 Budget.

The amendments in this budget review will decrease the cash position by \$3.3 million, of which \$3.1 million will come from restricted cash and \$200,000 from the general cash balance.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.1 - Develop and implement a governance framework that provides transparent and accountable processes and enhances council's reputation

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.2 - Ensure legislative compliance and awareness

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.2 - Ensure council's financial performance is well managed and leads to a strong financial position

CONSULTATION**Internal Consultation**

All departments of council were consulted in the course of the review. A budget review workshop was held with councillors on 4 November 2013.

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

Section 170 of the *Local Government Regulation 2012* allows council to amend its budget by resolution at any time before the end of the financial year.

Budget reviews are undertaken on a periodic basis to reflect management's best estimate of its financial position at the end of a financial year. Prudent financial management also requires council to amend its budget if there are material changes to expected revenue or expenses for the year.

A budget review has now been undertaken to make recommended amendments to the 2013/2014 Budget to reflect anticipated revenues, expenses and capital expenditure for the 2013/2014 financial year.

The result of this review will:

- decrease the 2013/2014 operating result from \$8.0 million to \$7.5 million
- increase the capital revenues from \$14.7 million to \$19.2 million and
- increase the capital expenditure from \$177.7 million to \$185 million.

The amendments in this budget review will decrease the cash position by \$3.3 million, of which \$3.1 million will come from restricted cash and \$200,000 from the general cash balance.

Note:

Part A: Additional request with associated funding	Projects where restricted cash or grant funding is available and requires a budget increase in 2013/14.
Part B: Council Resolution	Projects where a council resolution requires a budget increase in 2013/2014.
Part C: Additional Requests	Projects requiring a budget increase or decrease in 2013/2014.
Part D: Inter-Department Transfers/Change in reporting lines	This is for transfer between departments or change in operating lines with the balance being transferred to/from capital program.

Table 1: Summary of operating requests (Details contained in Attachment 1)

2013/14 Budget Review #2 Operating Request Summary					
Department	Part A \$'000	Part B \$'000	Part C \$'000	Part D \$'000	Total \$'000
Infrastructure Services	205		150	(1,728)	(1,373)
Community Services	210		322	(549)	(16)
Regional Strategy and Planning	37		30	(458)	(391)
Finance and Business			(650)	2,667	2,017
Executive Office	-		207	(94)	113
Business Review			71	61	132
Total Council	452	-	130	(101)	481
Transfer to Capital				101	
To Be funded from Cash					481

Table 2: Summary of capital requests (Details contained in Attachment 1)

2013/14 Budget Review #2 Capital Request Summary					
	Part A \$'000	Part B \$'000	Part C \$'000	Part D \$'000	Total \$'000
Whole of Council Capital Project	(72)	3,070	16	(201)	2,813
Total Council	(72)	3,070	16	(201)	2,813
Transfer to Restricted Cash				(303)	
Transfer from Operating				101	

Legal

The report complies with council's legislative obligations to amend its budget in accordance with Section 170 of the *Local Government Regulation 2012*.

Policy

There are no policy implications associated with this report.

Risk

Budget adjustments post deamalgamation will be reviewed with any changes reflected in February 2014 budget review.

Previous Council Resolution

On 19 September 2013, council adopted Budget Review 1 2013/2014.

Related Documentation

There is no related documentation for this report.

Critical Dates

Following adoption of this report, the next set of monthly financial reports will be reported against this review as the current budget.

Implementation

Council's budget will be formally adjusted following the council resolution and included in future monthly reports.

7.2.3 2012/2013 FINANCIAL STATEMENTS**File No:** ECM**Author:** Financial Accounting Manager
Finance & Business Department**Attachments:** Att 1 - Independent Auditor's Report (*Under Separate Cover*) Att Pg 5
Att 2 - 2012/2013 Financial Statements (*Under Separate Cover*) Att Pg 7

PURPOSE

The purpose of this report is to present to Council the audited Financial Statements for the financial year ended 30 June 2013 in accordance with the requirements of the *Local Government Act 2009*.

EXECUTIVE SUMMARY

The 2012/2013 Financial Statements have been audited by our external auditors, the Queensland Audit Office (QAO) to ensure accounting and legislative compliance.

Queensland Audit Office have issued an unqualified audit report as contained in their "Independent Auditor's Report" attached (Attachment 1).

The general purpose financial statements are also attached for council's reference (Attachment 2).

These statements have been prepared in accordance with the strict disclosure requirements of Accounting Standard AASB 5 - Non-current Assets Held for Sale and Discontinued Operations.

Noosa Shire Council has been identified as a discontinued operation, and these statements exclude the estimated revenues and expenses attributable to Noosa Shire Council for both years. Included in the balance sheet and Note 11 are estimates for the assets and liabilities that have been identified to Noosa Shire Council as at 30 June 2013.

OFFICER RECOMMENDATION

That Council receive and note the report titled "2012/2013 Financial Statements".

FINANCE AND RESOURCING

As per Section 176 and 183 of the *Local Government Regulation 2012*, it is required that the Financial Statements for the year ending must be audited by the Queensland Audit Office or their contracted representative, to ensure accounting and legislative compliance.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.1 - Develop and implement a governance framework that provides transparent and accountable processes and enhances council's reputation

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.2 - Ensure legislative compliance and awareness

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.1 - Develop long term financial plans and indicators to achieve optimum use of resources and alignment to strategic priorities

CONSULTATION**Internal Consultation**

Internal consultation involved the following branches and controlled entities:

- Legal Services
- Audit and Assurance
- Finance
- Infrastructure Services
- Human Resources
- Corporate Governance
- Quad Park Corporation Pty Ltd
- Sunshine Coast Events Centre Pty Ltd
- Noosa Biosphere Ltd

External Consultation

External auditors, Queensland Audit Office have audited the draft 2012/2013 Financial Statements.

Community Engagement

No community engagement was required for this report.

PROPOSAL

The statutory financial statements for the year ended 30 June 2013, along with comparative figures for 2012, are attached (Attachment 2).

As per the Statement of Comprehensive Income, Council's results for 2013 are included in Table 1 below.

Table 1

	2012/13 (\$'000)	2011/12 (\$'000)
Operating (Recurrent) Revenue	\$347,538	\$342,405
Operating (Recurrent) Expenditure	\$332,350	\$328,361
Operating Surplus	\$15,188	\$14,044
Net Result (including capital revenues)	\$53,137	\$78,333

Total income from operations (including capital revenue) was \$53.1 million. This compares to \$78.3 million for 2011/2012 largely due to a decrease in developer contributions as a result of a down-turn in the property development industry.

Council's Statement of Financial Position (or Balance Sheet) shows total community equity of \$4.2 billion, after accounting for the assets held for distribution of \$ 1.1 billion dollars for the new Noosa Shire Council.

Legal

Section 182 of the *Local Government Regulation 2012*, states that the Financial Statements must be presented to council within one month of receiving the signed Auditor's report.

Policy

There are no relevant policies in relation to this report.

Risk

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

Previous Council Resolution

There are no previous council resolutions that relate to this report.

Related Documentation

There is no related documentation for this report.

Critical Dates

The 2012/2013 Financial Statements must be presented to council within one month of receiving the certificate of audit from the external auditors.

Implementation

There are no implementation details to include in this report.

7.2.4 MAKING OF AMENDMENT SUBORDINATE LOCAL LAW NO.4 (ANIMAL MANAGEMENT) 2013

File No:	22.12.1
Author:	Manager Corporate Governance Finance & Business Department
Appendices:	App A - Amendment Subordinate Local Law No.4 (Animal Management) 2013..... 117
Attachments:	Att 1 - Summary of submissions received 123

PURPOSE

The purpose of this report is to seek a Council resolution to make the proposed Amendment Subordinate Local Law No. 4 (Animal Management) 2013, which is attached to this report.

EXECUTIVE SUMMARY

At the Ordinary Meeting held on 22 August 2013, Councillor Tim Dwyer presented a notified motion requesting an investigation into the amendment of Schedule 5 “Exclusion of Animals from Specific Places” of *Subordinate Local Law No. 2 (Animal Management) 2011* to exclude all animals from land described as:

- Caloundra Central Park Sports Precinct, Arthur Street, Caloundra on Lot 409CG6381
- Caloundra Cricket Ovals 2-14 Lewis Street, Caloundra on Lot 2SP242749 and
- Caloundra Croquet Club Greens, 78 Arthur Street, Caloundra on Lot 1SP242748.

At its Ordinary Meeting of 17 October 2013, council considered the amendment and agreed to propose to make *Amendment Subordinate Local Law No. 4 (Animal Management) 2013*.

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

- advertising the proposed subordinate local laws in a newspaper generally circulating in the area
- indirect community consultation on the proposed local laws
- direct community consultation on the proposed local laws to residents within a 500m–1000m radius of the sporting precinct
- direct communication to stakeholders of the Caloundra Sporting Precinct and
- publishing the documents and information on Council’s website for viewing and access by the community.

The above requirements have now been met and accordingly this report now proposes that Council make Amendment Subordinate Local Law No. 4 (Animal Management) 2013.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Making of Amendment Subordinate Local law No.4 (Animal Management) 2013”
- (b) hereby resolves that proposed Amendment Subordinate Local Law No. 4 (Animal Management) 2013, has been reviewed in accordance with section 38 of the *Local Government Act 2009* and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the laws do not contain any possible anti-competitive provisions as the amendments relate to the management of domestic animals and does not relate to commercial activity
- (c) accordingly, hereby resolve to make Amendment Subordinate Local Law No.4 (Animal Management) 2013 (Appendix A) and
- (d) subject to the amendments referred to in resolution (c) above, the Chief Executive Officer be authorised to make any necessary administrative and formatting amendments to the documents as part of the final proof reading and cross referencing.

FINANCE AND RESOURCING

Financing and resourcing of the various elements associated with the making of the proposed local law amendment include:

Legal drafting

Dr. Michael Limerick, Barrister was commissioned to prepare and draft proposed Amendment Subordinate Local Law No. 4 (Animal Management) 2013. The cost of preparing and drafting the amendment local law was \$175.00.

Signage

Each access point to the various sites will require informative signage. The cost per sign has been quoted as approximately \$708.00 - \$1016.00 each. This includes the manufacturing and installation of the signs.

Regulation

Community Response has advised that enforcement of the area will primarily be based on complaints received from the community. Costs for enforcement will be met within existing resourcing arrangements within the Community Response Branch. On occasion, proactive monitoring of the area will occur as part of normal operations.

CORPORATE PLAN

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.1 - Safe and healthy communities

Strategy: 4.1.2 - Provide community safety and regulatory programs that ensure the well-being of residents and visitors

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.2 - Ensure legislative compliance and awareness

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making

Strategy: 8.1.3 - Councillors and employees are aware of the importance of ethical behaviour, compliance with codes of conduct and providing complete information and advice

CONSULTATION

Key internal and external stakeholders were consulted through a series of consultation processes and information sessions.

Internal Consultation

- Manager Community Response
- Response Services Manager
- Parks Operation Manager (South)
- Division 2 Councillor

External Consultation

There is no requirement under the *Local Government Act 2009* to undertake state interest checks for an amendment to a subordinate local law. Therefore, state interest checks were not undertaken for proposed Amendment Subordinate Local Law No. 4 (Animal Management) 2013.

Community Engagement

Community consultation was undertaken during the period 18 October to 1 November.

During the consultation period for proposed Amendment Subordinate Local Law No. 4 (Animal Management) 2013, 33 submissions were received. Each of the submissions were assessed and, as a result, there are no changes recommended to the proposed subordinate local law (refer to Attachment 1). All submissions have been acknowledged and submitters will receive further correspondence once a resolution has been made in relation to the making of the proposed subordinate local law.

The submissions received during the community consultation did identify that a dog off leash area would be beneficial to the community residing around the Caloundra Sporting Precinct. This information has been provided to Community Response who will consider the area when reviewing dog off leash areas across the region in the future.

Overview of submissions received

33 submissions/responses were received, the topics were:

- 16 submissions agreed with proposal
- 15 submissions did not agree with proposal
- 1 submission did not agree or disagree with proposal
- 1 submission was not related to the proposal.

Percentage of submitters who use the precinct

Submitters were asked to identify whether they were users of the complex as part of the submission process. Of the 33 submissions received:

- Just over 60% currently use the complex
- 45% use the complex regularly
- 65% own a dog
- Nearly 70% walk their dog in this area.

PROPOSAL

This report seeks a resolution from council to make an amendment subordinate local law to introduce three new animal exclusion areas within Division 2, Caloundra.

The areas as detailed below were established for the purpose of sport and recreation activities:

- The Caloundra Central Park Sports Precinct, situated in Arthur Street, Caloundra on land described as Lot 409CG6381 (refer Appendix A – map 2.5.10)
- Caloundra Cricket Ovals 2-14 Lewis Street, Caloundra on land described as Lot 2SP242749 (refer Appendix A – map 2.5.11) and
- Caloundra Croquet Club Greens, 78 Arthur Street, Caloundra on Lot 1SP242748 (refer Appendix A- map 2.5.11).

Councillor Tim Dwyer was approached by a Central Park club about the health and safety concerns of allowing animals into the precinct where adults and children play sports. Following this, Councillor Tim Dwyer attended a Central Park user group meeting where support was given to amend the subordinate local law to prohibit animals from the Caloundra sporting precinct.

The Central Park user group expressed concerns that these areas are being used for the purposes of exercising dogs both on and off leash and the health and safety issues that this poses to users of the area. The Caloundra Central Parks Sports Precinct, Caloundra Cricket Ovals and The Caloundra Croquet Club have never been designated as dog off leash areas and because of the large number of sporting groups, children and adults now using the sporting facilities, it is important for council to consider the use of these areas and the best strategies necessary to manage their use.

It is evident from the submissions received that dog owners are using the area as both an on and off leash exercise areas. Consequently, the consultation process highlighted a possible need for a dog off leash area within close proximity to the sporting precinct. Dog off leash areas across the region are currently under review by the Community Services Department and this area will be considered in the review.

The primary objective of this proposed amendment subordinate local law is to prohibit animals from the Caloundra Sporting precinct sporting fields and associated facilities. However, as the maps indicate dog owners may still traverse through the grounds providing their dogs are on a leash and under effective control at all times.

Local Law Making Process

Before the amendment subordinate local law can be made, a number of statutory and other requirements needed to be fulfilled. The following table outlines these requirements:

Statutory Requirement – Community Consultation	Action taken	Date	Status
Newspaper Advertisement	<ul style="list-style-type: none"> advertisement placed in the Sunshine Coast Daily (Public Notice) 	18 October	Completed
Community Consultation	<ul style="list-style-type: none"> media release letter sent to residents that live within a 500m radius of the Caloundra Sporting Grounds council E-News notification on council social media sites information session at the Caloundra Library 31 October 4pm-6pm email to key stakeholders/user groups of the Sporting Grounds 	18 October – 1 November <i>(as applicable)</i>	Completed
Council Website	All relevant information and documentation placed on council's website.	18 October – 1 November	Completed
Review Submissions	All submissions received have been reviewed and a summary is attached to this report with comments.	November 2013	Completed

Legal

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

- Section 29-32 of the *Local Government Act 2009*
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws.

The proposed amendment subordinate local laws have been drafted by barrister, Dr Michael Limerick.

Policy

There are no policy implications in adopting the recommendation.

Risk

No risks have been identified in relation to the adoption of the resolution. The resolution seeks to remove the potential for risks and harm associated with animals within the subject sporting precincts.

Previous Council Resolution

Ordinary Meeting 22 August 2013 - Notice of Motion (Councillor T Dwyer)
Council Resolution (OM13/163)

That Council:

- (a) *authorise the Chief Executive Officer to request the Manager Corporate Governance to investigate amending Schedule 5 "Exclusion of Animals from Specific Places" of Subordinate Local Law No. 2 (Animal Management) 2011 to exclude all animals from land described as:*
 - *the Caloundra Central Park Sports Precinct, Arthur Street, Caloundra on Lot 409CG6381 and Lot 496CG3194 (as detailed in the map A attached)*

- *the Caloundra Cricket Ovals 2-14 Lewis Street, Caloundra on Lot 2SP242749 and Caloundra Croquet Club Greens 78 Arthur Street, Caloundra on Lot 1SP242748(as detailed in the map B attached) and*
- (b) *prepare a report for Council's consideration at its Ordinary Meeting of 19 September 2013.*

Ordinary Meeting 17 October 2013
Council Resolution (OM13/202)

That Council:

- (a) *receive and note the report titled "Proposal to make Amendment Subordinate Local Law No. 4 (Animal Management) 2013"*
- (b) *hereby resolve to propose to make Amendment Subordinate Local Law No. 4 (Animal Management) 2013 (Appendix A)*
- (c) *hereby resolve to undertake community consultation and*
- (d) *has reviewed the proposed amendments in accordance with section 38 of the Local Government Act 2009 and taking into consideration the identification guidelines mentioned in section 15 of the Local Government Regulation 2012, notes that the amendment subordinate local law does not contain any anti-competitive provisions as the amendments relate to the management of domestic animals and does not relate to commercial activity.*

Related Documentation

- *Local Government Act 2009 and Regulations*
- *Sunshine Coast Regional Council Local Laws and Subordinate Local Laws 2011*
- *State Government Guidelines for Making Local Laws and Subordinate Local Laws*
- *Corporate Plan 2009-2014 and*
- *Operational Plan 2012-2013.*

Critical Dates

It is beneficial for council to proceed to make proposed Amendment Local Law No. 4 (Animal Management) 2013 as soon as possible in order for the local law amendments to take effect.

Implementation

Following consideration of this report by council, public notification of the newly made amending subordinate local law will occur which will include a notice being published in local newspaper, the Government Gazette and on council's website.

Media releases are also being developed to ensure the community is aware of the amended subordinate local law and ensure users understand the new changes.

Community Services Department will install appropriate signage at the site.

7.3 COMMUNITY SERVICES**7.3.1 DRAFT SUNSHINE COAST PERFORMANCE AND COMMUNITY VENUES PLAN 2013-2028**

File No:	Statutory Meetings
Authors:	Planning Officer (Community) Community Services Department Community and Performance Venues Manager Community Services Department
Appendices:	App A - Draft Sunshine Coast Performance and Community Venues Plan 2013-2028 (<i>Under Separate Cover</i>)..... Att Pg 53 App B - Supporting Resources (<i>Under Separate Cover</i>)Att Pg 119
Attachments:	Att 1 - Asset Management Costings 139

PURPOSE

The purpose of this report is to seek council's endorsement of the draft Sunshine Coast Performance and Community Venues Plan 2013-2028 (Appendix A) for public exhibition and comment.

EXECUTIVE SUMMARY

Performance and community venues provide valuable infrastructure to the Sunshine Coast region. They accommodate a diverse range of community, cultural and commercial activities.

Performance and community venues are not part of the traditional "road, rates and rubbish" core roles of local government. However, all local governments in areas comparable with the Sunshine Coast provide these facilities for residents and visitors alike.

The purpose of the draft Sunshine Coast Performance and Community Venues Plan 2013 – 2028 (the draft Plan) is to inform the future use, operation and possible development of six (6) of council's performance and community venues over the next 15 years. Venues within scope of this draft Plan are:

- The Nambour Civic Centre
- Lake Kawana Community Centre
- The Events Centre Caloundra
- Coolum Civic Centre
- Kawana Community Hall
- Beerwah and District Community Hall

The draft Plan focusses on the above six venues as a result of previous council resolutions which required the preparation of a strategic direction for council's first and second tier venues. Due to the pending de-amalgamation, it is noted that performance and community venues located in the new Noosa Shire Council boundaries are not considered in this draft Plan.

The draft Plan has been developed with consideration given to a number of factors, including:

- the wider network of performance and community venues (community oriented and commercially focused) located throughout the region; and
- the entertainment, convention and exhibition centre feasibility study completed for the Maroochydore Principal Regional Activity Centre and other significant event facilities such as Quad Park.

In planning for council's six key venues, the draft Plan identifies a number of factors that will impact on future operations. Other venues operating within the region; age of existing infrastructure; levels of usage, and population growth are amongst the challenges addressed in the draft Plan. There are also other specific industry-related trends influencing venues in the future, including industry preference for community facilities to be co-located, the trend towards providing larger and higher quality venues which serve a larger population, as well as keeping pace with evolving industry standards and emerging technological trends.

The draft Plan looks at how best to address these key challenges and trends moving forward, and aspires to provide a quality portfolio of venues which are able to accommodate the needs of the region. The following vision guides the Plan:

"Performance and community venues provide spaces for the Sunshine Coast region that are well equipped to cater for a diverse range of events and offer captivating, creative experiences that will engage, excite and challenge our audiences."

The draft Plan establishes a 15 year Action Plan which focusses on channeling council's investment towards creating a network of performance and community venues which are able to keep pace with community demands and industry standards. The Action Plan contains four desired outcomes:

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

Through the implementation of this draft Plan, council's continued involvement in performance and community venues will ensure that the Sunshine Coast community is appropriately equipped with venue opportunities, in order for their full social, economic and cultural value to be brought to the region.

The proposed public exhibition and comment period will allow the community an opportunity to review the draft Plan and provide feedback. All feedback received will be used to inform final amendments to the document before a final Plan will be presented to council seeking adoption.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Draft Sunshine Coast Performance and Community Venues Plan 2013-2028”
- (b) endorse the Draft Sunshine Coast Performance and Community Venues Plan 2013-2028 (Appendix A) for public exhibition and comment
- (c) note the document titled Volume 2: Supporting Resources (Appendix B)
- (d) request the Chief Executive Officer collate and consider all feedback received as part of the public exhibition and comment and present the final Draft Sunshine Coast Performance and Community Venues Plan 2013-2028 to council for adoption.

FINANCE AND RESOURCING

Infrastructure Services has provided annual asset management costings for each of the venues contained within the Plan. Information regarding this and annual operating costs can be found within Attachment 1. This information can be provided to interested stakeholders during the public exhibition period.

The majority of recommendations contained within the draft Plan will primarily direct ‘core business’ activities for council’s Community and Performance Venues team and as such are accommodated within the annual operational budget.

The draft Plan contains some recommendations which require additional financial resources. These recommendations are estimated to cost \$320,000 in the short term (up to 2017) and are itemized in the below table. The allocation of resources to these recommendations will be a matter for council’s consideration as part of the annual budget process.

Recommendation	Capital/Operational	Venue	Est Cost
Feasibility Study	Capital	Lake Kawana Community Centre	\$70,000
Feasibility Study	Capital	The Events Centre Caloundra	\$70,000
Improved Signage	Capital	All	\$50,000
Strategic Planning for local community venues	Operational	All	\$50,000
Marketing Strategy	Operational	All	\$20,000
Feasibility Study	Operational	Centralised Management Models	\$30,000
Feasibility Study	Operational	Centralised Marketing and Sales	\$30,000
Total			\$320,000

The venue audit findings contained in the draft Plan and current and future building condition audits yet to be conducted will inform the ongoing development of council’s capital works program.

CORPORATE PLAN

Corporate Plan Theme: *Innovation & Creativity*

Emerging Priority: 3.3 - A creative and artistic region

Strategy: 3.3.1 - Assess the region’s cultural facilities and activities, research future needs and develop an arts and cultural strategy

Corporate Plan Theme: *Innovation & Creativity***Emerging Priority:** 3.3 - A creative and artistic region**Strategy:** 3.3.2 - Provide and facilitate local and regional arts and cultural facilities and programs within the community**Corporate Plan Theme: *Managing growth*****Emerging Priority:** 7.4 - Timely and appropriate infrastructure and service provision**Strategy:** 7.4.3 - Ensure the provision of parks, open space and community infrastructure consistent with identified local and regional needs

CONSULTATION

Internal Consultation

Consultation has been conducted with the following relevant internal stakeholders in order to inform the draft Plan:

- Divisional Councillors
- Social Policy Branch
- Strategic Planning Branch
- Major Urban Developments Branch
- Building and Facilities Branch
- Community Facilities Branch
- Community Development Branch
- Economic Development Branch
- Property and Business Branch
- Sunshine Coast Event Centre Pty Ltd

External Consultation

The development of the draft Plan has been informed by consultation with the following external stakeholders (146 respondents):

- Hirers and potential hirers of performance and community venues
- Audiences of events held at The Events Centre Caloundra, Nambour Civic Centre and Lake Kawana Community Centre.

Key findings of this consultation include:

- The four factors considered most important to hirers were the ease of using the venue; the cost of using the venue; the ease of booking the venue, and the way the venue is managed.
- The cost for hiring a venue was an important consideration for hirers, yet council's performance in this area was not rated as highly.
- Audiences were generally positive about council's venues. Factors deemed least positive, despite being considered important by respondents were parking availability; cost of attending events; disability access and the standard/quality of furnishings.

- Audiences to performances at Nambour Civic Centre, The Events Centre Caloundra and Lake Kawana Community Centre were asked to give impressions of each venue they had visited. While responses varied, the most common themes were:
 - Nambour Civic Centre: friendly, old, adequate
 - The Events Centre Caloundra: convenient, large, dated
 - Lake Kawana Community Centre: functional, versatile, modern.
- The most common need expressed by respondents was for performance spaces, followed by rehearsal spaces.

Future Community Engagement

This report is seeking council's endorsement to release the draft Plan for public exhibition and comment. This process will allow for a transparent process, and will enable council to gauge the wider community's opinion in relation to the draft Plan's recommendations. The proposed method to undertake this engagement includes:

- Display of copies of the draft Plan on council's website and at council venues
- Provision of a single page feedback form (online and hard copy format) to assist the collection of feedback
- Promotion of the public exhibition period through a media release and other council tools
- Utilisation of council's Community Engagement Register (comprises approx. 700 registered users) to request input from the Sunshine Coast community.

It is proposed that the draft Plan has a review period of 20 business days. Feedback received by council within the specified public exhibition period will be collated, reviewed and provided to Councillors and relevant stakeholders for consideration prior to the development of the final Plan.

PROPOSAL

Performance and community venues play a key role in the Sunshine Coast community. Not only do they provide a place for interaction and participation in community and cultural activity, research suggests that communities that offer opportunities for human development have strong social capital and act as magnets for investment, growth and economic development.

The draft Performance and Community Venues Plan 2013-2028 (the draft Plan) has been prepared to ensure the full potential of performance and community venues can be realised throughout the Sunshine Coast region. The purpose of the draft Plan is to set the strategic direction for the future use, operation and possible development of six of council's key performance and community venues over the next 15 years. The draft Plan aims to ensure that council's investment is directed in the best way possible in order for maximum benefits to be achieved throughout the region.

The draft Plan sets out to:

- Identify the social, cultural and economic value of council's performance and community venues
- Provide a clear picture of the current status of council's six performance and community venues, in terms of provision, usage, investment and operational matters
- Identify the needs and considerations for moving forward
- Detail council's approach to providing performance and community venues in the future, including strategic directions, service levels and infrastructure requirements and
- Clearly establish council's role in performance and community venues in the future.

The draft Plan follows an evidence-based approach in order to inform its recommendations, including an analysis of the current performance and community venues and their infrastructure, demographic and industry related trends, community engagement results, as well as a benchmarking exercise. Key findings include:

- Council's six venues are supported by an extensive wider network, particularly when considering the extent of those owned and operated by other providers.
- Based on benchmarking, council's service provision (number of venues) is higher when compared to similar local government areas.
- Aged infrastructure and equipment within a number of council venues is a limiting factor.
- Keeping pace with evolving industry standards and technological trends is an ongoing challenge.
- For some of council's venues, usage rates are below optimal levels.
- Varying management models are being used across the six venues.
- Current financial constraints means there is limited opportunity to improve council's network.
- Population growth appears to trigger additional land for community facilities with performance capacity. However before any community land is embellished in the future, it is recommended that a needs analysis clearly demonstrate a need.
- Relevant industry trends influencing the provision of venues in the future include the industry preference for community facilities to be co-located, as well as providing larger and higher quality facilities which serve a larger population.

This draft Plan has been developed with the following vision to address the above factors and guide the strategic direction of these venues over the next 15 years:

"Performance and community venues provide spaces for the Sunshine Coast region that are well equipped to cater for a diverse range of events and offer captivating, creative experiences that will engage, excite and challenge our audiences."

The draft Plan's key recommendations focus on council's strategic investment opportunities towards creating a network of performance and community venues, which are able to keep pace with community demands and industry standards. Key recommendations include:

- Ensure the supply of council's performance and community venues responds to demonstrated community need. A decision making framework is introduced to inform future decisions on performance and community venues.
- Consolidation of the current supply of council's performance and community venues where efficiencies can be achieved.
- Ensure council's existing performance and community venues have clear roles and functions within the network.
- Increase opportunities for Sunshine Coast residents and visitors to participate in and experience performing arts and community activities, through making improvements to programming.
- Enhance marketing and promotion of council's venues.
- Ensure council's venues are of a high quality and incorporate best practice design principles.

- Increase efficiencies in the network, while also increasing integration across council's venues.
- Continue to support economic development outcomes for the Sunshine Coast through the network. Examples of this include seeking sponsorship opportunities, and improving relations with external bodies such as event organisers and Sunshine Coast Destinations.

Through the implementation of this draft Plan, council's continued involvement and investment in performance and community venues will ensure that the Sunshine Coast community is appropriately equipped with venue opportunities, so that their full social, economic and cultural value can be brought to the region.

Legal

There are no legal implications associated with this report.

Policy

The draft Plan forms council's policy direction for how to carry out its role in the provision of performance and community venues in the future. The Plan has been prepared with consideration given to council's existing policy framework. Where the draft Plan is inconsistent with the council adopted *Sunshine Coast Social Infrastructure Strategy 2011* a recommendation to review the *Sunshine Coast Social Infrastructure Strategy 2011* is highlighted.

Risk

The draft Plan establishes a clear direction on how performance and community venues and associated responsibilities will be delivered by council over the next 15 years.

Implementation of this draft Plan will ensure that council's network of performance and community venues are of an appropriate scale with each venue having a clear future direction regarding their role and function. Implementation of the action plan will reduce the risks and implications associated with a large and under-utilised network.

There is a risk that without an endorsed Sunshine Coast Performance and Community Venues Plan, an uncoordinated and unresponsive approach to performance and community venues will occur. Failure to respond to the emerging needs of the region and improving the efficiency of council services may lead to inadequate service provision, which can have potential social and financial implications.

The draft Plan triggers a number of feasibility studies in relation to council's venues. There is a risk that this may raise angst within the community. Clear communication during the public exhibition period will need to ensue in order for the community to understand the rationale behind the recommendations.

Previous Council Resolution

Council resolution OM10/93 (29 April 2010):

That Council request the Chief Executive Officer to provide a future report to Council on a review of performing arts and events facilities across the region.

Council resolution SM11/21 (28 April 2011):

That Council request the Chief Executive Officer to provide to council a timetable for the strategic directions for council's community venues including both first tier of The Events Centre Caloundra; Lake Kawana Community Centre; The J and Nambour Civic Centre and second tier community centres.

Related Documentation

Documentation relevant to this report include:

- Corporate Plan 2009–2014
- Social Infrastructure Strategy 2011
- Cultural Development Policy 2012
- Youth Strategy 2010–2015
- Access and Inclusion Plan 2011-2016
- Positive Ageing Strategy 2011-2016
- Reconciliation Action Plan 2011
- Wellbeing Charter, 2010
- Place Making Charter: People, Place and Partnerships
- Capital Works Program Listing 2012/2013-2021/2022
- Caloundra City Plan 2004
- Maroochy Plan 2000
- Draft Sunshine Coast Planning Scheme 2012
- Sunshine Coast Entertainment, Convention and Exhibition Centre Feasibility Report 2011
- Sunshine Coast Entertainment, Convention and Exhibition Centre Implementation Strategy October 2011

Critical Dates

It is imperative that a policy framework for council's key performance and community venues is adopted, so council has the ability to appropriately manage the delivery of this service to the community.

The public notification of the draft Plan is a vital step towards ensuring that council has a strategy for the council's key performance and community venues, in order to guide future capital works, and ensure efficient operations.

The draft Plan's recommendations have nominated timeframes for delivery, and these are broken down into immediate, short term (within 4 years), medium term (five to nine years) and long term (10 to 15 years) actions.

Implementation

Public review and feedback will occur after the endorsement of the draft Plan at council's Ordinary Meeting. A communication plan will be prepared and implemented for the intended public notification period of 20 business days.

The following community engagement approach is intended for this consultation:

- Display of copies of the draft Plan on council's website and at council venues.
- Provision of a single page feedback form (online and hard copy format) to assist the collection of feedback.
- Promotion of the public exhibition period through a media release and other council tools.
- Utilisation of council's Community Engagement Register (comprises approx. 700 registered users) to request input from the Sunshine Coast community.

Feedback received by council within the specified public exhibition period, will be collated, reviewed and provided to Councillors and relevant stakeholders for consideration prior to the development of the final Plan.

7.3.2 YMCA PROPOSAL TO LEASE ARTHUR STREET HALL AND SURROUNDING LAND

File No:	Statutory Meetings	
Authors:	Community Sports and Facility Planning Manager Community Services Department Aquatic and Leisure Facilities Manager Community Services Department	
Appendices:	App A - Ground Floor Plan - Caloundra Central Park - Gymnastics Facility	149
Attachments:	Att 1 - Caloundra Tennis Association support to relinquish part of leased area	151
	Att 2 - Caloundra Central Park Site Plan	153

PURPOSE

To seek Council resolution to exercise an exception to inviting written tenders, as provided under section 236(1)(b)(ii) of the *Local Government Regulation 2012*, to enter into a 20 year head lease over Arthur Street Hall and adjacent land within the Caloundra Central Park Sport and Recreation Precinct, on the provision that the YMCA construct and operate a YMCA community recreation facility initially based around the sport of gymnastics.

EXECUTIVE SUMMARY

The Sunshine Coast Sport and Active Recreation Plan 2011 – 2026 recommends that a feasibility study be undertaken to facilitate the development of a dedicated gymnastics facility to service the southern end of the Sunshine Coast.

A Facility Site Analysis Report undertaken by council in 2013 identified refurbishing the existing multi-purpose hall within the Caloundra Central Park Sport and Active Recreation Precinct as the preferred option.

In late 2012, YMCA approached council with an offer of funding up to \$1.5 million to operate and construct a gymnastics facility in Caloundra. In return for the lease, YMCA propose to construct a YMCA Community Recreation Facility, initially based around the sport of gymnastics. Gymnastics Queensland has advised that one of its priority areas is Caloundra. A partnership approach such as this with council and the YMCA will provide a beneficial outcome for the Sunshine Coast community.

YMCA is the largest provider of gymnastics in Queensland with over 3000 registered gymnasts at five locations. Gymnastics has the third highest number of registered participants in Queensland for junior female sport.

In consideration of this major investment into community assets, YMCA would require:

- minimum 20 year head lease over the site
- authority to brand the new facility with YMCA branding
- council to waive, or contribute all infrastructure fees related to site development and
- a nominal lease fee for the term of the lease.

If the approval is granted, funding for the Stage 1 development will be primarily borne by the YMCA, but may be subsidised in some small part by external grant funding. It is anticipated that the cost of Stage 1 will be in the vicinity of \$1.2 - \$1.5 million.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "YMCA proposal to lease Arthur Street Hall and surrounding land"
- (b) resolve that a tender process is not required as lease of the proposed land to the YMCA is an exception under section 236(1)(b)(ii) of the *Local Government Regulation 2012*
- (c) authorise the Chief Executive Officer to enter into a 20 year head lease to YMCA over the site as identified in Appendix A, once the Caloundra Tennis Association relinquish part of their leased area (being lot 409 on CG 6381) and
- (d) delegate the Chief Executive Officer to negotiate and finalise arrangements with the YMCA regarding branding and infrastructure charges fees for development of the site.

FINANCE AND RESOURCING

Maintenance costs of the Arthur Street Hall during the 2012/2013 financial year totalled \$16,059 across electrical, plumbing and internal and external finishes.

The standard annual rent for a lease to a not-for-profit group is one unit (the charge set for 2013/2014 is \$250 inclusive of GST).

Pending adoption and a lease being granted, YMCA have agreed to cover all costs including lease and survey costs; operational and maintenance expenses in relation to the existing Arthur Street Hall; and operational and maintenance expenses in relation to proposed buildings and infrastructure constructed on surrounding land. This will be documented in the lease conditions.

Capital works funding for the Stage 1 development will be primarily borne by the YMCA, but may be subsidised in some small part by external grant funding. YMCA has anticipated that the cost of Stage 1 will be in the vicinity of \$1.2 - \$1.5 million including fit out (but excluding any infrastructure charges), subject to final design.

CORPORATE PLAN

Corporate Plan Theme: *Robust Economy*

Emerging Priority: 1.1 - A broad economic base

Strategy: 1.1.3 - Facilitate the development of the region's knowledge-based economy in particular the creative, health, environmental, leisure and sporting sectors.

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.2 - Active lifestyles

Strategy: 4.2.3 - Promote physical activity and recreation
4.2.4 - Support community-based sport and recreation organisations and programs

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.3 - A sense of identity and belonging

Strategy: 5.3.1 - Support community programs and infrastructure that encourage interaction, contribute to place making and a sense of community.

CONSULTATION

Internal Consultation

- Division 2 Councillor
- Community Sport & Facility Planning
- Aquatic & Leisure Facilities
- Community Facilities
- Community Planning & Strategy
- Community Programs
- Social Policy
- Parks and Gardens
- Buildings & Facilities
- Property Services
- Transport and Engineering Services
- Design Services
- Civil Works Services
- Environmental Operations
- Business and Major Projects Services
- Integrated Transport Services
- Regional Strategy and Planning
- Major Urban Developments Branch

External Consultation

- Caloundra Central Park Advisory Committee
- YMCA
- Caloundra Tennis Association
- Caloundra City Boxing Club
- Gymnastics Queensland
- Caloundra Gymnastics Club community advocate

Community Engagement

Information obtained through discussions with council representatives, along with data and findings from the Caloundra Central Park Sport and Recreation Precinct Master Plan 2011, was used as part of this analysis.

In summary the determining factors of this decision to extend and refurbish the existing facilities of Arthur Street Hall to facilitate gymnastics were as follows:

- Enhancing and diversifying the sporting offers at Caloundra Central Park Sport and Recreation Precinct

- Improving amenity to an aging building
- Financial benefit of utilising an existing building
- Caloundra Central Park Sport and Recreation Precinct Master Plan 2011 can incorporate ancillary needs of facility (car parking)
- Alterations to external facade will address entry statement/identification deficiencies for Caloundra Central Park Sport and Recreation Precinct
- The existing hall is repurposed to improve/increase usage
- Support of existing hirers and surrounding lessees who were willing to relinquish part of the leased area to allow this development to occur.

PROPOSAL

Throughout the development of the Sunshine Coast Sport and Active Recreation Plan 2011-2026, gymnastics provision within the southern end of Sunshine Coast was identified as an unmet need. The Sport and Active Recreation Plan subsequently recommended the planning and development of a dedicated gymnastics facility to service the needs of the community within the southern end of the Sunshine Coast.

Following an approach from YMCA noting a desire to construct a gymnastics facility on the Sunshine Coast, a facility site analysis was conducted identifying the preferred location as the Caloundra Central Park Sports and Recreation Precinct. Gymnastics Queensland has included Caloundra as a preferred location in their State Gymnastics Facility Plan. This was noted in the Caloundra Central Park Sports and Recreation Precinct Master Plan for this site adopted in 2011.

The Division 2 Councillor utilised divisional allocations in 2012/2013 to fund the initial site investigations and schematic drawings. The preferred location within the Caloundra Central Park Sports and Recreation Precinct was identified as Arthur Street Hall - a council owned and managed facility.

Negotiations have been occurring over the last 12 months with Gymnastics Queensland and YMCA to make better use of the Arthur Street Hall including accommodating gymnastics and kinder/ junior gym activities. YMCA have the support of Gymnastics Queensland and are now seeking formal approval from council to secure a 20 year head lease of the Arthur Street Hall and adjacent land upon which to construct the proposed YMCA Community Recreation Facility, initially based around the sport of gymnastics. YMCA will require approximately 2500 square metres of land to construct the new gymnastics and community facility including the existing Arthur Street Hall and land immediately adjacent to the east, and access to car parking. A draft ground floor plan is provided in Appendix A which identifies the land parcel in discussion.

YMCA has indicated a preference to take on the main existing hirer (Caloundra City Boxing Club) of the Arthur Street Hall who will become sub-tenants of the facility. The Aquatics & Leisure Facilities team within Community Services are looking to house the remaining hirers (Little Kickers, social badminton, CARD roller derby) in suitable facilities within the Caloundra – Golden Beach area.

If endorsed, it is anticipated that planning and approvals would be sought over the next six-nine months with construction commencing in mid-late 2014. YMCA's intention is to construct over several stages:

- Stage 1 - A new gymnastics hall / offices / meeting space to be positioned adjacent to the current Arthur Street hall as per Appendix A.
- Stage 2 - 'Future Extension' noted on plans – possible Health and Wellness (gym) facility subject to community need and flexible to changing demand.

The proposed lease footprint encroaches into the adjoining Caloundra Tennis Association leased area. Caloundra Tennis Association has agreed to relinquish part of their leased area to allow this development to occur as provided in correspondence at Attachment 1.

Community Leasing note that State consent from the Department of Natural Resources and Mines is required as council is trustee over the site. Once an agreement has been reached between YMCA and Council, council's legal unit will seek State approval. Confirmation has been received from Development Assessment that the YMCA proposed building is exempt as it is a local utility.

Due to this major investment in community assets, the YMCA have noted they require a minimum 20 year head lease over the site with strong prospects of continuation on site after this period. YMCA would also expect the ability to brand the new facility with YMCA branding.

The head lease will include details of proposed or expected construction of the agreed gymnastics facility, initially based around the sport of gymnastics. Should the lease not be renewed beyond the term of the agreement, the assets constructed will become the property of council.

Legal

Section 227 of the *Local Government Regulation 2012* ('Regulation') provides that, unless an exception applies, council cannot enter into a valuable non-current asset contract, which includes leasing an interest in land, without first inviting written tenders.

Section 236(1)(b)(ii) of the Regulation provides an exception that Council may dispose of an interest in land to a community organisation, if before disposing of the land, council has resolved to dispose of the interest to that community organisation.

State consent is required from the Department of Natural Resources and Mines as council is trustee over the site.

Policy

The Sunshine Coast Sport and Active Recreation Plan 2011-2026 forms council's policy on sport and active recreation for the region and provides a direction for the future. This Plan has been reviewed and used to guide the final recommendations within the Caloundra Central Park Sport and Recreation Precinct Master Plan 2011.

Risk

The following risks and mitigation measures have been identified in regards to this proposal:

Risk	Mitigation
Damage to existing buildings and courts	Contractor and council to prepare Dilapidation report prior to works commencing. Condition of existing buildings and courts to be captured.
Interruption to Tennis Centre and other venues on site	Pre-planning with site stakeholders to ensure the interruptions are minimal, gathering data on stakeholders requirements including opening times, special events etc. and providing regular construction timeframes and information of noisy works to stakeholders prior to, and during construction.

Risk	Mitigation
Loss of car parking during and post construction	Investigate best location for contractor compound during construction. There are a number of areas within the Caloundra Central Park Sports precinct that the contractor can utilise with minimum disruption to existing facilities or patrons during normal business hours. Additional car parking provisions have also been planned within the Caloundra Central Park Sport and Recreation Precinct Master Plan 2011.
Length of construction timeframe could go later than expected due to weather and delays	This is possible. Site will be fenced to mitigate disruption. Weather events could delay timeframes with the resultant impact being on the timing of delivery of the proposed gymnastics programs.
Poor communication with stakeholders	Lack of clarity for responsibilities pre and post construction. Lease conditions to be clear on both capital and ongoing operational expectations and requirements.
YMCA sustainability / longevity	YMCA are viewed as an ideal partner in the delivery of this project as a successful community based organisation and Australia's largest operator of community and recreational facilities. YMCA also have a proven history in successful delivery of community based gymnastics facilities and programs.
Impact on wider planning in the Caloundra and surrounding localities	Major Urban Developments Branch have reviewed the YMCA proposal and noted they do not see any planning implications for this project in relation to Caloundra South or the light rail project.

Previous Council Resolution

Ordinary Meeting 7 March 2011 Council Resolution SM11/9

That Council:

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

Ordinary Meeting 16 November 2011 Council Resolution OM11/277

That Council:

- (a) receive and note the report titled "Caloundra Central Park Sport and Recreation Precinct Master Plan";*
- (b) adopt the Caloundra Central Park Sport and Recreation Precinct Master Plan (Appendix A) as amended;*
- (c) note that the implementation of future stages of development for the Caloundra Central Park Sport and Recreation Precinct, as per the Master Plan, will be determined in accordance with the council's ten year Capital Works Program and the successful application for external funding and subsequent development priorities as outlined within this report;*
- (d) present the revised Caloundra Central Park Sport and Recreation Precinct Master Plan to the relevant sporting and recreation user groups, to assist those organisations with future planning considerations and also in identifying and seeking external funding opportunities to supplement council's implementation costs;*
- (e) request the Chief Executive Officer to be cognisant of opportunities associated with the 2018 Commonwealth Games when considering the staging and funding of the Central Park Masterplan and other sporting facilities across the Coast.*

Related Documentation

- Sunshine Coast Open Space Strategy 2011-2026
- Sunshine Coast Sport and Active Recreation Plan 2011-2026
- Sunshine Coast Aquatics Plan 2011- 2026
- Sunshine Coast Sustainable Transport Strategy 2011-2031
- Sunshine Coast Active Transport Plan 2011-2013
- Sunshine Coast Landscape Infrastructure Manual
- Sunshine Coast Youth Strategy 2011
- Sunshine Coast Social Infrastructure Strategy 2011
- Sunshine Coast Major and Regional Events Strategy 2013
- Caloundra Central Park Sport and Recreation Precinct Master Plan 2011
- Regional Tennis Centre, Caloundra Conceptual Plans 2013
- Caloundra Regional Gymnasium Facility Site Analysis Report 2013
- Gymnastics Queensland State Facility Plan 2013

Critical Dates

No critical dates relevant to this report that will impact on Council decision.

Implementation

Pending adoption through council, an anticipated timeframe for works progression is as follows:

Date	Projected Milestones	Comments/Responsibility
December 2013 – January 2014	Lease terms negotiated	Involves sub-tenants YMCA Community Leasing Unit
February 2014	Consultant fee proposals sought and appointments made	Architect Project Manager Town planning Engineering YMCA
March 2014	Initial building design finalised	YMCA in conjunction with Sport & Recreation Facilities and Property Branch
July 2014	Detailed design finalised	YMCA in conjunction with Sport & Recreation Facilities and Property Branch
August 2014	Tender process	YMCA Commercial and Procurement Branch
September 2014	Builder appointed	YMCA
October 2014	Construction starts for 20 weeks	YMCA
February 2015	Practical completion	YMCA Property Branch
March 2015	Fit out	YMCA
April 2015	Opening for programs	YMCA

7.4 INFRASTRUCTURE SERVICES

7.4.1 MULLER PARK REVISION OF LANDSCAPE PLAN

File No: 8263

Author: Landscape Architect / Urban Designer
Infrastructure Services Department

Appendices: App A - Muller Park Revised Landscape Plan 161

PURPOSE

The purpose of this report is to seek Council endorsement of a revised Landscape Plan for Muller Park, Bli Bli.

EXECUTIVE SUMMARY

Muller Park is located in Bli Bli, bounded by the Maroochy River, David Low Way and Muller Park Drive. It is widely used by the local community and visitors for a variety of recreation pursuits, including fishing, picnics, walking and boating.

In 2011, Council endorsed a Landscape Plan for Muller Park, Bli Bli. During extensive community engagement in 2010, no interest was expressed in establishing water sports within the park and therefore the 2011 Landscape Plan for Muller Park shows no provision for such facilities. The 2011 endorsed Landscape Plan was used for the basis of obtaining Development Approval from the Queensland State Government and informed the subsequent landscape works within the park.

In 2012 a community group approached Council requesting to establish a rowing club facility within Muller Park. The Sunshine Coast Sport and Active Recreation Plan (2011) recognises the potential for non-motorised water sport to be located in Muller Park and therefore Council staff have worked through the legislative process to incorporate a suitable lease area into a revised Landscape Plan, given that the reserve is a State Government asset held in trust by Council.

Successful negotiations with State Government has resulted in the development of a revised 2013 Landscape Plan. This 2013 Landscape Plan is based on the 2011 Council endorsed Landscape Plan, but has been revised to reflect the completed landscape works since its original endorsement in 2011 and also incorporates a proposed lease area that may be utilised for non powered water sports, and has been located such that the site is:

- above Q100
- not in areas identified as of cultural heritage importance
- not in erosion prone areas
- not within the negotiated fish habitat buffer area, and
- a suitable location within the park, with access to the existing road, parking and boat ramp.

Community engagement has revealed no opposition to the lease proposal. Following Council endorsement of this 2013 Landscape Plan, Council will seek Expressions of Interest from the community for the use of the lease area.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Muller Park Revision of Landscape Plan”
- (b) endorse the Muller Park Revised Landscape Plan dated 25 July 2013 (Appendix A) to guide the future development of Muller Park, subject to funding being available in future annual budgets, as outlined in Council adopted 10 year capital works program, or through external State or Federal grants programs, and
- (c) in accordance with Section 4 (2) of the *Local Government Act 2009* seek expressions of interest from the community for the utilisation of the new lease area for appropriate non motorised water sporting activities, to ensure transparent and effective processes, and decision-making in the public interest.

FINANCE AND RESOURCING

The revision of the Muller Park Landscape Plan has been funded through the Division 9 Councillor’s divisional funds. (B1541 – “Muller Park Bli Bli - master plan” for the 2012/2013 financial year) at a cost of \$30,000.

The management of the Expressions of Interest will be funded through in-house staff costs with Community Planning & Engagement, Community Services.

The management of the tenure arrangements will be funded through in-house staff costs by the Property Management Branch, Corporate Services who would formulate the appropriate tenure arrangement. Any costs associated with the establishment of the tenure arrangements would be borne by the successful organisation(s).

CORPORATE PLAN

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.2 - Active lifestyles

Strategy: 4.2.4 - Support community-based sport and recreation organisations and programs

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.3 - Well designed and beautiful places

Strategy: 7.3.2 - Ensure council developments and projects are well designed, landscaped and have aesthetic appeal

CONSULTATION**Internal Consultation**

The following were consulted regarding the revision of the Landscape Plan. Their input has been incorporated into the report:

- Cr Stephen Robinson, Division 9
- Manager Community Facilities
- Community Sports & Facilities Planning Manager
- Senior Environmental Officer (Business and Major Projects, Infrastructure Services)
- Coastal & Canals Manager
- Community Leasing Officer, Building & Facility Services.

External Consultation

External consultation and negotiation took place with the Department of Agriculture, Fisheries and Forestry (DAFF), the Department of Environment and Heritage Protection (EHP) prior to council's formal request to change the existing approval. The notice approving the request for permissible change for Muller Park was received 8 August 2013.

External consultation has taken place with thirteen non-motorised water sports stakeholders via a letter or email requesting comment on the proposal. These stakeholders were selected by Community Facilities utilising council's Community Information Services database and internet. The local community were advised of the consultation via an article in 'The Weekly' (Maroochy) and a 'have your say' web page on Council's external web site. In addition, the issue has been raised in the media on a number of occasions, including a feature on WIN News on 1 October 2013.

Specific comment was also requested from the Kabi Kabi People and the Descendants of Australian South Sea Islanders (DASSI) both groups having a close connection Muller Park.

Community Engagement

Community engagement was framed around the proposal of whether the proposed lease area for non-motorised water sports should be included in the revised Landscape Plan for Muller Park. However, the community were able to make comment on the overall landscape plan as they wished

The nature of any future development within the lease area, or which community group(s) could obtain the lease did not form part of the engagement.

Fifteen Community Groups were contacted by letter or email to make comment.

The proposal had exposure to the community through WIN news, council's external web site (Muller Park 'have your say'), and Weekly News (Maroochy). The community had one month (1 to 31 October 2013), to comment on the change to the Landscape Plan.

PROPOSAL

Muller Park is located in Bli Bli, bounded by the Maroochy River, David Low Way and Muller Park Drive. The park area is 4.5Ha in size, and it is widely used by the local community and visitors for a variety of recreation pursuits, including fishing, picnics, walking and boating. Previously, an area of approximately 1150m² was leased for the purposes of non-motorised water sports. In 1999, the Sunshine Coast Rowing Club signed a 20 year lease but relinquished it in 2006. The area now proposed for a lease area is not in the same location as this previous leased area.

In 2011, Council endorsed a Landscape Plan for Muller Park, Bli Bli. During extensive community engagement in 2010, no interest was expressed in establishing water sports within the park and therefore the 2011 Landscape Plan for Muller Park shows no provision for such facilities. The endorsed Landscape Plan was used for the basis of obtaining Operational Works Approval from the Queensland State in April 2011, and informed the subsequent landscape works within the park. Improvements such as car parking, car and trailer parking, drainage, tree planting, fishing nodes, toilet upgrade and road access improvements have been implemented in the past two years. A shelter and fencing is being constructed in the 2013/2014 financial year.

In October 2012, a community group approached Council requesting to establish a rowing club facility within Muller Park. As the Sunshine Coast Sport & Active Recreation Plan (2011) recognises the potential for non-motorised water sport to be located in Muller Park and the proposal had broad support from the Divisional Councillor and within council, staff have

worked through the legislative process to incorporate a suitable lease area into a revised Landscape Plan.

Successful negotiations with state government departments (EHP & DAFF) resulted in a revised 2013 Landscape Plan. This 2013 Landscape Plan is based on the 2011 endorsed Landscape Plan, but revised to reflect the completed landscape works, and incorporates a proposed lease area that is:

- above Q100
- not in areas identified as of cultural heritage importance
- not in erosion prone areas
- not within the negotiated fish habitat buffer area , and
- a suitable location within the park, with access to the existing road, parking and boat ramp.

Community engagement has revealed no opposition to the lease proposal, with two letter/emails of support, three uncommitted, and none against. An email was also received requesting changes to the agreed revegetation area in order to widen the grassed access to the boat ramp from the proposed lease area. Following the Expressions of Interest process, the successful future lessee(s) will have a limited opportunity to renegotiate the revegetation areas using offsets from the lease area, depending on their specific needs and subject to approval from the State Government Department of Environment and Heritage Protection.

The 2013 Revised Landscape Plan for Muller Park is therefore being presented in this report to council for endorsement. Following council endorsement of the Revised Landscape Plan, council will seek Expressions of Interest (EOI) from the community in the use of the lease area for non-motorised water sports and other potential user groups. It is proposed that the lease will be for a period of ten (10) years, subject to negotiation with the successful organization(s)

Interested organisations will be invited to submit applications for lease addressing their organisation's:

- Track record & experience
- Contribution to the local community
- Proposed use of the site
- Environmental Capability
- Workplace Health & Safety
- Sustainability, Financial Viability and Public Accessibility

Applicants will be encouraged to submit joint proposals if appropriate. The proposals will be assessed by an evaluation panel under probity based on the criteria outline above and recommendations tabled in a report to council for approval.

The appropriate tenure arrangement will then be formulated by the Property Management Branch and arranged with the successful organisation(s). All applicants are expected to be self-funded.

Legal

The Revised Landscape Plan will be implemented in accordance with the approved 'Request for Permissible Change' for Muller Park dated 5 August 2013. It will also be developed in accordance with relevant Australian Standards, Council Policies and the Open Space Landscape Infrastructure Manual (LIM).

Section 4 (2) of the *Local Government Act 2009* calls for a transparent and effective processes to be undertaken when making decisions in the public's interest. Council

proposes to seek expressions of interest from the community for the utilisation of the new lease area for appropriate non motorised water sporting and / or recreational activities to ensure these ethical standards are upheld.

Policy

The proposal is in accordance with the:

- Sunshine Coast Sport and Active Recreation Plan 2011- 2026
- Sunshine Coast Open Space Strategy 2011
- Skate & BMX Strategy
- Waterways and Coastal Management Strategy and the
- Maroochy Plan 2000.

Risk

Failure to support non-motorised water sports at Muller Park may result in insufficient areas for these activities in the future.

Landscape planning reduces the risk of short term ad-hoc development, ensuring future improvements align with the long term vision for the park.

Previous Council Resolution

OM11/108 Item 4.2.1 Muller Park Master Plan Endorsement dated 27 April 2011

That Council:

- (a) receive and note the report titled “Muller Park Master Plan Endorsement”; and*
- (b) endorse the Muller Park Bli Bli Master Plan (Appendix A) subject to funding being committed in future annual budget as outlined in Council adopted 10-year capital works program.*

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

There are no critical dates relevant to this report. However, the community group that requested the use of a lease area in Muller Park are anxious for a resolution. If council endorse the 2013 Muller Park Revised Landscape Plan, then calls for Expressions of Interest for use of the lease area, council will be well placed to resolve any outstanding matters in early 2014.

Implementation

1. Place the endorsed 2013 Muller Park Revised Landscape Plan on the council web site.
2. Continue with the orderly implementation of the Landscape Plan in accordance with funding.
3. Notify Community Services to proceed with calling for Expressions of Interest for the lease area.
4. Following the Expressions of Interest Process, Community Services to present a report to council with recommendations for letting of the lease area.

7.4.2 KRAUSS LOCOMOTIVE DISPLAY**File No:** Parks**Author:** Team LeaderLandscape and Urban Design (North)
Infrastructure Services Department**Attachments:** Att 1 - Krauss Locomotive Display - Design Report171
Att 2 - Buderim Central Parklands Landscape Concept Plan ...185
Att 3 - Buderim Design Studio Tramways187
Att 4 - DTMR Preliminary Approval Letter195

PURPOSE

This report has been compiled to provide Council with information about the proposed Krauss Locomotive Display, so that an informed decision may be made on the future of the project. The purpose of this report is to gain Council endorsement of the Krauss Locomotive Display development and the Design Report in principle to enable the Buderim Palmwoods Heritage Tramway Inc. group to seek external funding grants to activate the project.

EXECUTIVE SUMMARY

The Buderim-Palmwoods Tramway operated between 1915-1922, transporting produce and became a popular weekend tourist outing for the people of Brisbane. The locomotive was purchased with the financial support of Maroochy Shire Council in 2004. Buderim Palmwoods Heritage Tramway Inc., a not for profit community group, has been carefully restoring one of the tramway's locomotives since 2004.

The Infrastructure Services Department, Landscape and Urban Design Unit, has prepared a design report to support the community's desire to permanently display the recently restored locomotive in the heart of Buderim Village. Funding for the construction of the project will be sought via fundraising initiatives managed by the Buderim Palmwoods Heritage Tramway Inc. It is intended that the ongoing maintenance and management of the display will be the responsibility of the Buderim Palmwoods Heritage Tramway Inc., under a trustee lease arrangement to be established at a later stage.

The Krauss Locomotive has both cultural and historical value to the community of Buderim. Support for the project has been widespread throughout an extensive community consultation process.

Land tenure requirements will need to be resolved with the Department of Natural Resources and Mines to allow the project to progress, and will be subject to a future report to council if the group are successful in raising the funds.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Krauss Locomotive Display” and**
- (b) endorse the Krauss Locomotive Display Design Report in principle to enable relevant user groups to progress the future planning and to allow them to progress applications for external funding and Sunshine Coast Council grants for implementation initiatives and**
- (c) note that there are no funds in the current or future capital works program for this project and the intention is that it will be fully funded and managed by the relevant community group.**

FINANCE AND RESOURCING

The locomotive engine was purchased by the Buderim Palmwoods Heritage Tramway Inc. in 2004 with an \$8000 contribution from the Maroochy Shire Council. The locomotive was transported from Murumba Downs to 239 Wises Rd Buderim, where it is presently located. Between 2004 and 2008 the cosmetic restoration of the locomotive was undertaken by members of the Buderim Palmwoods Heritage Tramway Inc. and cost approximately \$30,000 raised by grants and donations.

Council contributed \$10,000 funding from 2009/2010 division 7 divisional allocation for the Buderim Central Parklands Landscape Concept Plan, the plan included a proposed site for the restored locomotive.

Buderim Palmwoods Heritage Tramway Inc. has commissioned the local building design business, Buderim Design Studio, to produce a concept design for the building and liaise with builders regarding construction costs and management at an estimated cost of \$9000.

Council also contributed \$10,000 in funding from the 2013/2014 Division 6 divisional allocation to progress the project in 2013/14. The Buderim Palmwoods Tramway Inc. has raised \$30,000 in donations and memberships to go towards the project.

Construction of the Krauss Locomotive Display has been estimated at \$450,000 plus design and project management costs.

Funding for the construction of the project will need to be principally via grant funding and donations. The Buderim Palmwoods Heritage Tramway Inc. will be responsible for managing fundraising initiatives. Successful fundraising for the project requires council to endorse the project in principle in order to be eligible for some of the grants outlined below.

The project could be eligible for a variety of community and heritage grants offered by council, State and Federal Government. An application has been submitted for the Queensland State Government 'Everyone's Environment Grants' - Round Two: Heritage for up to \$40 000 (Submission EEHM130014) The application has been supported in writing from Cr Ted Hungerford and the State Member for Buderim, Hon. Steve Dickson MP.

Other identified funding opportunities include the following grants:

- Jupiters Casino Community Benefit Fund (JCCBF)
- Australian Government, Dept. of the Environment – Community Heritage Grants
- Council's Heritage and Arts Funding program

- Bendigo Bank Community Enterprise Foundation
- Buderim Foundation Community Grants

Annual operational costs will be approximately \$7,100.00 including maintenance. The ongoing costs will be the responsibility of the Buderim Palmwoods Heritage Tramway Inc.

It is important to note that this project currently has no funding allocated for it in councils ten year capital works program, and it is intended that it will be fully funded and managed by the relevant community group. If funding is successful a future council report will outline the process of establishing a lease to assign responsibilities to the group for council consideration.

CORPORATE PLAN

Corporate Plan Theme: *Innovation & Creativity*

Emerging Priority: 3.3 - A creative and artistic region

Strategy: 3.3.1 - Assess the region's cultural facilities and activities, research future needs and develop an arts and cultural strategy

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.2 – Strong Community groups and Networks

Strategy: 5.2.1 – Value and support community organizations and volunteers across the region

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.3 - A sense of identity and belonging

Strategy: 5.3.1 - Support community programs and infrastructure that encourage interaction, contribute to placemaking and a sense of community

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.3 - Well designed and beautiful places

Strategy: 7.3.2 – Ensure council developments and projects are well designed, landscaped and have aesthetic appeal

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.3 - Well designed and beautiful places

Strategy: 7.3.4 - Develop and implement master plans for centres and towns to preserve and enhance their character

CONSULTATION

Internal Consultation

- Councillor Ted Hungerford (Division 7)
- Councillor Christian Dickson (Division 6)
- Infrastructure Services
 - Executive Director
 - Manager Parks and Gardens
 - Manager Buildings and Facilities
 - Manager Transport and Engineering Services

- Regional Strategy and Planning
 - Manager Social Policy
 - Coordinator Open Space and Heritage
- Community Services
 - Manager Community Development
 - Manager Community and Cultural Programs
- Finance and Business
 - Property Management Coordinator

External Consultation

The following State Government Agency was consulted regarding the Krauss Locomotive Display development with their input, in part being incorporated into this report:

- Department of transport and Main Roads (TMR). The Department issued a preliminary approval on 09/02/12 to proceed with the project based on the Traffic Engineering Certification Statement (Trafflec Consulting) and the Krauss Locomotive Display – Sweep Path Plan 2011.

Future consultation with the Department of Natural Resources and Mines regarding land tenure is required.

Community Engagement

Community consultation for the Krauss Locomotive Display Design Report involved various media channels. Community engagement for the project was devised to provide different mechanisms and several opportunities for the various user groups in the community to have input.

In order to engage with as many members of the Buderim community as possible, the consultation strategy promoted community involvement through:

- Media releases placed in the Sunshine Coast Daily (web), mysunshinecoast.com.au and the Buderim Chronicle
- Signage placed in and around the proposed development site
- Large format consultation advertisement sign
- Large format project presentation sign
- Large format presentation boards on display at the Old Post Office
- Council's website – project information
- 'Meet us in the Park Event'
- Word of Mouth through the Buderim interconnected community groups.

Through the implementation of these consultation processes, the Krauss Locomotive Display development proposal has gained large amounts of popularity and community support. In addition, conceptual designs of the Krauss Locomotive display and the proposed position of the development has been overwhelmingly endorsed by community members.

Council's Parks and Gardens Branch will continue to support ongoing community consultation in relation to this project.

PROPOSAL

The Krauss Locomotive has both cultural and historical value to the community of Buderim. The locomotive played a significant part in the early establishment of Buderim as an agricultural center allowing for diversification of fruit and vegetable varieties and expansion of distribution markets.

The Buderim-Palmwoods Tramway operated between 1915-1922, transporting produce and became a popular weekend tourist outing for the people of Brisbane. The locomotive was purchased with the financial support of Maroochy Shire Council in 2004. Buderim Palmwoods Heritage Tramway Inc., a not for profit community group, has been carefully restoring one of the tramway's locomotives since 2004.

The Infrastructure Services Landscape and Urban Design Unit has prepared a design report to support the community's desire to permanently display the recently restored engine in the heart of Buderim Village.

A key objective of the Krauss Locomotive Display will be to enhance and contribute to the community, character and culture of Buderim by conserving and displaying items of heritage. In order to achieve the desired outcome, the Krauss Locomotive and artifacts have been cosmetically restored and their display has been incorporated into the Buderim Central Parklands Landscape Concept Plan. This proposal is for the restored Krauss Locomotive to be displayed in an architecturally designed building on the corner of Lindsay Road and Burnett Street, Buderim. The proposed site has been strategically chosen as a prominent location within the heart of Buderim Village. The locomotive is proposed to be located in the approximate position of the historic tram line which existed between 1915-1935. Placemaking principles will be incorporated and will empower the community to develop and maintain the facility.

The proposed site currently consists of a turf lawn and landscape gardens with a formal seating plaza. The proposed display building will seek to retain all existing site amenities including, footpaths, landscaping, shade trees and park furniture. The Locomotive Display will incorporate glazed walls with a sandstone clad platform which will house the locomotive. A viewing area and outdoor plaza will be constructed alongside the structure incorporating artifacts, interpretation and art elements. The building and its surrounding landscape will be designed to meet current building and development standards. Design principals have been identified to cater and accommodate for a range of demographics whilst generating a relaxed and welcoming park

Legal

The proposed Krauss Locomotive display is to be situated on land adjacent to Lot 2SP110642 at the corner of Lindsay Road and Burnett Street, Buderim. The land for the proposed developments current use is road, maintained as public open space by council.

If the group are successful in raising sufficient funds to activate the project, then a future report will be provided to council to seek approval for council make an application to DNRM to excise the area of land currently used as park, from the road reserve. This would create a reserve of which Council could apply for trusteeship and then undertake a process of seeking community interest in occupation of the site.

The Krauss Locomotive display development will be developed in accordance with the Department of Transport and Main Roads (DTMR) preliminary approval and conditions within.

Building Approval including structural engineering certification will also be required prior the commencement of construction.

Policy

Council's endorsement of this report is in line with the direction of the following organisational plans, policies and strategies:

- Maroochy Plan 2000
- SEQ Regional Plan 2009-2031
- SCC Placemaking Charter 2011
- SCC Open Space Strategy 2011
- SCC Public Art Policy 2011

Risk

Risk elements are evident within the proposal including:

- The future approval of an application to DNRM to excise the area of land currently designated as road. In the event that the application was refused by either DNRM or objectors, it would be unlikely that DNRM would allow the construction of the structure to proceed under the current land tenure.
- The ability of the Buderim Palmwoods Tramway Inc. to generate initial funding for the construction and ongoing finance for the maintenance of the structure cannot be guaranteed by the group at this stage. The project would not proceed without full commitment from the Buderim Palmwoods Heritage Tramway Inc.
- The ongoing viability and operations of the Buderim Palmwoods Heritage Tramway Inc. group. If the group were to fold, council will then have the responsibility of managing and funding the future of the asset.
- There will be a requirement to clearly define public liability responsibilities within the conditions of the future lease.

Previous Council Resolution

There are no previous Council resolutions that are related to this report.

Related Documentation

Refer to supporting Krauss Locomotive Display – Design Report.

Critical Dates

There are no critical dates for council relating to this report. The Buderim Palmwoods Tramway Inc. would like to see construction complete in 2014, the centenary of the locomotive, but that will depend upon their ability to raise the full funding for the project.

Implementation

Upon endorsement of this report the following process is proposed:

1. Update and release the final Krauss Locomotive Design Report on the Council's website
2. Prepare and distribute a media release
3. Consult the Department of Natural Resources and Mines and apply to excise road land to a Reserve for Park and Recreation
4. Prepare a report to council , once the group can confirm funding commitments, for the establishment of a Trustee Lease
5. Follow the usual public advertising process for seeking community interest in a lease and negotiate with the successful community group

7.5 EXECUTIVE OFFICE

Nil

8 NOTIFIED MOTIONS

9 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

10 CONFIDENTIAL SESSION**10.1 REGIONAL STRATEGY AND PLANNING**Nil

10.2 FINANCE AND BUSINESS**10.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - HERITAGE PRECINCT NAMBOUR****File No:** ECM**Author:** Coordinator Property, Projects and Development
Finance & Business Department

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

10.3 COMMUNITY SERVICESNil

10.4 INFRASTRUCTURE SERVICESNil

10.5 EXECUTIVE OFFICE**10.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - CAR PARKING****File No:** Statutory Meeting**Author:** Executive Director
Executive Office

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 it.

11 NEXT MEETING

The next Ordinary Meeting will be held on 30 January 2014 in the Council Chambers, 1 Omrah Avenue, Caloundra.

12 MEETING CLOSURE