

Agenda

Ordinary Meeting

Thursday, 28 January 2016

commencing at 9:00am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Ordinary Meeting held on 10 December 2015 be received and confirmed.

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

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

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

5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

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

6 MAYORAL MINUTE**7 PRESENTATIONS**

8 REPORTS DIRECT TO COUNCIL**8.1 REGIONAL STRATEGY AND PLANNING****8.1.1 MCU14/0195 - 64 SUNSET DRIVE, LITTLE MOUNTAIN****File No:** MCU14/0195 – Statutory Meeting 28 January 2016**Author:** Manager Development Services
Regional Strategy & Planning Department

PURPOSE

The purpose of this report is to update council on MCU14/0195 - an application for a Preliminary Approval Overriding the Planning Scheme under Section 242 of the *Sustainable Planning Act 2009* for a Material Change of Use of Premises (Extension to a Retirement Facility (Exceedance of Height Overlay)) at 64 Sunset Drive, Little Mountain – which was brought to council for determination on 17 September 2015.

EXECUTIVE SUMMARY

The application sought a Section 242 - Preliminary Approval Overriding the Planning Scheme on land at 64 Sunset Drive, Little Mountain. The proposal is for an extension of the existing Residential care facility and Retirement facility on the site. This application seeks a variation to the maximum allowable height for the development of two buildings namely the “West Apartments Stage” and “East Apartments Stage”. The proposed variation in height is from a maximum of 8.5m to 13.5m above natural ground level. The application also seeks to change the level of assessment of these over height buildings for future development applications from Impact to Code Assessment. The proposal also seeks to formalise an overall Master Plan for the site, which includes the “Residential Aged Care Facility Stage”.

The application was brought to council on 17 September 2015, and the applicant requested deferral.

As such, at the Ordinary Meeting on 17 September 2015, council resolved as follows:

That Item 8.1.1 - Development Application - Material Change of Use - 64 Sunset Drive, Little Mountain be deferred and the application be returned to the Chief Executive Officer for further consultation with the Applicant and report back to Council at the January 2016 Ordinary Meeting.

As the applicant has advised that he is still considering his options for either promoting the current application, or seeking a Planning Scheme amendment, this application has been deferred and will not be brought to the Ordinary Meeting on 28 January 2016.

OFFICER RECOMMENDATION

That Council receive and note the report titled “MCU14/0195 - 64 Sunset Drive, Little Mountain”.

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

File No:	Financial Reports – Statutory Meeting 28 January 2016
Author:	Coordinator Financial Services Corporate Services Department
Attachments:	Att 1 - November 2015 Financial Performance Report 21

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.

Operating Performance

The operating result at 30 November 2015 of \$34.1 million shows a positive variance of \$10.1 million compared to the forecast position.

Table 1: Operating Result as at 30 November 2015

November 2015	Current Budget \$000	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Operating Revenue	386,259	171,822	178,116	6,294	3.7
Operating Expenses	368,838	147,867	144,029	(3,839)	2.6
Operating Result	17,421	23,955	34,087	10,133	42.3

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

Capital Performance

As at 30 November 2015, \$48.3 million (21%) of Council's \$229.4 million 2015/16 Capital Works Program was financially expended (including region making projects). The year to date anticipated spend was \$60 million, with financial expenditure 19.4% behind schedule.

Budget Review 2 2015/16 will assess the delivery capacity of the current program.

Investment Performance & Cash holdings

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

For the month ending 30 November 2015 Council had \$310 million in investment cash (excluding Trust Fund) with an average interest rate of 2.93%, being 0.85% above benchmark.

OFFICER RECOMMENDATION

That Council receive and note the report titled “November 2015 Financial Performance Report”.

FINANCE AND RESOURCING

There are no finance and resourcing implications from this report.

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*

Outcome: 5.2 - A financially sustainable organisation

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

CONSULTATION**Internal Consultation**

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

The operating result at 30 November 2015 of \$34.1 million shows a positive variance of \$10.1 million compared to the forecast position.

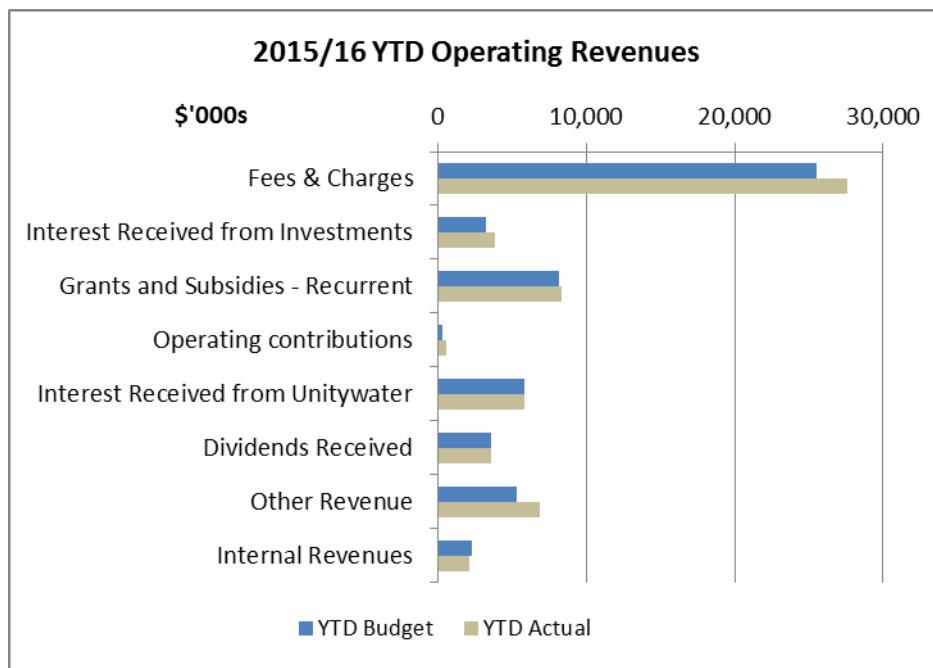
Achievement of the full year budgeted operating result will allow Council to meet its debt repayments and capital expenditure commitments.

Operating Revenue

Year to Date (YTD) actual revenues as at 30 November 2015 of \$178.1 million shows a positive variance of \$6.3 million.

Table 2: Substantial Revenue variances as at 30 November 2015

Operating Revenue Large Variances	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Net Rates and Utility Charges	117,726	119,528	1,802	1.5
Fees and Charges	25,492	27,611	2,119	8.3
Other Revenue	5,278	6,853	1,575	29.8
Interest Received from Investments	3,208	3,820	612	19.1
Operating Contributions	290	522	232	80.0



Budget Review 2

It is anticipated that Budget Review 2 will increase revenues by approximately \$9 million; details of the adjustments are contained in the categories below.

Net Rates and Utility Charges

Of the \$1.8 million favourable variance, \$880,000 is due to higher than anticipated cleansing charges and \$1 million in prepaid rates.

It is expected that an additional \$3 million in rates and utility charges revenue will be adjusted in Budget Review 2, which is a reflection of higher than anticipated growth.

Fees and Charges

Fees & charges have a favourable variance of \$2.1 million, of which \$967,000 relates to development application fees. Activity continues to be strong in this area, with 2015/16 revenue 27.8% ahead of the 2014/15 year to date revenue.

The Sunshine coast Airport has a favourable revenue variance of \$300,000. Increased passenger numbers have resulted in increases to both airline service fee and parking revenue.

\$250,000 favourable revenue in holiday parks is slightly offset by an increase in expenditure of \$72,000. The Sunshine Coast Stadium has favourable fees and charges of \$230,000, which is also offset by additional expenditure related to running of events.

It is expected that an additional \$3 million in fees and charges revenue will be recognised in Budget Review 2, which is a reflection of higher than anticipated growth across development applications, Sunshine Coast Airport, The Stadium & Holiday Parks. There are some corresponding increases to expenditure to support the higher incomes.

Other Revenue

Other revenue has exceeded the year to date budget by \$1.6 million, which mainly relates to the following unbudgeted items:

- Increased revenue for various areas in Infrastructure Services of \$818,000, relating to grants, revegetation offsets and other revenues. Generally these revenues have offsetting expenses required, and will be identified during Budget Review 2.

- \$264,000 received due to cost recovery action following legal proceedings – to be recognised in Budget Review 2.
- \$110,000 payroll tax refund, this revenue will be recognised in Budget Review 2 to offset the federal assistance grant being lower than budget.

Budget Review 2 will increase other revenue by approximately \$1.9 million.

Interest from Investments

Interest from investments has exceeded the year to date budget by \$612,000 (19.1%) due to higher than budgeted cash balances. Budget Review 2 will increase interest from investments by approximately \$800,000.

Operating Contributions

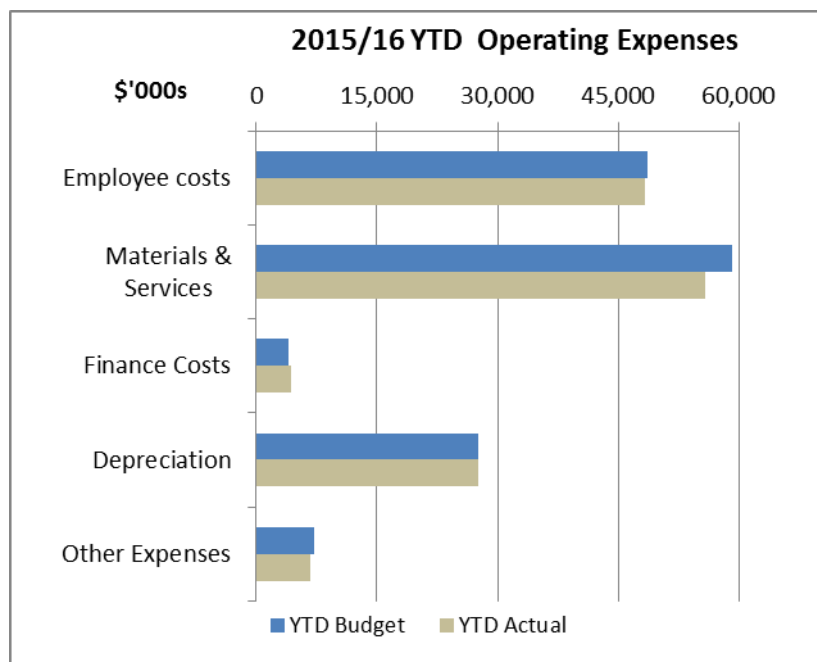
Recycling contributions ahead of budget \$190,000, which will be recognised during Budget Review 2.

Operating Expenses

Year to Date (YTD) actual expenditure as at 30 November 2015 of \$144 million shows a positive variance of \$3.8 million.

Table 3: Substantial Expenditure variances as at 30 November 2015

Operating Expenditure Large Variances	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Employee Costs	48,659	48,294	(365)	(0.7)
Materials and Services	59,148	55,785	(3,363)	(5.7)
Other Expenses	7,221	6,752	(469)	(6.5)
Finance Costs	3,997	4,354	357	8.9



Budget Review 2

At the time of writing this report, the changes to operating expenditure as a result of Budget Review 2 are still being confirmed.

Employee Costs

Employee costs are currently showing a favourable variance of \$365,000, or 0.7%. This variance is partially caused by vacant positions and partially from higher capital recoveries in the month of November.

Materials and Services

Materials and Services are \$3.4 million favourable to budget at the end of November. The quarry business is favourable in materials and services spend of \$1.1 million, however this is partially offset by a decrease in internal revenues of \$750,000. This is a reflection of higher than budgeted night works for the capital reseals program, which is resulting in less asphalt being produced at the Quarry. The quarry budget will be realigned as a result of Budget Review 2.

\$770,000 of this favourable variance relates to operating or levy funded projects. At this stage these variances continue to be monitored and have been identified as timing differences.

Other Expenses

A number of small variances across Council are making up the \$469,000 favourable variance in other expenses, including timing differences on Tourism Levy contributions (\$102,000) and software maintenance costs (\$100,000).

Finance Costs

The unfavourable variance on interest expense of \$250,000 is an ongoing variance and will be corrected in Budget Review 2.

Capital Revenue

Capital revenues, at \$36.5 million, are above the year to date budget by \$17.5 million (91.7%).

Table 4: Capital revenue variances as at 30 November 2015

Capital Revenue Large Variances	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Capital Grants and Subsidies	3,754	4,186	432	11.5
Capital Contributions - Cash	5,018	15,399	10,381	206.9
Contributed Assets	10,260	16,904	6,644	64.8

- Capital grants are expected to increase by at least \$2.5 million in Budget Review 2. Some of these grants require matched additional expenditure from Council, so will increase the capital works program.
- Capital contributions, at \$15.4 million, are \$10.4 million ahead of year to date budget, and \$3.4 million ahead of full year budget. Budget Review 2 will increase the expected capital contributions from \$12 million to \$23 million for the 2015/16 financial year.
- Contributed assets for the first quarter were recognised during the month of November. Early trends suggest that 2015/16 will be another significant year for contributed asset transfers to Council.

Capital Expenditure

As at 30 November 2015, \$48.4 million (21.1%) of Council's \$229.4 million 2015/16 Capital Works Program was financially expended (including Region Making Projects). The year to date anticipated spend was \$60 million, with financial expenditure 19.4% behind schedule.

The capital program for 2015/16 contains core Sunshine Coast Council projects as well as significant region making projects.

Capital Works Program	Current Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance	% Variance on YTD budget
Aerodromes	533	181	160	(22)	(11.9)
Buildings and Facilities	9,250	2,277	1,657	(620)	(27.2)
Coast and Canals	2,007	829	1,109	279	33.7
Divisional Allocations	3,806	975	924	(50)	(5.2)
Environmental Assets	1,438	832	501	(330)	(39.7)
Fleet	3,935	665	806	141	21.3
Holiday Parks	1,260	259	177	(82)	(31.7)
Information Technology	4,592	2,141	1,584	(557)	(26.0)
Parks and Gardens	14,225	5,752	5,677	(75)	(1.3)
Quarries	809	257	83	(174)	(67.9)
Stormwater	7,014	3,396	2,689	(707)	(20.8)
Strategic Land and Commercial Properties	5,481	1,809	1,397	(412)	(22.8)
Sunshine Coast Airport	7,504	1,610	1,097	(513)	(31.9)
Transportation	75,339	23,451	19,685	(3,765)	(16.1)
Waste	9,876	2,665	4,109	1,444	54.2
Total SCC Base Capital Program	147,069	47,099	41,656	(5,443)	(11.6)
Maroochydore City Centre	34,060	8,855	5,914	(2,940)	(33.2)
Palmview	5,000	-	-	-	-
Solar Farm	43,328	4,070	803	(3,267)	(80.3)
Total Region Making Capital Program	82,388	12,925	6,718	(6,208)	(48.0)
TOTAL	229,457	60,024	48,373	(11,651)	(19.4)

The core Sunshine Coast capital program has expended \$41.7 million against a target of \$47.1 million (-11.6%). The region making projects have expended \$6.7 million against a target of \$13 million (-48.0%).

Transportation

Currently the transportation program is \$3.7 million behind year to date (YTD) budget, down from \$5.1 million at the end of October. It is anticipated that the reseal sub program financial expenditure will be in line with budget by the end of February 2016. There is no adjustment to the full year reseal program as a result of Budget Review 2.

Budget review 2 will result in a \$13 million reduction in the transportation program, of which \$9 million relates to a deferral of the street lighting and public lighting projects.

Waste

A strategic land purchase was settled during the month of November that had been scheduled for February 2016. This has resulted in the waste program being \$1.5 million ahead of schedule.

Buildings & Facilities

At the end of November \$1.6 million or 18% of the program was financial expended. A full review of the buildings and facilities capital works program has taken place and it is anticipated that the program will decrease by \$615,000 as a result of Budget Review 2, mainly in relation to financial expenditure being postponed until 2016/17 for the animal refuge (\$500,000).

Budget Review 2

Budget Review 2 is currently in progress and it is anticipated that the SCC core program will reduce by approximately \$11 million in 2015/16. Budget review 2 will bring the capital works program into alignment with separating the planning and delivery of projects across 2 financial years. A number of the variances at the end of November will be reduced as a result of budget review 2 including:

- Buildings and Facilities - (\$615,000)
- Quarries – (\$313,00)
- Holiday Parks- (\$468,000)
- Stormwater – (\$900,000)
- Transportation - (\$13 million)

Region Making Projects

As a result of Budget Review 2, \$33 million will be deferred until 2016/17 for the Solar Farm project. This is in line with the latest forecasted expenditure timelines.

There will be no adjustments to the Suncentral projects as a result of Budget Review 2. Once contracts have been finalised for works in January 2016, Suncentral will perform a full review of expected financial expenditure for the 2015/16 financial year. It is anticipated that the results of this review will be brought to Council in May 2016 and the budgets will be updated accordingly.

Table 6: Capital job quantities and budgeted value by status as at 30 November 2015 (excluding region making projects)

Project summary by Job status (SCC Core only)	Number of Capital Jobs	%	Current Budget \$000	%
Not Started	132	11.3	11,056	7.5
Works in Progress	699	59.9	112,915	76.8
Complete	299	25.6	18,921	12.9
On Hold/Cancelled	36	3.1	4,177	2.8
Total	1,166		147,069	

The number of projects not started reduced from 398 at the end of October to 132 at the end of November. The value of completed job increased from \$10.9 million (7.4%) at the end of October to \$18.9 (12.9%) at the end of November. 85.6% of the capital work projects are now in a status of in progress through to complete.

Budget Review 2 2015/16 will assess the delivery capacity of the current program.

Investment Performance & Cash Holdings

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

For the month ending 30 November 2015 Council had \$310 million in investment cash (excluding Trust Fund) with an average interest rate of 2.93%, being 0.85% above benchmark.

Comparing these results to the same period last year, Council held \$235 million in cash (excluding Trust Fund) and the average interest rate was 3.44%, being 0.67% above benchmark.

The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill Index (BAUBIL) and the Bank Bill Swap Rate (BBSW) for term deposits.

Table 7: Cash Flow variances as at 30 November 2015

Net Cash Flows	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Operating Activities	55,497	61,703	6,206	0.1
Investing Activities	(50,329)	(32,461)	17,868	(0.4)
Financing Activities	(6,873)	(6,873)	(0)	0.0
Closing Cash Balance	285,682	309,755	24,073	0.1

This higher cash holding is made up of:

- Higher than anticipated cash from operating activities of \$6.2 million, this reflects the higher income and lower expenditure highlighted in this report.
- Lower than anticipated cash spent on investing activities \$17.9 million, which highlights that the capital expenditure is lower than budget and income from capital contributions and grants is higher than budget.

Legal

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

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

Policy

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

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

Risk

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

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

That Council:

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

Ordinary Meeting 17 September 2015, Council adopted the Budget Review 1 2015/16 (OM15/151)

That Council:

- (a) *receive and note the report titled "Budget Review 1 2015/16"*
- (b) *adopt the amended 2015/16 Budget Financial Statements to include the identified operating and capital budget adjustments (Appendix A)*
- (c) *establish a Natural Disaster Restricted Cash Component of \$5 million, funded from the 2014/15 operating result and*
- (d) *in addition to (b) and (c), amend the budget to include the sum of \$90,000 in 2015/16 budget for Caloundra Skate Park as part of the Aquatic Centre complex.*

Related Documentation

There is no related documentation for this report.

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.2.2 BUDGET REVIEW 2 2015/2016

File No: Reviews – Statutory Meeting 28 January 2016

Author: Coordinator Financial Services
Corporate Services Department

To be provided as a late report.

8.2.3 MAKING OF AMENDMENT LOCAL LAW NO. 1 (MISCELLANEOUS) 2016, AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (MISCELLANEOUS) 2016 AND SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2016

File No:	Statutory Meeting 28 January 2016
Author:	Manager Corporate Governance Corporate Services Department
Appendices:	App A - Amendment Local Law No. 1 (Miscellaneous) 2016 (Under Separate Cover) Att Pg 5
	App B - Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 (Under Separate Cover) Att Pg 19
	App C - Subordinate Local Law No. 1 (Administration) 2016 (Under Separate Cover) Att Pg 89
Attachments:	Att 1 - Summary of Community Consultation Submissions (Under Separate Cover) Att Pg 159

PURPOSE

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

EXECUTIVE SUMMARY

Local Law reviews are conducted on a regular basis to identify any new operational issues, to investigate any forced legislative changes and to ensure our local laws remain responsive to the external environment.

A review of council's local laws was undertaken in October last year in response to a number of changes instigated by key operational users and legislative amendments. This review provided the opportunity to again review the local laws to ensure they remain responsive and flexible to changes in our environment.

Following a series of workshops, information sessions, individual stakeholder meetings and a rigorous decision making process, several proposed amendments were presented to council at the Ordinary Meeting in October 2015 for consideration. Council resolved to propose to make Amendment Local Law No. 1 (Miscellaneous) 2016, Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and Subordinate Local Law No. 1 (Administration) 2016 and to commence the local law making process.

In proposing to make the amendment local laws and subordinate local laws, council agreed to undertake arrangements to fulfill a number of statutory and other requirements as part of the next stage in the local law making process including:

- community consultation
- completing state reviews with state government agencies
- conducting a public interest review and
- publishing the documents and information on Council's website for viewing and access by the community.

The draft amendments were referred to the community for consultation and a public interest review during the month of November 2015. A State Interest Review by all State Government Agencies was also undertaken during the month of November 2015.

The above requirements have now been met and accordingly this report represents the next stage in the local law making process for proposed Amendment Local Law No. 1 (Miscellaneous) 2016, Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and Subordinate Local Law No. 1 (Administration) 2016 where a resolution resolving to make the amendment local law is required in order to move to the final notification stage.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Making of Amendment Local Law No. 1 (Miscellaneous) 2016, Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and Subordinate Local Law No. 1 (Administration) 2016”
- (b) in accordance with council’s ‘Process for Making Local Laws’ adopted on 1 June 2010, pursuant to section 29 of the *Local Government Act 2009*, hereby resolve to make:
- (i) Amendment Local Law No. 1 (Miscellaneous) 2016 (Appendix A) with the following amendments following consideration of public submissions and the State interests check:
- in section 13 (Amendment of sch 1 (Dictionary)), in subsection (2) add “(Cwlth)” to the citation of the *Civil Aviation Safety Regulations 1998*
 - in section 13 (Amendment of sch 1 (Dictionary)), add a new subsection (10) to update the reference to the relevant Department in the definition of *life-saving club*
- (ii) Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 (Appendix B) with the following amendments following consideration of public submissions and the State interests check:
- in section 7 (Amendment of sch 5 (Exclusion of animals from specific public places)), in subsection (1) insert a new row in the table as follows:
- | | | | |
|--------------|---|----------------|------------|
| park/reserve | Quota/Eleanor Shipley Park,
Moffat Beach | all
animals | SLL 2.5.13 |
|--------------|---|----------------|------------|
- in section 7 (Amendment of sch 5 (Exclusion of animals from specific public places)), in subsection (3) after map SLL 2.5.12, insert a new map SLL 2.5.13 for Quota/Eleanor Shipley Park
 - in section 8 (Amendment of sch 6 (Dog off-leash areas)), add a new subsection (7) to substitute current Map SLL 2.6.31 to illustrate a new fenced section of the dog off-leash area
 - in section 8 (Amendment of sch 6 (Dog off-leash areas)), replace Map SLL 2.6.35 to more clearly illustrate the boundaries of the dog off-leash area and prohibited animal area at Moffat Beach
 - in section 12 (Amendment of sch 2 (Declaration of off-street regulated parking areas)), in subsection (2), replace Maps SLL 5.2.37 and SLL 5.2.48 with new maps indicating the areas’ location within the Sunshine Coast region

(iii) Subordinate Local Law No. 1 (Administration) 2016 (Appendix C) with the following amendments following consideration of public submissions and the State interests check:

- in schedule 7 (Establishment or occupation of a temporary home), insert a mandatory condition for all approvals for temporary homes that the approval holder must install photoelectric smoke alarms outside any sleeping area unless this condition is already contained in a development approval
- in schedule 18 (Carrying out works on a road or interfering with a road or its operation), section 3, add footnotes for the terms “domestic work”, “commercial work” and “other work” directing readers to the Council’s website for more information

- (c) note that Amendment Local Law No. 1 (Miscellaneous) 2016, Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and Subordinate Local Law No. 1 (Administration) 2016 contain anti-competitive provisions, which have been subjected to a public interest review and found to be in the overall public interest and
- (d) authorise the Chief Executive Officer to make any necessary administrative and formatting amendments to the document as part of the final proof reading and cross referencing.

FINANCE AND RESOURCING

The cost of drafting the amendment local laws, community consultation and the gazettal notice are funded through existing budget allocations within the Corporate Governance Branch.

Table 1 outlines the finance and resourcing implications as a result of implementing the proposed local law amendments.

Table 1 – Finance and Resourcing

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

Local Law	Proposed change	Finance and resourcing implications
Subordinate Local Law No. 2 (Animal Management) 2011	Extension of dog off leash area – Dicky Beach	Replacing small format beach access signage at 269, 269a, 270 (8 in total) - \$464.00 (\$58.00 each)
Subordinate Local Law No. 2 (Animal Management) 2011	Changes to Grahame Stewart Park dog off leash area	Adding 5 x “Dogs Prohibited” signs (one for each entrance to the play area) - \$225.00 (\$45.00 each)
Subordinate Local Law No. 2 (Animal Management) 2011	Change to Mooloolaba Beach – Prohibited dog area	Replacing large format beach access signage at Beach Access 191, 192, 193, 194, 195 - \$1,140.00 (\$235.00 each) Replacing small format beach access signage at Beach Access 195 - \$58.00
Subordinate Local Law No. 2 (Animal Management) 2011	Ridgeway Park, Arona Small dog off leash park	Funding has been provided by Division 3 Councillor Peter Cox - Emergent funds
Subordinate Local Law No. 5 (Parking)	Sippy Downs Regulated Parking Area	Approximate cost for signage including installation – 40 Permit excepted signs 8 End (hr) Parking Area \$7000.00

CORPORATE PLAN

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

CONSULTATION

Internal and external consultation took place during the month of November 2015. Submissions were invited from the community, business and state agencies. 53 community submissions received, no public interest reviews and 4 State Agencies provided comment.

Internal Consultation

Submissions and comments from both the community and State Agencies were circulated to relevant council officers for comment. The collation of all feedback can be found in Attachment 1 to this report.

The following officers provided comments and feedback on the submissions:

- Manager Response Services
- Manager Environmental Operations
- Coordinator Natural Areas Management
- Coordinator Response Services
- Coordinator Community Land Permits and Parking
- Coordinator Healthy Places
- Coordinator Cemetery Services

- Coordinator Building and Plumbing Services
- Senior Plumbing Inspector
- Coordinator Governance Strategy and Policy

External Consultation

State Interest Review

The State interest review was conducted during 1 November to 30 November. An email requesting feedback on the proposed local law amendments was sent to the Director Generals of Queensland State Government Agencies:

- Department of Aboriginal and Torres Strait Islander Partnerships
- Department of Agriculture and Fisheries
- Department of Communities, Child Safety and Disability Services
- Department of Education and Training
- Department of Energy and Water Supply
- Department of Environment and Heritage Protection
- Department of Health
- Department of Housing and Public Works
- Department of Infrastructure, Local Government and Planning
- Department of Justice and Attorney-General
- Department of National Parks, Sport and Racing
- Department of Natural Resources and Mines
- Department of Police, Fire and Emergency Services
- Department of Science, Information Technology and Innovation
- Department of State Development
- Department of Transport and Main Roads
- Department of Treasury
- Department of Tourism, Major Events, Small Business, and the Commonwealth Games

The following State Agencies provided comments which are detailed in **Table 3** of this report and the full details are contained in Attachment 1 to this report.

- Department of Justice and Attorney General Community Engagement
- Public Safety Portfolio agencies (including the Qld Police Service, Qld Fire and Emergency Services, Public Safety Business Agency and Inspector-General, Emergency Management)
- Department of Transport and Main Roads
- Department of National Parks, Sport and Racing

Community Engagement

Community Consultation and a Public Interest Review were undertaken from 1 November 2015 to 30 November 2015.

A number of initiatives were used to advise the community and businesses that proposed amendments were available for public comment. These included, but not limited to:

- Media Release sent out on commencement of consultation
- Website Information Pages "Have Your Say" for both proposed changes and public interest review
- Public Notice advertisement in the Sunshine Coast Daily
- Messages on hold during November 2015

- Posters in Libraries
- Display Stands and Banners in Customer Contact Centres during November 2015
- Messaging through Councils social media channels
- Email sent directly to Chamber of Commerce organisations
- Letters to residents within the Sippy Downs proposed parking precinct
- Spotlight radio advertisements
- Spotlight print advertisements
- 2 radio interviews with ABC Radio
- Notification through some Councillor Columns
- Second Media Release a week before close of consultation

PROPOSAL

In October 2014, in response to a number of minor operational issues raised by the Community Response Branch, a review of council's suite of local laws was undertaken. Following a rigorous decision making and research process, Corporate Governance presented the proposed changes to Council's Ordinary Meeting on 15 October 2015 for consideration and it was resolved that the local law making process commence.

Table 2 – Steps in the local law making process

Phase	Activity	Timing	Status
Phase 1	Resolution to propose to make amendment local laws.	Ordinary Meeting – 15 October 2015	COMPLETE
Phase 2	Consult with relevant State Government Agencies. Undertake Community Consultation Undertake Public Interest Review	1 November 2015 – 30 November 2015 (30 days)	COMPLETE
Phase 3	Consider submissions and community feedback. Prepare report for council consideration.	1 December 2015 - 11 December 2015	COMPLETE
Phase 4	Resolution to make amendment local law.	Ordinary Meeting – 28 January 2016	Current and underway
Phase 5	Publication in the Government Gazette (Local law amendments become effective).	5 February 2016	To be prepared
Phase 6	Consolidation of local laws	June 2016	Underway

Community Consultation

The amendments to the local laws and subordinate local laws went out to Community Consultation between 1 November 2015 and 30 November 2015.

During the Community Consultation period, council received 53 submissions on the following proposed local law changes. Further details on the submissions are detailed in Attachment 1 of this report.

- Local Law 1 – Horse Riding (1 submission)
- Local Law 2 – Keeping of Animals (dogs) (3 submissions)

- Local Law 2 – Dog Off Leash Areas (7 submissions)
- Subordinate Local Law 4 – Abseiling / Rock Climbing (3 submissions)
- Subordinate Local Law 5 – Regulated Parking Sippy Downs (39 Submissions)

Council received 39 submissions on the proposed amendment to include residential parking permits for the Sippy Downs area (refer to map SLL 5.2.16 in Appendix B). The majority of submitters did not support the proposed amendment. It is therefore the recommendation of officers that council give specific consideration to the continuation of this particular proposal. A summary of these submissions are detailed in Attachment 1 of this report.

The submissions on the other local law proposals have been assessed and as a result of the submissions received no changes are proposed to the local laws.

State Interest Review

As part of the local law making process, State Interest Reviews were undertaken between 1 November 2015 and 30 November 2015. Several State departments provided comments to the proposed local law amendments and these comments are detailed in the table below. Full details on the feedback from the State Departments are detailed in Attachment 1 of this report.

Table 3 – State Agencies feedback

Amendment Local Law No. 1 (Miscellaneous) 2016			
State department	LL Section	State agencies comments	Local Government's response to state agency feedback
Department of Justice and Attorney General	Section 18	Section 18 inserts new section 9A in Local Law No.2 (Animal Management) 2011. Section 9A requires all regulated dogs to wear a collar consisting of red and yellow stripes. Please note: the <i>Animal Management (Cats and Dogs) Act 2008</i> and the <i>Animal Management (Cats and Dogs) Regulation 2009</i> contain identification requirements for regulated dogs. This would be a matter for consideration by the Department of Agriculture and Fisheries.	No amendment is required <i>The Department of Agriculture and Fisheries did not provide any comments in relation to the local law amendment.</i>
Public Safety Portfolio agencies (including the Qld Police Service, Qld Fire and Emergency Services, Public Safety Business Agency and Inspector-General, Emergency Management)	Schedule 1 – dictionary	Terminology used in definition of 'life-saving club' is outdated, specifically part (b) 'accredited by the Department of Community Safety' Replace reference to 'Department of Community Safety' with 'Queensland Fire and Emergency Services'	Change proposed local law to include - <i>Amend reference with 'Queensland Fire and Emergency Services'</i>

Amendment Local Law No. 1 (Miscellaneous) 2016

State department	LL Section	State agencies comments	Local Government's response to state agency feedback
Department of Transport and Main Roads	Schedule 1 – Dictionary	In the term 'model aircraft' it isn't clear that the <i>Civil Aviation Safety Regulations 1998</i> is Commonwealth legislation.	Change proposed local law to include - <i>Insert abbreviation "(Cwlth)" after the citation</i>

Subordinate Local Law No. 1 (Administration) 2016

State Department	Section	State agencies comments	Local Government's response to state agency feedback
Public Safety Portfolio agencies (including the Qld Police Service, Qld Fire and Emergency Services, Public Safety Business Agency and Inspector-General, Emergency Management)	Schedule 7 Establishment or occupation of a temporary home	Include the installation of photoelectric smoke alarms as a condition that must be imposed on approvals for a temporary home under section 5, Schedule 7 of Subordinate Local Law No. 1 (Administration) 2011.	Change proposed local law to include - <i>Include in section 5 of schedule 7</i> <i>5. Conditions that must be imposed on approvals</i> <i>(1) A condition that must be imposed on all approvals is that the approval holder must install photoelectric smoke alarms outside any sleeping areas in the temporary home.</i> <i>(2) However, the condition in subsection (1) does not need to be imposed on the approval if a condition covering smoke alarms is contained in a development approval that applies to the temporary home.</i>
Department of Transport and Main Roads	Part 1 s.4 'roadside stall'. And in Schedule 18 s.3(b)(c) 'roadside stall'	A definition for 'road reserve' is required to clarify the defined area for the construction of a "roadside stall".	No amendment is required <i>'Road reserve' is well understood in the local government context as a reserve for road purposes under the Land Act 1994. No amendment is required.</i>
Department of Transport and Main Roads	Schedule 18 Section 3 (b) and (c)	Definitions are required for 'domestic work', 'road reserve' and 'commercial and other work' to clarify what works the section is referring to. This will determine what (if any) impact there may be on, or interference with, the operation of a state-controlled road.	Change proposed local law to include - <i>Insert a footnote in SLL1, sch 18, s.3 after the words 'domestic work' and 'commercial and other work': See the local government's website for further information about these categories of applications.</i>

Subordinate Local Law No. 1 (Administration) 2016			
State Department	Section	State agencies comments	Local Government's response to state agency feedback
Department of National Parks, Sport and Racing	Schedule 13 <i>Undertaking regulated activities regarding human remains - (b) burial or disposal of human remains outside a cemetery</i>	Schedule 13 should include a section stating that approval from council to dispose of human remains outside of a cemetery is subject to landholder approval.	No amendment is required <i>Written consent from the landowner is already required as part of the approval process.</i>
Department of Transport and Main Roads	Schedule 2 of Subordinate Local Law No. 5 (Parking)	In Map SLL 5.2.48 the red place locator has not been included in the insert map in the top right hand corner. Include the red dot locator.	Change to proposed local law All maps reviewed and red dot locator included in two existing maps – SLL 5.2.48 SLL 5.2.37

Public Interest Review

A public interest review was undertaken during 1 November and 30 November 2015. The Public Interest Review was advertised on council's website and a public notice published in the Sunshine Coast Daily on 7 November 2015. A Public Interest Review Consultation Paper was available for download on the Council's website.

The Public Interest Review identified the following possible anti-competitive provisions in the proposed local laws and consulted with the community, especially businesses that might be affected.

Possible anti-competitive provisions in the amendments relate to:

- ensuring shopping trolleys remain in shopping precincts
- requirement for approval for commercial operation of remotely piloted aircraft (e.g. drones) in council-controlled areas
- requirements for public liability insurance for activities in council-controlled areas
- new application requirements and standard conditions for approvals for various activities in council-controlled areas and roads, including commercial use, alterations or improvements (e.g. memorials) and activities regarding human remains
- changed requirements about the placement of movable advertising devices to ensure accessibility for pedestrians and people with disabilities and address visual amenity concerns about A-frame signs
- restricting abseiling and rock climbing in some council-controlled areas

Before making local laws containing anti-competitive provisions, the State Government requires that local governments, through public interest reviews, consult with the community, consider reasonable alternatives to the provisions using a cost-benefit analysis and determine whether, on balance, the anti-competitive provisions should be retained in the new law in the overall public interest.

The Public Interest Review Consultation Paper invited feedback from residents and businesses about impacts of the identified anti-competitive provisions, especially:

- any costs of compliance for businesses;
- any reasonable alternatives to the anti-competitive provision and the comparable costs of these alternatives;
- the benefits to the community from the anti-competitive provision.

No submissions that related to the possible anti-competitive provisions identified above were received during the consultation period. Stakeholders have not therefore raised concerns about costs of compliance for businesses or suggested any reasonable alternatives to the anti-competitive provisions. The council's cost-benefit analysis for the anti-competitive provisions is contained in Table 4.

Council officers do not consider that there will be significant compliance costs for business as a result of the amendments. As Table 1 indicates, the only anti-competitive provision identified as having potential implementation costs for the council is the regulation of commercial use of drones in council-controlled areas.

Table 4 – Cost-benefit analysis of anti-competitive provisions

Anti-competitive provision	Council implementation costs	Costs of compliance for business	Reasonable alternatives and comparative cost	Benefits to community
Ensuring shopping trolleys remain in shopping precincts	No additional cost	New measures may be required by some businesses. No concerns raised in consultations	None identified by council or suggested in feedback	Improved amenity, less visual pollution from discarded trolleys
Requirement for approval for commercial operation of remotely piloted aircraft (e.g. drones) in council-controlled areas	Possible increased workloads for Community Land Permit Officers if demand is high	Cost of permit. No concerns raised in consultations	None identified by council or suggested in feedback	Increased safety and amenity for users of public spaces.
Requirements for public liability insurance for activities in council-controlled areas	No additional cost	Cost of insurance where operator does not currently have it. Currently already required in almost all cases. No concerns raised in consultations	None identified by council or suggested in feedback	Increased protection for businesses and the public regarding activities in council-controlled areas
New application requirements and standard conditions for approvals for various activities in council-controlled areas and roads, including commercial use, alterations or improvements (e.g. memorials) and activities regarding human remains	No additional cost	Largely procedural requirements that reflect current council practice. No concerns raised in consultations	None identified by council or suggested in feedback	More rigorous and efficient approval processes with appropriate regulation to protect public interests

Anti-competitive provision	Council implementation costs	Costs of compliance for business	Reasonable alternatives and comparative cost	Benefits to community
Changed requirements about the placement of movable advertising devices to ensure accessibility for pedestrians and people with disabilities and address visual amenity concerns about A-frame signs	No additional cost	No identified cost to businesses. No concerns raised in consultations	None identified by council or suggested in feedback	Safer footpaths and improved visual amenity
Restricting abseiling and rock climbing in some council-controlled areas	No additional cost	No identified cost to businesses. No concerns raised in consultations	None identified by council or suggested in feedback	Assurance that these activities will only occur at sites that are safe and have minimal environmental impact

On the basis of the public interest review, including the above cost-benefit analysis, council staff recommends that all the anti-competitive provisions be retained in the proposed laws as they are in the overall public interest.

Amendment Local Law No. 1 (Miscellaneous) 2016

Following is a summary of the local law amendments that were presented to council at the Ordinary Meeting 15 October 2015 (see Appendix A).

Table 5 – Proposed Local Law Amendments


Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Change definition for an Adult Current definition <ul style="list-style-type: none"> Adult has the meaning given by the <i>Youth Justices Act 1992</i> 	Change definition of an adult <ul style="list-style-type: none"> Adult means an individual who is 18 or more. 	Use of plain language and simplification of definition
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Currently no definition for "burial"	Include definition for burial <ul style="list-style-type: none"> Burial - means the act of placing a dead body or the ashes of such in either a grave, niche or memorial garden, but does not include the scattering of the ashes. 	Ease of use for the community to easily identify what is meant by the word "Burial"
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Change definition for cat and dog Current definition cat means an animal of the species <i>felis silvestris catus</i> but does not include a Class 2 pest animal	Change the definition for a cat or dog <ul style="list-style-type: none"> cat means an animal of the species <i>Felis catus</i>, or domestic cat. dog means an animal of the species <i>Canis lupus familiaris</i>, or 	The <i>Land Protection (Pest and Stock Route Management) Regulation 2003</i> will be repealed shortly. New simpler definitions of cat and dog mirror the definitions in the <i>Animal Management</i>

Local Law	Current Status	Proposed Change	Reason for change
	<p>as provided by the <i>Land Protection (Pest and Stock Route Management) Regulation 2003</i>. dog means an animal of the species <i>canis familiaris</i> but does not include a Class 2 pest animal as provided by the <i>Land Protection (Pest and Stock Route Management) Regulation 2003</i>.</p>	domestic dog	<i>(Dogs and Cats) Act 2008</i>
<p>Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016</p>	<p>Local law 1, schedule 2 includes 'display of election signs' as a prescribed activity, and schedule 1 included definitions for the following –</p> <ul style="list-style-type: none"> • Election sign • Election period • Electorate 	<p>Remove 'display of election signs' as a prescribed activity and remove associated definitions for an election sign, election period and electorate.</p>	<p>Decision to not regulate Election Signs was made by council in 2013 following a legal challenge by the Palmer United Party who challenged that restricting the number of signs was unconstitutional. Current mechanism to regulate the activity is through <i>Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> under s.10 Power to remove Risk. Where an election sign is placed in an area that poses risk to other users of the area an authorised person may remove the risk.</p>
<p>Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016</p>	<p>Amend definition for "human remains"</p>	<p>Expand the definition for human remains to include –</p> <p>human remains means the body or part of the body of a deceased person but does not include—</p> <p><i>(a) a part of the body of a deceased person lawfully removed for transplantation, scientific examination or instruction in anatomy or any other branch of medicine; or</i></p> <p><i>(b) ashes from a body of a deceased person that has been cremated.</i></p>	<p>Expansion of the current definition provides greater clarity into what human remains are and what they are not.</p>

Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Currently no definition for "install"	Include the following definition for install – install means construct, make, mark, place or erect, or affix to or paint on any surface or structure, and repair, maintain, manage and control.	Provide greater clarity with regards to terminology used within the local laws.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Currently no definition for a "Local Government cemetery"	Include the following definition – Local government cemetery means a cemetery under the control of the local government, including a cemetery located on land owned by the local government or on land for which the local government is the trustee.	Provide greater clarity with regards to terminology used within the local laws.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Currently inconsistency in the use of the terms, "lot", "allotment", "land" and "property"	Include the following definitions – property , in relation to land, means— (a) a lot; or (b) if a person owns and occupies 2 or more adjoining lots—the parcel of land comprising all of the lots owned by the person lot has the meaning given by the <i>Sustainable Planning Act 2009</i> , section 10	Include the definition for property and remove multiple references to allotment, property, lot, land etc. for ease of use and clarity.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Currently no definition for a "memorial"	Include following definition – <i>memorial means an object or feature that commemorates a significant event, individual, organisation or anniversary.</i>	Currently no definition for "memorial". Provides a term used in Schedule 4 of Subordinate Local Law No. 1 (Administration) Refer to Attachment D for details
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Currently no definition for a "public art installation"	Include following definition – "public art installation" means a creative or interpretive enhancement to a public place and includes— (a) both standalone art installations and art installations incorporated externally or internally into	Currently no definition for "public art installation". Provides a term used in Schedule 4 of Subordinate Local Law No. 1 (Administration) Refer to Attachment D for details

Local Law	Current Status	Proposed Change	Reason for change
		buildings, infrastructure or open space; and (b) both permanent and temporary installations.	
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Shopping centre includes only a structure or group of buildings with 2 or more shops	Extend definition of shopping centre to include "a standalone shop that provides trolleys for the use of customers"	Under Local Law No.3, s,23, only shops in shopping centres are required to ensure that shopping trolleys remain in the shopping centre precinct. The change in definition will mean that larger standalone shops that provide trolleys (e.g. Bunnings) must also ensure that trolleys stay within the precinct.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Amend definition for a "structure"	Include the following to the definition of a structure – <i>"a memorial or public art installation"</i>	To align with terminology used in the local laws and provide clarity with regards to what is considered a "structure" in the context of council's local laws.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Schedule 2, part 2 of LL1 categories Camping on local government controlled areas and roads listed as a prescribed activity	Remove camping from the categories of prescribed activities	Camping will be included as a restricted activity under <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> where it will be allowed where the local government has designated an area for camping.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Schedule 2, part 2 of LL1 categories Abseiling currently listed as a prescribed activity	Remove abseiling from the categories of prescribed activities	Abseiling will be included as a restricted activity under <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> where it will be allowed where the local government permits the activity by way of signage. Abseiling may however be approved under another local law approval – such as part of a temporary event approval.

Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Installation of an information booth or display on a local government controlled area or road is not currently categorised as a separate prescribed activity	Include prescribed activity – (b) installation of an information booth or display	Ability to allow and regulate the placement of information or display booths in a local government controlled area. This will not include the sale of goods as this type of activity would be managed under a Commercial Use approval.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Current prescribed activity – <i>“Operating model aircraft propelled by a motor”</i>	Remove the prescribed activity - operating model aircraft propelled by a motor and replace with – (o) launching or landing a model aircraft weighing more than 500 grams or a remotely piloted aircraft weighing more than 500 grams, other than an unmanned balloon or unmanned kite	Currently no provision in the local laws to regulate the use of unmanned aircraft (commonly referred to as UAV's or Drones) for commercial purposes. The inclusion of this prescribed activity will allow council to regulate and condition approvals for the use of UAV's or Drones on council owned or controlled land and remove the requirement for individuals operating a small recreational model aircraft propelled by a motor to apply for an approval (these individuals are still bound by CASA regulations about safe use of such model aircraft). Conditions of approval for UAVs and drones will be subject to the individual complying with CASA regulations.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Current prescribed activity - <i>“Riding a horse in a local government controlled area as a prescribed activity”</i>	Remove - <i>“Riding a horse in a local government controlled area as a prescribed activity”</i>	Include this activity as a restricted activity under <i>Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011</i> where it will be allowed where the local government has erected signed permitting the activity. The removal will result in individuals no longer being able to apply for an approval to ride a horse in a local government controlled area as this will only be allowed where the local

Local Law	Current Status	Proposed Change	Reason for change
			government has permitted the activity.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Current definition for what it means to have a dog under “effective management” does not take into account situations where a person has several dogs or cats under their supervision	Clarify that in determining whether a person is physically able to manage a dog or a cat, the number of other dogs or cats under the person’s supervision should be taken into account.	Currently a person holding four large dogs could argue that they are physically able to manage each of the dogs. However, the change to the definition will mean that a person could not reasonably say they were able to manage a large dog if they already had, for example, three other large dogs on leashes at the same time.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Current penalty for all animals who don’t comply with the minimum standards for keeping animals under schedule 3 and 3A of <i>Subordinate Local Law No. 2 (Animal Management) 2011</i> is 20 penalty units.	Include a separate penalty for a regulated dog and set the penalty at 50 penalty units. All other animals remain at 20 penalty units.	A regulated dog is a dog who has attacked, or acted in a way that caused fear to, a person or another animal or may, in the opinion of an authorised person, seriously attack or act in a way that causes fear to a person or animal. A higher penalty may lessen the likelihood of owners of regulated dogs not complying with the minimum standards for keeping a regulated dog. A higher penalty is also more consistent with the penalties under the Animal Management (Cats and Dogs) Act 2008.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	Regulated dogs are required to be contained in a specified enclosure and are required to wear a small yellow identification tag which is intended to identify the dog as a regulated dog.	Require all regulated dogs to wear a collar consisting of red stripes alternatively spaced with yellow stripes designed to meet prescribed specifications regarding visibility, durability, fastening and width. 	The inclusion of this provision allows an individual to easily recognise the collar as a regulated dog collar and provides an early warning sign. As these dogs are dangerous and pose a significant threat to the safety and wellbeing of individuals, this early detection mechanism may prevent an individual from approaching the dog and suffering an injury. Furthermore, a roaming regulated dog wearing the collar would be more than

Local Law	Current Status	Proposed Change	Reason for change
			likely reported to council immediately. Owners or responsible persons must ensure regulated dogs wear the collar at all times – maximum penalty 50 penalty units.
Refer to Appendix A - Amendment Local Law No. 1 (Miscellaneous) 2016	The current local law references the <i>Land Protection (Pest Stock Route Management) Act</i>	New changes to the Biosecurity Act will remove all references to pest plant and animal from the <i>Land Protection (Pest Stock Route Management) Act</i> and include these in the new Biosecurity Act	To ensure our laws remain responsive to change, Local Law No. 3 will be amended to include the reference to the new Biosecurity Act which will come into effect in 2016.

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

Following is a summary of the subordinate local law amendments that were presented to council at the Ordinary Meeting 15 October 2015:

Table 6 – Proposed Subordinate Local Law Amendments

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No definition for “family of a deceased person”	Include new definition – <i>family of a deceased person</i> includes— <i>(a) a spouse of the deceased; and</i> <i>(b) a guardian of the deceased; and</i> <i>(c) brothers and sisters of the deceased, or of a spouse of the deceased; and</i> <i>(d) ascendants and descendants of the deceased, or of a spouse of the deceased.</i>	To define the term family used in schedule 13 in relation to burials outside of cemeteries.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No definition for a “funeral director”	Include new definition – <i>funeral director</i> means a person who carries on the business of disposing of human remains and, if a person who carries on that business is not engaged in a particular case, includes the person who actually undertakes the disposal of the human remains.	To define a new term used in schedules 12 and 13

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No definition for “goods on a footpath”	Include new definition – goods on footpath means the use of part of a road (for example, the public footpath) for the purposes of extending the area in which an existing retail business displays goods for sale to the public.	To define a new term used in schedule 6
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No definition for “outdoor dining”	Include new definition – outdoor dining means the use of part of a road (for example, the public footpath) or a local government controlled area for the purposes of extending the services of premises providing food and beverages to the public. <i>Examples of premises providing food and beverages to the public—</i> Cafes, restaurants, delicatessens, takeaways.	To define a new term used in schedule 6
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No definition for “roadside stall”	<i>Include definition for –</i> roadside stall means a small-scale semi-permanent structure that is— <i>(a) constructed along the boundary line of a rural property for the purpose of selling farm produce (such as fruit and vegetables) that has been grown on that property or products (such as jams) made from produce grown on that property; and</i> <i>(b) either partly or wholly within the road reserve.</i>	To define a new term used in schedule 6
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	For several prescribed activities on council controlled land, holding public liability insurance is a usual condition but not a mandatory condition	In schedules 4, 6, 8, 14 insert the following as a condition that <u>must</u> be imposed: <i>‘A condition that must be imposed on all approvals is that the approval holder must maintain, at all times during the term of the approval, a public liability insurance policy of not less than \$20,000,000</i>	This change brings the laws into line with council’s current requirement of mandatory public liability insurance for these activities.

Subordinate Local Law	Current Status	Proposed Change	Reason for change
		<i>covering the prescribed activity.</i>	
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Please see Attachment D for full details on proposed amendments	Please see Attachment D for full details on proposed amendments	Amendments made to provide clarity and consistency for the community and officers in applying for and assessing approvals under Schedule 4 of Subordinate Local Law No. 1 (Administration) 2011
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Please see Attachment D for full details on proposed amendments	Please see Attachment D for full details on proposed amendments	Amendments made to provide clarity and consistency for the community and officers in applying for and assessing approvals under Schedule 6 of Subordinate Local Law No. 1 (Administration) 2011
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Currently any person wishing to reside in a temporary home on a property (even for 1 night) requires an approval under council's local laws	<p>Include the following exemption – <i>An approval under the authorising local law is not required for the establishment or occupation of a temporary home—</i></p> <p>(a) for less than two weeks in any fifty-two week period if the temporary home is established on a vacant property; or</p> <p>(b) for less than four weeks in any fifty-two week period if—</p> <p>(i) the temporary home is sited on a property occupied by an existing dwelling house; and</p> <p>(ii) the temporary home is located to the rear of the existing dwelling house.</p> <p>Please see attachment B for full details on the proposed change.</p>	This proposed change provides flexibility and is responsive to the changes in our community.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Current requirement for all movable advertising devices that are exempt from requiring an approval is that they are required to	Amend the 180 millimeter requirement and extend to 600 millimeters	Following a number of complaints from the community on accessibility for pedestrians and people with disabilities. The proposed changes seek to address some

Subordinate Local Law	Current Status	Proposed Change	Reason for change
	be at least 180 millimeters from the kerb.		of the accessibility concerns we currently have with the placement of movable advertising devices across the region.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No requirement for an “A Frame” or “Sandwich board” to be placed immediately adjacent to the primary place of business	Include requirement for a “sandwich board sign” to be displayed adjacent to the business premises.	Following a number of complaints about the placement of “sandwich boards” sometimes several Km’s from a business premises, the requirement to place the sign adjacent to the business premises seeks to address some of the visual amenity complaints we receive and provide equity for all businesses wishing to advertise their businesses.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No additional requirements for the number of animals kept on the property	Include – requirement to provide a community management plan where an application to keep more than 9 animals is received.	Promotes the principals of responsible pet ownership and seeks to limit the impact on the community where a person wishes to keep multiple animals on a property.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	A “cockerel” not included	Include a “cockerel” meaning a young rooster	Currently a cockerel is not included in this schedule. As a cockerel can still create a noise nuisance for neighbouring properties the inclusion of cockerel will ensure applicants must comply with all conditions imposed.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	No specific requirement for applying for more than 3 dogs with regards to a regulated dog	Any person applying for an approval to have 3 or more dogs on a property must not keep a regulated dog on the property.	A regulated dog is a dog who has attacked, or acted in a way that caused fear to, a person or another animal or may, in the opinion of an authorised person, seriously attack or act in a way that causes fear to a person or animal. This proposed amendment seeks to limit the number of

Subordinate Local Law	Current Status	Proposed Change	Reason for change
			regulated dogs contained on any one property.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Currently no requirement for applicants applying for an approval under this schedule to provide documents or materials for applications	Include the following documents and materials that must accompany application for approval – (a) a site plan and specifications for any work to be undertaken and materials and equipment used; and (b) copies of all legal documents pertaining to any proposed disturbance of human remains; and (c) signed consent of the person or entity who will undertake the work; and (d) signed consent of the executor of the will, or the next of kin, of the deceased person whose remains are to be disturbed.	This additional information will assist officers in making an informed decision about an application for an approval. Additionally, it will make it clear up front to applicants what is required to make an application.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Currently there are no conditions that must be imposed on an approval	Include – Conditions that must be imposed on an approval are that the approval holder must ensure that— (a) the activity is carried out by a recognised funeral director; and (b) no public health risk arises from the activity; and (c) the funeral director complies with directions given by an authorised person about— (i) the preparation of a grave for the burial of human remains; or (ii) other matters affecting the disposal of human remains; and (d) Global Positioning System (GPS) reference points are captured and recorded and forwarded to the local government to identify the final burial location, at the cost of the approval holder; and (e) a comprehensive	The proposed amendments are intended to ensure that the appropriate conditions are imposed on all approvals.

Subordinate Local Law	Current Status	Proposed Change	Reason for change
		<p>description of the burial method and ongoing management of the site is supplied to the local government following the burial; and</p> <p>(f) authorisation is given to the local government to add the details of the burial to the local government property data file.</p>	
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Currently there are no additional criteria for the granting of an approval	<p>Include the following additional criteria –</p> <p>For an application for approval, the additional criteria are that the activity will not be likely to cause—</p> <p>(a) harm to human health and safety; or</p> <p>(b) property damage; or</p> <p>(c) a nuisance; or</p> <p>(d) obstruction of pedestrian or vehicular traffic; or</p> <p>(e) environmental harm; or</p> <p>(f) environmental nuisance;</p> <p>(g) a loss of amenity; or</p> <p>(h) an obstruction of a view or vista from any premises.</p>	The inclusion of the additional criteria allows officers to make an informed decision about whether the activity is consistent with the principles that underpin the council's local laws i.e. protect community health, safety and amenity and prevent environmental harm.
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Currently there are no specific requirements for domestic or commercial work carried out on a road or interfering with a road or its operation	<p>Include the following documents and materials that must accompany application for approval –</p> <p>(a) if the application is for domestic work on a road reserve—a site plan, clearly showing all proposed construction within the road reserve; and</p> <p>(b) if the application is for commercial and other work on a road reserve—</p> <p>(i) site plans;</p> <p>(ii) landscape plans;</p> <p>(iii) a program of work;</p> <p>(iv) a traffic and pedestrian management plan prepared by a qualified professional.</p>	Proposed amendment now includes specific reference to domestic and commercial work carried out on a road or interfering with a road or its operation. This proposed amendment ensures adequate information is provided during the application stage to assist officers in making an informed decision.

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix C – Subordinate Local Law No. 1 (Administration)	Currently there are no specific provisions with regards to additional criteria for granting an approval other than for vehicular access and the installation of a gate or grid	Include provisions with regards to additional criteria for granting an approval for all approvals for work on a road – (1) Additional criteria applicable for all approvals for work on a road are that— (a) new assets installed on the local government road will be of adequate quality; and (b) existing community assets will be adequately preserved; and (c) disruption to the general community as a result of the work will be minimised.	The proposed amendment seeks to include further requirements with regards to all works. This amendment will provide guidance to council officers in deciding on applications for approval for work carried out on a road or interfering with a road or its operation that doesn't relate to vehicular access or the installation of a gate or grid.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Currently there are no prohibitions with regards to the keeping of more than 10 bee hives on a property over 2001 square metres	Include the following – More than 10 bee hives must not be kept on a property between 2001 square metres and 4000 square metres in size	This proposed amendment is based on best practice with regards to community health and safety – it brings the local laws into line with the State Government's bee keeping guidelines. At present a person may keep as many bee hives as they wish on a property larger than 2001 square metres.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	No specific reference to a "cockerel"	Include "cockerel" in schedule 2 of SLL2	As mentioned previously a "cockerel" is a young rooster and can still create a noise nuisance.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Currently animals are permitted on Mooloolaba beach so long as they are under effective control (map SLL2.5.12)	Include Mooloolaba Beach as a prohibited animal area as detailed in attachment B map No. SLL 2.5.12	Proposed amendment requested by Cr Chris Thompson
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Kings Beach prohibited dog area currently ends at Evuka Avenue (map SLL2.5.9)	Extend the prohibited dog area in Kings Beach down to Dingle Avenue	Proposed amendment requested by Cr Tim Dwyer
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Currently Shelly Beach is indicated in the table in schedule 6 as a dog off leash beach	Change legend in the map to state – Dogs off leash May to	This change brings the map into line with the table in schedule 6 of Subordinate Local law No. 2 (Animal

Subordinate Local Law	Current Status	Proposed Change	Reason for change
	from May to October, 4pm to 8am whereas the map (map SLL2.6.36) does not indicate that this only applies in May to October	October, 4pm to 8am	Management) 2011. This is a known turtle nesting area and the specification of it being a dog off leash area only between May to October 4pm to 8am ensures the impact to the environment and hatching turtles are minimised.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Current map for the Twin Waters dog off leash area refers to the area as Mudjimba	Change map to reflect the correct area – North Shore, Twin Waters	This is a minor amendment to the name of an existing map and designated dog off leash area.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Dicky Beach off-leash area currently ends at beach access 270 (map SLL2.6.35)	Amend map to extend off-leash area to beach access 269.	This amendment will extend the off-leash area at Dicky Beach. Proposed amendment requested by Cr Tim Dwyer
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Camping on local government controlled areas and roads requires an approval under Local Law No.1 but is not restricted in Local Law No.4	Include camping as a restricted activity which will only be allowed where the local government designates the area as a camping area or part of an approval issued under SLL1 <i>For example – camping may be allowed as an activity under an approval for a temporary event</i>	Rather than requiring approvals for camping on local government controlled areas and roads under Local Law No.1, the amendment will prohibit camping in all areas and roads unless the area is designated by the council as a camping area or another approval under Local Law No.1 has specifically authorised camping in a place.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Abseiling on local government controlled areas and roads currently requires an approval under Local Law No.1 but is not restricted in Local Law No.4	Include abseiling as a restricted activity which will only be allowed where the local government erects a sign authorising abseiling or where the activity is part of an approval issued under SLL1 <i>For example – abseiling may be allowed as an activity under an approval for a temporary event</i>	Rather than requiring approvals for abseiling on local government controlled areas and roads under Local Law No.1, the amendment will prohibit abseiling in all local government controlled areas and roads unless the local government erects a sign authorising the activity or where it is approved under another local law approval. This change will ensure that this

Subordinate Local Law	Current Status	Proposed Change	Reason for change
			activity only occurs on sites that are acceptable in terms of safety and have the supporting infrastructure to protect any associated environmental values.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Rock climbing is currently not listed as a prescribed activity or regulated under council's local laws	<p>Include "rock climbing" as a restricted activity which will only be allowed where the local government erects a sign authorising rock climbing or where the activity is part of an approval issued under SLL1</p> <p><i>For example – rock climbing may be allowed as an activity under an approval for a temporary event</i></p>	The amendment will prohibit rock climbing in all local government controlled areas and roads unless the local government erects a sign authorising the activity or where it is approved under another local law approval. This change will ensure that this activity only occurs on sites that are acceptable in terms of safety and have the supporting infrastructure to protect any associated environmental values.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Riding a horse on local government controlled areas and roads requires an approval under Local Law No.1 but is not restricted in Local Law No.4	<p>Include riding a horse as a restricted activity which will only be allowed where the local government erects a sign authorising the riding of a horse or part of an approval issued under SLL1</p> <p><i>For example – riding a horse may be allowed as an activity under an approval for a temporary event</i></p>	Rather than requiring approvals for riding horses on local government controlled areas and roads under Local Law No.1, the amendment will prohibit riding horses in all areas and roads unless permitted by signage or authorised under another approval under Local Law No.1.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Currently Schedule 2 identifies 12 off street parking areas across the coast	Proposed amendments include an additional 56 maps outlining designated off street parking areas.	The new maps provide council with the ability (if required) to regulate and sign the off street parking areas. Please see Appendix B or Attachment B for full details on the identified off street parking areas.
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	Currently Beach Terrace at Mooloolaba is identified in the schedule as an off street parking area.	Remove Beach Terrace, Mooloolaba as an off street parking area as the area is considered on-road under the <i>Transport Operations (Road use management) Act 1995</i>	This proposed amendment provides consistency with what is on-road parking and off street parking.

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix B – Subordinate Local Law No. 1 (Miscellaneous)	<p>Currently there are 3 areas that have been identified in the region as a residential parking permit area –</p> <ul style="list-style-type: none"> • Nambour Hospital 3p • Lady Musgrave Drive, Mountain Creek and • Birtinya regulated parking area 	<p>Include –</p> <p>Residents within the Sippy Downs Regulated Parking Area as delineated in Map SLL 5.3.2, including residents of multi-unit complexes</p>	<p>The proposed amendment is in response to the increase in student parking off the campus as a result of paid parking being introduced to Sunshine Coast University, which may necessitate timed parking restrictions on surrounding streets. Residents in this area will now be able to apply for a residential parking permit if council decides to regulate the area with timed parking zones.</p>

Additional Amendments

Subsequent amendments have been proposed since the amendment local laws and amendment subordinate local laws went out to community consultation, public interest review and state interest review. The two new amendments are minor and are detailed in the table below.

Table 7 – Additional amendments to Proposed Subordinate Local Laws

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Refer to Appendix B Subordinate Local Law No.2 (Animal Management) 2011	Ridgehaven Park, Aroona is a dog off leash area at times indicated by signs and has a fenced dog off leash area which is off leash at all times	Construct another fenced dog off leash area within the park for small dogs. Proposed change approved by divisional councillor Peter Cox. Community Consultation was undertaken for this proposed change and the feedback received supported the inclusion of another fenced dog off leash area for small dogs.	Community feedback supported another fenced dog off leash park for small dogs which was off leash at all times. There have been some issues with larger dogs in the fenced dog off leash area harassing smaller dogs.
Refer to Appendix B Subordinate Local Law No. 2 (Animal Management) 2011	Eleanor Shipley Park, Moffat Beach is currently a prohibited dog area by way of signage in the area.	<p>Include map SLL 2.5.13 highlighting this area as a prohibited dog area and indicate on the map where people may traverse through the park with their dogs on a leash</p> <p>Update map SLL 2.6.35 to illustrate the</p>	As the area is already a prohibited dog area by way of signage, the map in the local laws simply supports the current status and provides consistency across the region to indicate where dogs are prohibited under our local laws.

		prohibited dog area in Eleanor Shipley Park, Moffat Beach. Schedule 5 of SLL 2 updated to include Eleanor Shipley Park as a prohibited dog area.	
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Legal

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

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

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

Policy

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

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

Risk

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

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

Previous Council Resolution

Council Resolution (OM15/177)

That Council:

- (a) *receive and note the report titled "**Proposed amendments to local laws and subordinate local laws**"*
- (b) *resolve to propose to make:*
 - (i) *Amendment Local Law No. 1 (Miscellaneous) 2016 and*
 - (ii) *Amendment Subordinate Local Law No. 1 (Miscellaneous) 2016 and*
 - (iii) *Subordinate Local Law No. 1 (Administration) 2016*
- (c) *resolve to undertake community consultation on the draft local law and subordinate local laws for thirty (30) days*
- (d) *resolve to undertake a State Interest Check in relation to the proposed local laws pursuant to section 29A of the Local Government Act 2009*

- (e) *note that the proposed amendments have been reviewed to identify anti-competitive provisions pursuant to section 38 of the Local Government Act 2009 and*
- (f) *hereby resolve to undertake Public Interest Reviews for the anti-competitive provisions assessed as having significant impacts (according to the preliminary assessment conducted under the Guidelines for conducting review of anti-competitive provisions in local laws) – namely:*
- (i) *amendment to definition of ‘shopping centre’ in schedule 1 of Local Law No.1 (Administration) 2011*
 - (ii) *insertion of new prescribed activity for ‘launching or landing a model aircraft weighing more than 500 grams or a remotely piloted aircraft weighing more than 500 grams, other than an unmanned balloon or unmanned kite’ in schedule 2 of Local Law No.1 (Administration) 2011*
 - (iii) *insertion of public liability insurance as a mandatory condition for various approvals under Subordinate Local Law No.1 (Administration) 2011*
 - (iv) *various amendments to schedule 4 of Subordinate Local Law No.1 (Administration) 2011 imposing new application requirements and standard conditions for approvals for alterations or improvements to local government controlled areas or roads*
 - (v) *various amendments to schedule 6 of Subordinate Local Law No.1 (Administration) 2011 imposing new application requirements and standard conditions for approvals for commercial use of local government controlled areas or roads and*
 - (vi) *amendments to schedule 8 of Subordinate Local Law No.1 (Administration) 2011 changing the requirements relating to display of certain movable advertising devices.*

Related Documentation

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

Critical Dates

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

Implementation

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

- *Gazette notice 5 February 2016*
- *Notification to the Minister 10 February 2016*
- *Preparation of the website notice on local law change*
- *Certification by the Chief Executive Officer, Sunshine Coast Council*
- *Consolidation of all local law changes June 2016*

**8.2.4 DELEGATION TO THE CHIEF EXECUTIVE OFFICER - SECTION 257
LOCAL GOVERNMENT ACT**

File No:	Delegations – Statutory Meeting 28 January 2016
Author:	Manager Corporate Governance Corporate Services Department
Appendices:	App A - Delegation to the Chief Executive Officer63

PURPOSE

The purpose of this report is to present to council a new delegation of authority for the Chief Executive Officer.

EXECUTIVE SUMMARY

Council has a range of powers and functions to perform which are conferred under a number of different Acts of Parliament including the *Local Government Act 2009* as well as subordinate legislation and local laws. Council is able to delegate its powers to implement and enforce these responsibilities.

The Corporate Governance Branch recently undertook a review of delegations and Queensland legislation relevant to local government operations (local government Acts). The Local Government Association of Queensland (LGAQ) assisted by providing a listing which identified relevant Queensland Acts that specifically relate to local government activities and areas of responsibility. See Schedule 1 of Appendix A.

Under Council's current delegation of authority framework the Chief Executive Officer is conferred with a number of powers which are capable of delegation under the relevant prescribed Acts for each relevant delegation. These powers are specifically listed based on the relevant provisions in the Acts and local laws. As Council's delegations are quite specific, it has been identified that some of these powers may be limited and some powers under the relevant local government Acts have not been delegated by Council to the Chief Executive Officer. It is important for Council to maintain and improve operational efficiency as well as mitigate Council's risk exposure by implementing a system which supports the prevention of actions being taken in the absence of delegated authority. Accordingly, a review of Council's delegations to the Chief Executive Officer has been undertaken and a new approach is recommended.

Given the specificity and limitation of Councils current delegation instruments, a general delegation has been drafted which seeks to ensure that those powers that are capable of delegation under the relevant Acts (and any corresponding subordinate legislation) referenced in Schedule 1 of Appendix A are delegated to the Chief Executive Officer.

Further to this, Schedule 2 of Appendix A details all powers that are not capable of delegation by Council in relation to those Acts, subordinate legislation and local laws as they are powers that are required to be exercised by resolution.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Delegation to the Chief Executive Officer - Section 257 Local Government Act” and
- (b) adopt Delegation 2016-73 (V1) Delegation to the Chief Executive Officer (Appendix A) and
- (c) note that all existing specific delegations of authority to the Chief Executive Officer are retained.

FINANCE AND RESOURCING

The cost of preparation of the delegation has been \$10,137 which has been met through existing core budget provisions within the Corporate Governance Branch.

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*

Outcome: We serve our community by providing this great service

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

CONSULTATION

Internal Consultation

Internal consultation occurred with the following officers:

- Chief Executive Officer
- Director Corporate Services
- Coordinator Governance Strategy and Policy, Corporate Governance
- Coordinator Office of the Mayor and CEO

External Consultation

McCullough Robertson Lawyers were contracted to assist with the preparation of the delegation and attached schedules.

The LGAQ delegation database was consulted to assist with the identification of relevant legislation.

Community Engagement

No community engagement was required for the preparation of this report as it relates to an internal administrative activity.

PROPOSAL

Council has a range of powers and functions to perform which are conferred under a number of different Acts of Parliament including the *Local Government Act 2009* as well as subordinate legislation and local laws. Under Section 257 of the *Local Government Act 2009*, Council may delegate its powers under an Act (meaning any Act conferring jurisdiction on Local Government, and subordinate legislation under these Acts and Local Laws) to the Chief Executive Officer.

Section 257 (2) of the *Local Government Act 2009* places some limitations on the powers and functions that can be delegated and, in particular, Council must not delegate a power that an Act states must be exercised by resolution.

Council's current delegation of authority framework specifically details the local government Acts where Council has delegated certain powers to the Chief Executive Officer. As Council's current delegations are quite specific, there are a number of powers under numerous local government Acts which have not been delegated to the Chief Executive Officer.

It is important for Council to maintain and improve operational efficiency as well as mitigate Council's risk exposure by implementing a system which supports the prevention of actions being taken in the absence of delegated authority. Accordingly, a review of Council's delegations to the Chief Executive Officer has been undertaken and a new approach is recommended.

The proposed new delegation broadly confers all powers capable of delegation under the relevant Acts from Council to the Chief Executive Officer (detailed in schedule 1 of Appendix A and any corresponding subordinate legislation). The proposed new delegation also details those powers not capable of delegation and those powers that remain with Council to be exercised by resolution (see Schedule 2 of Appendix A).

The intention of this new delegation is to ensure that the Chief Executive Officer is delegated all powers capable of delegation in order to deliver the responsibilities and obligations of a local government which are prescribed under legislation.

Direct delegation from Council to officers other than the Chief Executive Officer is not possible. Once powers are delegated to the Chief Executive Officer, it is then a matter for the Chief Executive Officer to exercise those powers himself or he is permitted, under Section 259 of the *Local Government Act 2009*, to further delegate the powers conferred upon him to appropriately qualified employees or contractors of Council. The Chief Executive Officer delegates many powers and functions to other officers of Council who assist the Chief Executive Officer in ensuring that the many roles of the Council (i.e. providing a service to its community while meeting its legislative responsibilities) are met in a timely, effective and efficient manner.

A delegation of power is not a devolution of power. The delegated power is still able to be exercised by Council. Under Section 257(4) of the *Local Government Act 2009* a delegation to the Chief Executive Officer must be reviewed annually by Council.

The delegation includes a delegation criteria and a delegation administrative procedure section which provides additional information to delegated officers to ensure that delegations are exercised within a decision-making framework that is based on great governance, enterprise risk management principles and within an environment of integrity and accountability.

Legal

McCullough Robertson Lawyers assisted with the preparation of the delegation to ensure legal validity. The LGAQ delegation database prepared by King & Co Solicitors was also referred to during the development process.

Policy

There are no specific policies relating to delegations of authority however when exercising the delegation, action will occur in accordance with any relevant subject matter policies.

Risk

The delegation has been prepared to mitigate the risk of any gaps within council's existing delegation of authority framework. It will ensure the Chief Executive Officer is provided with overall coverage of legislative power (as per schedule 1) to ensure continued business efficacy over council activities and business operations.

Previous Council Resolution

There are no previous resolutions in relation to this particular delegation, however council gave consideration to the annual review of delegations in accordance with section 257(4) of the *Local Government Act 2009* at the following meetings:

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

That Council:

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

Ordinary Meeting 15 October 2015 - Council Resolution (OM15/176)

That Council:

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

Related Documentation

There is no related documentation in relation to this report.

Critical Dates

There are no critical dates relevant to this report.

Implementation

Implementation action will include:

- Updating council's delegation register
- Linking s259 delegations of authority

8.3 COMMUNITY SERVICES**8.3.1 2015/2016 REGIONAL ARTS DEVELOPMENT FUND DECEMBER 2015 RECOMMENDATIONS**

File No:	Statutory Meeting 28 January 2016
Author:	Team Leader Cultural Programs Community Services Department
Appendices:	App A - Funding Recommendations December 2015 91
Attachments:	Att 1 - Funding Comparisons..... 93
	Att 2 - Additional Information Confidential (<i>Under Separate Cover</i>) - Confidential <i>Conf Att Pg 5</i>

PURPOSE

This report seeks Council consideration and endorsement of funding recommendations for the December 2015 funding period of the 2015/16 Regional Arts Development Fund program.

EXECUTIVE SUMMARY

The Regional Arts Development Fund (hereafter referred to as RADF) program supports cultural activity through the professional development and employment of arts and cultural workers in regional Queensland.

RADF is a partnership between the State Government, through Arts Queensland, and Council. The program is jointly funded on a 40:60 basis by the State Government (Arts Queensland) and Council respectively. Each year local councils bid for partnership funding with a written agreement outlining the process of expenditure of the funds.

The 2015/16 RADF program includes six funding categories for application by individuals and groups including:

- Major projects
- Seed funding (3 years)
- Individual funding
- Interest-free loan
- Concept development
- Mentorships.

Applications are submitted following a flexible and efficient Expression of Interest process.

The program is open for applications all year round with assessment taking place in four funding periods annually.

Council's endorsed external RADF Committee assesses funding applications and makes recommendations for funding in the individual categories. The committee is made up of six independent, external professional and arts industry representatives, is resourced and supported by a Council officer, and is chaired by the Community Programs Portfolio Councillor.

This report covers the second assessment period for 2015/16, assessed by the RADF Committee in December 2015.

A total of 15 applications were received requesting \$87,294.

The RADF committee determined funding outcomes based on the Sunshine Coast Council RADF Guidelines, assessment criteria and according to merit, benefit, skill and capacity demonstrated in each application.

The RADF committee recommends thirteen applications for funding, totalling \$53,450 for Council's consideration and endorsement (Appendix A).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "2015/2016 Regional Arts Development Fund December 2015 Recommendations" and
- (b) endorse the RADF Funding Recommendations December 2015 (Appendix A).

FINANCE AND RESOURCING

The 2015/16 RADF program has a total budget of \$268,080 this financial year.

The budget is jointly funded by the Queensland Government (Arts Queensland) with a 40 percent contribution and Council with a 60 percent contribution. This provision for RADF was adopted in the 2015/16 budget process by Council.

The 2015/16 RADF budget enables funding as outlined in the table below.

Description	Budget
RADF Grants program - Major projects - Individual	\$160,000
Committee training and development	\$8,080
Strategic Initiatives - Cultural festival - Local exhibition touring development - Creative and Cultural Industry Leadership via the Sunshine Coast Creative Alliance - DASSI Arts based programs (Heritage Levy) - Heritage regional digitisation program (Heritage Levy) - Arts and Ecology Centre - cultural programming	\$100,000
Total RADF budget for 2015/16	\$268,080

Description	Budget
Available RADF Funding for 2015/2016	\$160,000
September 2015 Assessment Period funded	\$42,130
Remainder for this financial year including this round	\$117,870

The 2015/16 RADF funding program includes four funding periods at the end of which the applications received during that period are assessed. These periods end:

- 21 September 2015
- 1 December 2015
- 1 March 2016
- 1 June 2016

Note - the fourth funding period will close 1 June 2015 and will be funded through the 2016/17 Arts Queensland bid if successful.

This report covers the second RADF assessment period for the 2015/16 financial year, assessing applications received on or before 1 December, 2015.

During this period, 15 applications were received requesting a total of \$87,294.

This report recommends the funding of thirteen projects totalling \$53,450. There are sufficient funds in the adopted 2015/16 budget to cover the recommendations in this report.

Below is a summary of recommendations for the September 2015 RADF funding period.

Applications received	Funding requested	Applications recommended	Funding recommended	% Applications recommended
15	\$87,294	13	\$53,450	86%

There were no applications received for the Seed Funding category in this funding period.

In the previous funding period, two of the successful applications are recommended for multi-year funding through RADF's Seed Funding category. As this category provides up to \$10,000 in the first year, \$5,000 in the second year and \$2,500 in the third year for successful applicants to this category, there are ongoing budget implications for these two recommendations.

Budget implications of recommendations in this report are summarised in the table below.

Budget Implications	2015/16	2016/17	2017/18
RADF September 2015	\$42,130	\$10,000	\$5,000
RADF December 2015	\$53,450	\$0	\$0

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: We serve our community by providing this great service

Operational Service: S4 - Community and cultural development and partnerships - providing planning, partnering and supporting the community through a range of community development, civic and cultural programs and grants

CONSULTATION

Internal Consultation

Internal consultation was undertaken with:

- Community Policy and Programs Portfolio Councillor and RADF Chair, Councillor Jenny McKay
- Team Leader Cultural Programs, Community Services
- RADF Liaison Officer – Admin Project Officer (Creative), Community Services
- Team Leader Community Connections, Community Services
- Management Accountant, Finance.

External Consultation

Council's RADF Liaison Officer provided assistance for project development, preparation of application content and guided applicants through the application process.

Applications are submitted following a flexible and efficient Expression of Interest process. This process is designed to save time for potential applicants, allowing those applicants with little or no chance of a successful funding outcome to be aware of this prior to completing a full application. It also provides an opportunity for applicants to receive advice and support in the development of their projects.

External consultation was also undertaken with the RADF Committee, which consists of six independent community members, who have nominated and been selected to provide expert advice and recommendations to Council officers on matters related to RADF.

The vibrant and diverse membership of the committee includes representatives from two major Chamber of Commerce associations and creative sector representatives from industries such as Music, Dance, Visual Arts, Law and Community Cultural Development.

Community Engagement

A wide-ranging community engagement program was undertaken as part of the RADF review process conducted between December 2014 and April 2015. However, no general community engagement was required to inform this report.

PROPOSAL

The Regional Arts Development Fund (RADF) supports cultural activity through the professional development and employment of arts and cultural workers in regional Queensland.

RADF is a partnership between State Government, through Arts Queensland, and Council, and is jointly funded on a 40:60 basis by the State Government (Arts Queensland) and Council respectively. Each year local councils bid for partnership funding and a written agreement outlines the process for expenditure of the funds.

The RADF program includes categories of funding available for individuals and groups as outlined in the table below.

RADF Funding Category	Description
Major projects	Amounts up to \$10,000 for projects that benefit creativity in the local region
Seed funding	Seed funding of \$10,000 in the first year, \$5,000 in the second year, \$2,500 the third year for projects that benefit creativity in the local region and have a strong prospect of commercial success in the long term
Individual funding	Funding to attend, present or showcase at professional development seminars, conferences, activities or appropriate arts events. Up to \$1,500 within Australia or \$2,500 international
Interest-free loan	To develop arts projects with strongly anticipated commercial success that will generate an income greater than the amount of the loan
Concept development	To develop arts research ideas and project proposals to the implementation stage. Funding up to \$5,000
Mentorships	To engage professional artists or creative workers to mentor emerging artists. Funding up to \$5,000

Applications are submitted following a flexible and efficient Expression of Interest process. This process is designed to save time for potential applicants, allowing those applicants with little or no chance of a successful funding outcome to be aware of this prior to completing a full application. It also provides an opportunity for applicants to receive advice and support in the development of their projects.

The program is open for applications all year round and assessment takes place over four funding periods annually. These periods end:

- 21 September 2015
- 1 December 2015
- 1 March 2016
- 1 June 2016

Council's external RADF Committee assesses funding applications for recommendation to Council. The committee is made up of six independent, external professional and arts industry representatives, is resourced and supported by a Council officer, and is chaired by the Community Programs Portfolio Councillor.

This report covers the second quarterly assessment period for 2015/16, assessed by the RADF Committee in December 2015.

Promotion and Support

Promotion of the new RADF program included extensive advertising in local community newspapers, media releases and emails to previous RADF applicants.

All relevant information was posted on Council’s website, Facebook and Twitter, featured in Councillor columns, spotlight print and radio, gallery e-news, library e-news and Council’s messages on hold.

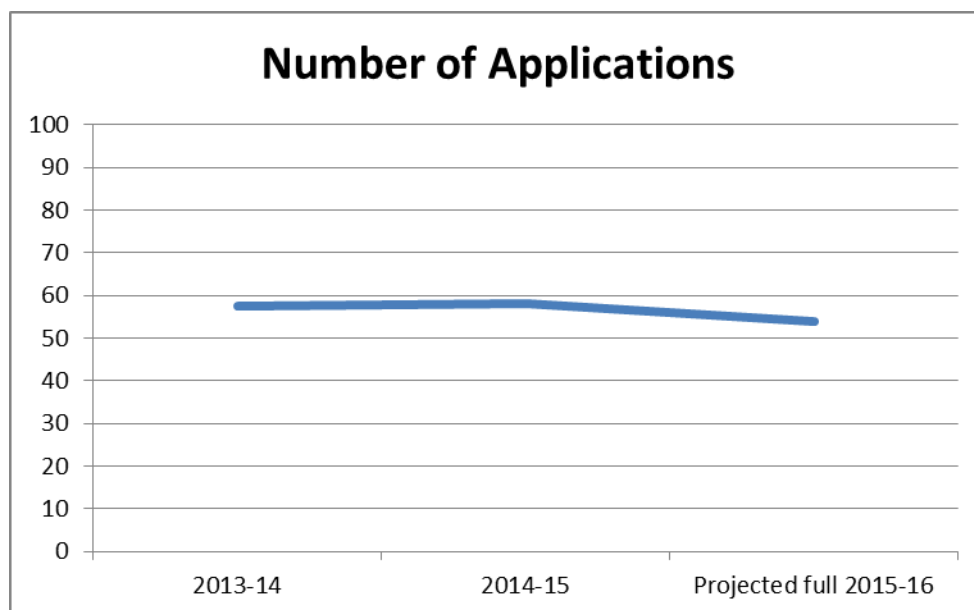
Staff attended face to face meetings with applicants and responded to numerous telephone enquiries and emails.

The following further promotions have also taken place since 1 July 2015:

- Launch at Creative Industry Breakfast Maroochydore
- RADF showcase performances at Blow Up and Sunshine Coast Art Prize Opening event – Caloundra Regional Gallery
- Media Releases across the region to announce the launch of the new program
- RADF promotional postcards distributed regionally
- All internal Council tools including Spotlight, Councillor Columns, website, News Site
- Council library email database (77,000)
- Community Connections email database (8000)
- Gallery email database (8000)
- scene email database (800)
- SCCA email database (500)

Applications

A total of 15 applications were received, requesting a total of \$87,294 in funding. There were three Expressions of Interest received which did not proceed to full application.



The above graph demonstrates the total number of applications received over the 13/14 FY and 14/15 FY in comparison to the projected applications for 15/16 FY.

Assessment

Council officers pre-assessed each application to determine eligibility.

The RADF Committee read each application prior to meeting to discuss applications, determine outcomes and allocate funds to successful applicants. The assessment meeting was attended by the RADF Committee and Council’s RADF administrators. The meeting was chaired by a Council officer as the portfolio Councillor was not available. However, the officer did not participate in the deliberations or the recommendations.

In accordance with the RADF process, any declaration of a committee member's conflict of interest must be recorded and that committee member must not be involved in the related deliberations. There were no conflicts of interest declared in this funding period.

Applications were assessed and scored in accordance with set RADF assessment criteria:

- Project supports locally determined arts and cultural priorities
- Project supports local artists and arts and cultural activity
- Provides opportunities for local communities to participate in arts and cultural activities
- Supports artists to develop and practice their creative endeavours
- Engages local communities
- Builds the capacity of local artists
- Builds existing partnerships and develops new partnerships
- Supports individual professional development opportunities.

Recommendations

A total of thirteen applications are recommended for funding totalling \$53,450.

The recommended projects are diverse, of a high quality and will involve the employment of a broad range of artists and arts workers engaged in the valuable arts and cultural industry across the Sunshine Coast Local Government Area.

The total value of the funded projects is \$221,682. This investment represents more than \$4 return on every dollar contributed by Council and the State Government in this grant round.

Below is a summary of recommendations for the September 2015 RADF funding period.

Applications received	Funding requested	Applications recommended	Funding recommended	% Applications recommended
15	\$87,294	13	\$53,450	86%

A list of the number of applications that were received and the number of applications that were successful, by RADF funding category, are provided in the table below.

RADF Funding Category	Number of applications	Number of successful applications
Project funding	12	10
Seed funding	0	0
Individual funding	2	2
Interest-free loan	0	0
Concept development	0	0
Mentorships	1	1

Details of recommended funding outcomes are provided in Appendix A.

Attachment 1: Funding Comparisons, details funding recommended in this funding period and the two previous funding rounds.

Confidential Attachment 2 provides additional information relating to the assessment of applications and is provided to Council in confidence under Section 275 (h) of the *Local Government Act 2009*.

Legal

There are no legal implications relevant to this report.

Policy

The recommendations are in accordance with the *Local Government Act 2009*, *Local Government Regulation 2012* and adopted *Community Grants Policy*.

Risk

Risk of legal liability is mitigated by having the successful funding applicants enter into agreements, which clearly set out the relationship between the parties and obligates them to hold levels of insurance and reporting requirements relevant to the funding agreement.

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

Related documentation includes individual funding agreements with successful recipients.

Relevant policy and strategy documents include:

- *Local Government Regulation (2012)*
- *Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*
- Sunshine Coast Council Regional Arts Development Fund Guidelines (2015)
- Sunshine Coast Social Strategy (2015)
- Cultural Development Policy (2012)
- Public Art Policy (2011)
- Community Events and Celebrations Strategy (2010).

Critical Dates

The next RADF assessment period will take place in March 2016.

Implementation

Following endorsement of this report, notification of outcomes will take place.

Funding will be distributed throughout March and April, following receipt of invoice and signed conditions of agreement.

8.3.2 SUNSHINE COAST ARTS ADVISORY BOARD

File No:	Statutory Meeting 28 January 2016
Author:	Acting Coordinator Community Programs and Events Community Services Department
Appendices:	App A - Sunshine Coast Arts Advisory Board - Draft Charter ..103
Attachments:	Att 1 - Cultural Development - Strategic Policy 117

PURPOSE

This report seeks Council's endorsement to establish a Sunshine Coast Arts Advisory Board as an advisory committee of Council under section 264 of the *Local Government Regulation 2012* to provide strategic advice to Council on issues and to support and grow investment in the arts on the Sunshine Coast.

EXECUTIVE SUMMARY

Council's adopted Cultural Development Policy (2012) (Attachment 1) and the Arts Incubation Feasibility Study Report, noted by Council in January 2012, both articulate Council's role in enlivening and developing culture and the arts in the region.

Throughout the world, arts and culture have been instrumental in changing communities and reviving cities, towns and regions. Arts and culture attract people to places, whether to visit, work or live, and create a powerful sense of belonging. There is a growing body of recent work that documents the impact of creative communities and which make a strong case for the contribution of arts, culture and creative industries to the economy and livability of communities.

This report outlines the growth in the arts as an industry across Australia. It recognises increased philanthropic activity by local communities interested in ensuring the development of art and culture at a local level. Local industry feedback from Sunshine Coast artists, art collectors and investors, and philanthropists support this growing trend.

This report seeks Council's endorsement to establish a Sunshine Coast Arts Advisory Board as an advisory committee of Council under section 264 of the *Local Government Regulation 2012* to provide strategic advice to Council on issues and to support and grow investment in the arts on the Sunshine Coast, including arts and cultural infrastructure. A draft Sunshine Coast Arts Advisory Board Charter for council to consider is attached (Appendix A).

It also seeks to task the Board with the establishment of a Sunshine Coast Arts Foundation that is closely aligned to the Caloundra Regional Art Gallery, in order to develop and encourage philanthropy in relation to art, artists, collections, and spaces for art development and exhibitions.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Arts Advisory Board”
- (b) approve the establishment of a Sunshine Coast Arts Advisory Board as an advisory committee of Council under section 264 of the *Local Government Regulation 2012*
- (c) endorse the Sunshine Coast Arts Advisory Board Charter (Appendix A) for the Sunshine Coast Arts Advisory Board and authorise the Chief Executive Officer to amend the Charter for operational purposes as necessary
- (d) require the Sunshine Coast Arts Advisory Board to establish an independent Sunshine Coast Art Foundation that is closely aligned to the Caloundra Regional Gallery
- (e) endorse sitting fees payable to the Chair and members of the Sunshine Coast Arts Advisory Board and refer an amount of \$3,488 to the 2016/17 budget process for this purpose
- (f) refer an amount of \$50,000 to the 2016/17 budget process for the purposes of recruiting and providing secretarial support to the Sunshine Coast Arts Advisory Board and establishing the Sunshine Coast Arts Foundation and
- (g) note that a further report will be provided to Council to seek formal endorsement of the membership of the Sunshine Coast Arts Advisory Board.

FINANCE AND RESOURCING

The establishment of the Sunshine Coast Arts Advisory Board will require a \$53,488 increase to the 2016/17 budget.

\$50,000 of the proposed budget is anticipated to be required for one financial year only, as the request is associated with the set-up costs of the Board and the establishment of the Foundation. However, \$3,488 budget will be ongoing as this allocation is proposed for sittings fees for Board members.

The one off \$50,000 budget request is proposed to be utilized in the following way:

- Indicative costs to establish the Foundation are approximately \$25,000, predominantly relating to legal costs.
- \$25,000 budget required to cover costs associated with proactively pursuing opportunities, managing stakeholder relationships, developing programs and sponsorship programs for Board and Foundation initiatives, and to provide secretariat support for Board meetings. This support style is consistent with Council’s Sunshine Coast Events Board. It is proposed that external consultancy support is sought for the recruitment of the board. It is anticipated that the ongoing costs will reduce once the Foundation has been established and as the Foundation becomes self-funding.

Remuneration of Board members

Given the calibre of the candidates that Council is seeking to source as potential members of the Board, some form of remuneration is recommended as appropriate. This cost will be ongoing for the life of the Board.

If Council considers that remuneration should be made available to the members of the Board, then the Queensland Government’s “Remuneration procedures for part-time Chairs

and Members of Queensland Government Bodies” (the Procedures) provide a basis for determining the value and conditions of any remuneration.

In terms of applying the evaluative criteria and conditions that are contained in the Procedures, the Chair and members would only be eligible for sitting fees for each meeting (given the frequency of meetings) on the following basis:

Table 1: Sitting fee rates for non-government members of Queensland Government boards.

CATEGORY E - 1	Half-Day (4 hours or less a day)	Full-Day (More than 4 hours in a day)
Chairperson	\$167	\$334
Ordinary member	\$141	\$281

Council currently has a range of endorsed committees, panels and boards. Those that operate with a model that acts in a similar capacity to this proposal include the Major Events Advisory Panel, the Urban Design Advisory Panel and the Sunshine Coast Futures Board.

The Sunshine Coast Futures Board offers remuneration to members on the following basis:
Chair

- \$167 half day meeting (4 hours or less)
- \$334 full day meeting (more than 4 hours in a day)

Members (other than the Mayor)

- \$141 half day meeting (4 hours or less)
- \$281 full day meeting (more than 4 hours in a day)

Based on this model and assuming that the Board would meet for a half day on a quarterly basis, this would incur a minimum annual cost of \$2,820 for five ordinary members (at a rate of \$141 per half day) in addition to sitting fees for the Chair of \$668 (at a rate of \$167 per half day). The Portfolio Councillor as a Board member is ineligible to receive sitting fees as outlined in the attached draft Charter (item 4.3.c). It should be noted that two of the Sunshine Coast Futures Board members decline to accept payment and their sitting fee is paid to a nominated charity.

These fees do not accommodate the costs of specialist expertise that may be required by the Board for time-limited periods, or travel expenses for members living outside of the Sunshine Coast region. Specialist costs are able to be accommodated within the current Community Services consultancy budget. Travel expenses would be based on existing Council travel booking and expenses policies and procedures. These Council policies provide guidance on the class of travel and bookings, domestic travel allowances and the use of private motor vehicles.

Members may also receive appropriate out-of-pocket expenses as determined by Council's Chief Executive Officer.

Any Council or other public sector employee who may be appointed to the Board would not be eligible to receive any form of remuneration associated with this appointment.

Under the Queensland Government Procedures, a loading component has already been included in the sitting fees to compensate for reasonable time associated with travelling to meetings. No payment for travelling time to attend or return home from a meeting or approved Board work is made to Board members.

Other relevant Council policies would apply for other remunerative matters. Where there is no applicable Council policy, guidance will be drawn from the Queensland Government Procedures referred to above.

CORPORATE PLAN

- Corporate Plan Goal:** *A strong community*
Outcome: 2.3 - Culture, heritage and diversity are valued and embraced
Operational Activity: 2.3.3 - Deliver a celebration, events and cultural program which encourages community participation and capacity and celebrates diversity
- Corporate Plan Goal:** *A new economy*
Outcome: We serve our community by providing this great service
Operational Service: S2 - Economic development - providing industry and business programs and initiatives to support the growth of the regional economy
- Corporate Plan Goal:** *A strong community*
Outcome: 2.2 - Resilient and engaged communities
Operational Activity: 2.2.1 - Implement prioritised actions as identified in the Sunshine Coast Social Strategy 2015
- Corporate Plan Goal:** *A strong community*
Outcome: We serve our community by providing this great service
Operational Service: S4 - Community and cultural development and partnerships - providing planning, partnering and supporting the community through a range of community development, civic and cultural programs and grants
- Corporate Plan Goal:** *A public sector leader*
Outcome: 5.4 - Productive, professional partnerships
Operational Activity: 5.4.3 - Manage Council's incoming sponsorship arrangements for Council's community programs and events

CONSULTATION

Internal Consultation

- Councillors
- Sunshine Coast Mayor and Councillors (Strategic Discussion Forum held 12 October, 2015)
- Director, Community Services
- Director, Corporate Services
- Manager, Community Relations Branch
- Manager, Economic Development
- Community Programs and Events team members.

External Consultation

- State Manager, Creative Partnerships Australia
- Special Counsel, McCullough Robertson Lawyers
- Caloundra Regional Gallery patrons and potential Foundation members.

Community Engagement

Broad community engagement was not required to inform this report, however the Chair of the Friends of the Caloundra Gallery and members of the arts community associated with the Sunshine Coast Art Prize and the Sunshine Coast Creative Alliance have been consulted and are supportive of this proposal.

PROPOSAL

Council's adopted *Cultural Development Policy* (2012), and the Arts Incubation Feasibility Study Report, noted by Council in January 2012, both articulate the role of Council in enlivening the creative and cultural life of the Sunshine Coast community.

This report recommends a mechanism to strategically focus the role of Council, the community, partners and stakeholders in delivering the Cultural Development Policy objectives.

It also outlines the growth in the arts as an industry across Australia and recognises the increase in philanthropic activity by local communities interested in ensuring the development of art and culture at a local level. Local industry feedback from Sunshine Coast artists, art collectors and investors, and philanthropists support this growing trend.

The recommendation outlined offers Council an opportunity to harness this trend, and in doing so, to create both a strategic direction and new income streams for the arts on the Sunshine Coast.

Research

Research on participation in the arts by the Australia Council in 2014 indicates that the arts are more important than ever to the Australian community. Key findings of this research include:

- 19 out of 20 Australians engage with the arts
- 85% of Australians think that the arts make for a richer and more meaningful life
- 48% of Australians make art.

Generally, the research indicates that developing, participating and providing access to the arts makes for cohesive communities, and helps improve community health and wellbeing, inclusivity, shared identity, culture and pride. Research also shows that the arts inspire civic participation and contributes to the creation of livable cities. These outcomes are consistent with the goals and objectives of Council's Social Strategy 2015.

At an economic level, creative industries (which includes the arts), currently employ more than 600,000 Australians contributing to Australia's \$32 billion creative economy.

The JB Were 2014 Report 'Australian Giving Trends – Stuck on the Plateau' reported that since 1979, tax deductible donations to the arts have increased from \$59 million to \$2.4 billion - an 11.7% average growth per annum.

Moreover, the Australia Major Performing Arts Group (AMPAG) survey, released in 2014 reveals:

- Total performing arts revenue from corporate sponsorship, individual giving and net fundraising events increased by \$7.2 million (11.3%) to \$71.3 million in 2013
- Since 2000, total revenue has increased \$41 million or 135.4%, well ahead of CPI
- Queensland organisations' raised \$7.4 million in 2013 across events, private giving and sponsorship (up \$2.9 million from 2012).

At a local level, increased activity and profiling of the Regional Gallery at Caloundra is generating new interest and relationships, and is cementing previous relationships with local known philanthropists and potential philanthropists. One of the topics continually raised with this group is how they can formally associate specifically with the Gallery to support and grow art outcomes.

Proposed model

The positioning of the arts as a cultural and economic driver is gaining momentum and a strategic approach is required to ensure community and stakeholder expectations are harnessed, managed and support good outcomes.

The formation of a Sunshine Coast Arts Advisory Board is seen as critical to maintaining the momentum and building on the partnerships and relationships that have already been built between Council, the arts industry, artists, and philanthropists.

Such a Board will ensure a focused approach to the arts on the Sunshine Coast. It is intended that it will guide and inform, through the specialist expertise and network of its membership, the decision-making processes of Council in relation to the arts, particularly the development of spaces and places that contribute to a vibrant regional arts scene. The Board's primary role will be to provide strategic advice to Council on issues and collaborative opportunities to support and grow the region's investment in the arts, including arts and cultural infrastructure. It will:

- guide and help build the identity of the Sunshine Coast as an arts destination
- advocate the region's advantages to secure new investment in arts and cultural infrastructure
- provide strategic advice to Council in relation to arts and cultural facilities and infrastructure
- provide advice on strategic direction of wider cultural policy and strategy.

Such an advisory Board will also be responsible for the establishment of an independent Sunshine Coast Art Foundation, aligned to the Sunshine Coast's Regional Gallery at Caloundra. The primary role of such a Foundation will be to develop and encourage philanthropy in relation to the development of visual art, artists, collections, and spaces for art development, collections and exhibitions on the Sunshine Coast. It will:

- link government, business and community in their support of the Regional Art Gallery
- support the Gallery in sharing and preserving the region's art cultural history for future generations
- work towards enriching and broadening the knowledge, understanding and appreciation of art in the community
- work with the Board to explore opportunities for the Gallery to grow and expand.

The Foundation will provide opportunities to purchase art for the region's public collection and provide avenues for bequests, donations and significant philanthropic activities benefitting art and the Regional Gallery.

The Sunshine Coast Arts Advisory Board would be responsible for setting up the Foundation's Charter and Constitution. However, the Foundation would be governed by a separate external Board of Trustees.

This would offer the opportunity for high profile patrons and governors, with the right networks, to lead the fundraising efforts with vision and energy. It would also offer a prestigious marketing tool and opportunity to have dinners and other fundraising events.

Funds generated through the Foundation via events, donations, endowments and bequests, can be used more broadly than just the Gallery and would be identified in the Foundation's Charter.

Should the Foundation cease to exist funds raised by the Foundation will be quarantined by Council for a future use in a manner that is not-inconsistent with the purpose for which the funds were originally raised.

Ongoing support for the Board would also be required to establish the Foundation and then to proactively pursue opportunities, manage stakeholder relationships, develop programs and sponsorship programs for Board and Foundation initiatives, and to provide secretariat support for Board meeting.

It is proposed that a consultancy support is sought for the promotion and recruitment of the board and that support for the Board is provided on a contractual basis for a 12 month period noting that it is anticipated that the ongoing costs will reduce as the Foundation becomes self-funding.

Additional fundraising activities for the Gallery and cultural programs, such as membership programs and sponsorships, which would value add to the activities of the Foundation would also be initiated.

The Foundation may also consider the recommendations of the Arts Advisory Board in relation to the funding of visual art initiatives.

The establishment of a non-statutory external Arts Advisory Board would be in line with Council's Boards and Committees Toolkit, with the purpose of the committee established under section 264 of the *Local Government Regulation 2012*. Recommendations from the Board would be considered by Council resolution.

This report provides a draft Sunshine Coast Arts Advisory Board Charter for council's consideration (Appendix A). It outlines the Board's purpose, responsibilities, membership and other operational matters.

In relation to the Board membership, the draft charter includes the following:

- i) An independent Chair;
- ii) The Portfolio Councillor for Community Programs, or nominated delegate from the elected Council;
- iii) One community representative – skill based (arts/strategic/visionary);
- iv) Two business representatives – skill based (finance/legal/commercial/marketing);
- v) The Chair, or as an alternate, Deputy Chair, of the Sunshine Coast Creative Alliance;
- vi) A Trustee of the Sunshine Coast Arts Foundation (once Foundation established);
- vii) Employee ex-officio members who are Board members by virtue of the position they hold in the Sunshine Coast Council, including the Manager Community Relations or delegate.

Legal

The establishment of a non-statutory external Sunshine Coast Arts Advisory Board will be undertaken in accordance with Section 264 of the *Local Government Regulation 2012*.

There are legal requirements associated with the establishment of a Sunshine Coast Art Foundation. Further technical legal advice will be sought post Council's consideration of this report.

Policy

The recommendations provided are in accordance with Council's:

- Cultural Development Policy (2012)
- Sunshine Coast Social Strategy 2015
- Sponsorship Policy (2010).

Risk

There may be some risk around lost revenue from failing to capitalise on the current trends in philanthropic giving.

Failure to establish an advisory board could result in the risk of not engaging the business and the arts community appropriately in developing a strong strategic approach to the arts on the Sunshine Coast.

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

- Sunshine Coast Social Strategy 2015
- Cultural Development Policy (2012)
- Public Art Policy (2011)
- Sponsorship Policy (2010)
- Boards and Committees Toolkit – Getting Aboard
- Queensland Government Remuneration Determination for Statutory and Non-Statutory.

Critical Dates

There are no critical dates relevant to this report, however the timely establishment of the Sunshine Coast Arts Advisory Board is important.

Implementation

01 February 2016:	Mayor announces endorsement of Sunshine Coast Arts Advisory Board recommendation (as well as launch of 2016 Sunshine Coast Art Prize).
Feb/March 2016:	Recruitment consultant identified, process/paperwork developed, recruitment commences
April/May 2016:	Candidates shortlisted
June 2016:	Board endorsed by Council.
July 2016:	Board commences.

8.3.3 MALENY SPORT AND RECREATION MASTER PLAN 2016 - 2031

File No:	Statutory Meeting 28 January 2016
Author:	Sport and Recreation Officer Community Services Department
Appendices:	App A - Maleny Sport and Recreation Master Plan 2016 - 2031 133

PURPOSE

The purpose of this report is to seek Council's endorsement of the Maleny Sport and Recreation Master Plan 2016 - 2031 (Appendix A).

EXECUTIVE SUMMARY

The purpose of the Maleny Sport and Recreation Master Plan 2016 - 2031 is to provide a long term vision (15 year horizon) across three key sport and recreation sites within the Maleny locality, consistent with community demand and the needs of clubs/organisations within this locality and the wider region. The Plan's focus area covered two (2) primary sites including Maleny Showgrounds and the Witta Sportsground, with a leased portion of the Maleny Community Precinct also considered to detail how activities on this site will complement and interact with sporting and community offerings at the Maleny Showgrounds and Witta Sportsground.

The key recommendations of the Master Plan include:

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

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

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Maleny Sport and Recreation Master Plan 2016 - 2031 ”
- (b) endorse the “Maleny Sport and Recreation Master Plan 2016 - 2031” (Appendix A) and
- (c) note that future stages of development will be determined in accordance with Council’s 10 Year Capital Works Program and successful applications for external funding as outlined within this report.

FINANCE AND RESOURCING

The costs of implementing the recommendations of the Maleny Sport and Recreation Master Plan 2016 – 2031 are recognised as being beyond the capacity of Council to fund in its own right. The adoption of the Master Plan provides relevant stakeholders, community groups and Council with a strategic direction to implement improvements in a clear and focused way, and provides a foundation for grant applications and future facilities planning.

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

Maleny Showgrounds:

- | | |
|------------------------------------|--------------------|
| • Short term (within next 5 years) | \$ 805,000 |
| • Medium term (6 - 10 years) | \$ 480,000 |
| • Long term (11 - 15 years) | \$1,250,000 |
| • Total | \$2,535,000 |

Witta Sportsground:

- | | |
|----------------|-------------------|
| • Short term | \$ 150,000 |
| • Long term | \$ 300,000 |
| • Total | \$ 450,000 |

Maleny Community Precinct:

- | | |
|----------------|--------------------|
| • Short term | \$ 720,000 |
| • Long term | \$ 880,000 |
| • Total | \$1,600,000 |

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

Project funding has been allocated for the implementation of the Maleny Sport and Recreation Master Plan 2016 – 2031 through Council’s 10 Year Capital Works Program. Council’s Capital Works Program (2015/16 – 2025/26 pending endorsement) includes:

- \$120,000 in 2015/16 for staged construction of Master Plan initiatives
- \$70,000 in 2016/17 for upgrade of the Maleny Showgrounds electrical switchboard
- \$250,000 in 2019/20 for Norris House change rooms and storage upgrade
- \$50,000 in 2024/25 for staged construction of Master Plan initiatives
- \$250,000 in 2025/26 for staged construction of Master Plan initiatives.

CORPORATE PLAN

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

CONSULTATION**Internal Consultation**

Internal consultation occurred throughout the development of the Maleny Sport and Recreation Master Plan 2016 – 2031 with the following internal stakeholders:

- Councillor Jenny McKay (Division 5 Councillor)
- Community Facilities and Planning
- Community Response
- Development Services
- Economic Development
- Environment and Sustainability Policy
- Environmental Operations
- Parks and Gardens
- Project Delivery
- Property Management
- Transport and Infrastructure Policy
- Transport Infrastructure Management.

External Consultation

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

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

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

Community Engagement

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

- Community survey
- Two public exhibition sessions (IGA Maleny)
- Publicly advertised community consultation sessions at the Witta Sportsground, Maleny Showgrounds and the Maleny Community Precinct
- Public review and feedback of the draft Master Plan.

Members of the Maleny community were provided opportunities to learn more about the intent of the master planning process and to express their views on sport and recreation in Maleny on all of the three study sites. An initial awareness display was held at the Maleny IGA on 6 December, 2014 followed by a subsequent engagement session on 29 October 2015. There were mixed views on the Master Plan at the public exhibition session, those that objected to the Plan's recommendations were primarily focused on the portion of land leased to the Maleny District Sports & Recreation Club (MDSCR) at the Maleny Community Precinct.

Further to the public exhibition session, a number of formal submissions were received by Council during the public engagement phase of the Master Plan. Of these respondents, 55% indicated they were residents of Maleny, 14% from North Maleny, 7% from Witta and 19% from other locations. Most respondents (38%) were in the 60+ age bracket, followed by 50 - 59 (21%) and 40 – 49 (14%).

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

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

As the project progressed and preliminary plans were prepared, stakeholder and community group input was sought (including schools) at three interactive workshops at the study sites where plans and findings were presented. Following these sessions, plans were further refined and consolidated into the Maleny Sport and Recreation Master Plan 2016 – 2031 as presented.

PROPOSAL

As a result of ad-hoc development on sport and recreation land in the Maleny locality, Council engaged external consultants Strategic Leisure Group (now Otium Planning Group) to undertake a sport and recreation master planning exercise for the Maleny community and surrounding sporting catchment including Witta.

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

Maleny Showgrounds:

Maleny Showgrounds is a multi-purpose sport and recreation precinct supporting a diverse range of activities. The Showgrounds are leased to the Maleny Show Society. A wide range of facilities service the following user groups:

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

Witta Sportsground:

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

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

Maleny Community Precinct:

Maleny Community Precinct is a multi-purpose precinct supporting a diverse range of environmental, community, sport and recreation activities. The southern and eastern boundaries of the Community Precinct are adjacent to Obi Obi Creek. The following user groups are located at the site:

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

The purpose of the Maleny Sport and Recreation Master Plan 2016 - 2031 is to determine:

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

Master Plan Elements

The development of the Maleny Sport and Recreation Master Plan 2016 - 2031 has involved an extensive process to ensure alignment with community needs, population projections, statutory policies and regulations. Council's key strategies have also been considered in the development of the Master Plan and are addressed throughout this report.

The Master Plan considers:

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

Key recommendations of the Master Plan include:

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

Zoning

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

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

Legal

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

Policy

The *Sunshine Coast Open Space Strategy 2011* and the *Sunshine Coast Sport and Active Recreation Plan 2011 - 2026* form Council's policy position on sport and active recreation for the region. Both documents have been reviewed and used to guide the final recommendations of the Maleny Sport and Recreation Master Plan 2016 - 2031.

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

- Adoption of the *Sunshine Coast Open Space Strategy 2011*. This document supports the following future directions:
 - Improving long-term financial viability through shared support infrastructure such as club houses, car parks and water re-use; planning for effective links to community by public transport, cycle and pedestrian paths; considering accessibility to the community for unstructured recreational activities; and advocating for appropriate investment in land, construction and maintenance to increase capacity of existing open space and minimise need for additional open space
 - Protecting and developing the existing district sports grounds across the Sunshine Coast.
- Adoption of the *Sunshine Coast Sport and Active Recreation Plan 2011 - 2026* provides recommendations including:
 - Develop two senior fields at the Maleny Sports Precinct to cater for the relocation of Maleny Football Club from the Showgrounds. It is understood playing field dimensions in the 2010 Community Precinct Master Plan – Sport and recreation Sub Precinct have allowed for possible future shared use by other sports (e.g. touch football)
 - When demand warrants the relocation of the Maleny Football Club to the Maleny Sports Precinct, master plan the Maleny Showgrounds to rationalise current use
 - In order to maximise Council's recent investment in improvements at Witta Recreation reserve (drainage, lighting, undergrounding of power lines), monitor capacity of this venue to cater for the future needs of touch and rugby union
 - If future demands exceed the capacity of the Witta Recreation Reserve, evaluate the cost effectiveness of acquiring adjoining land to expand this facility as opposed to further development of the Maleny Sports Precinct
 - Liaise with Maleny Netball Club and Maleny State High School to access the suitability and accessibility of the school's existing hard courts and indoor facility for community use by netball/basketball participants.

After extensive community consultation, the Maleny District Sports and Recreation Club (MDSRC) expressed a desire to relocate some equestrian activities (i.e. show jumping, polocrosse and cross country disciplines) from the Maleny Showgrounds to the Maleny Community Precinct within their leased boundaries. The MDSRC have no intent to duplicate Pony Club activities currently held at the Maleny Showgrounds. MDRSC also supported soccer activities remaining at the showgrounds, noting the capacity to relocate Maleny Rangers Football Club to the Maleny Community Precinct as problematic due to excessive cost and undulation of the site.

Risk

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

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

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

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

- receive and note the report titled “Sunshine Coast Sport and Active Recreation Plan 2011-2026”;*
- discontinue Caloundra City Council Recreation Policy [ref 727] and Noosa Council Recreation Policies [ref 03094 –R-4] (Appendix A);*
- adopt the Sunshine Coast Sport and Active Recreation Plan 2011-2026 (Appendix B) as amended;*
- develop a detailed and prioritised multi-year implementation plan based on councils’ long term financial model and other revenue sources; and*
- 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;*
- acknowledge and thank the wider community for their contribution in the development of the Sunshine Coast Sport and Active Recreation Plan 2011-2026; and*
- acknowledge and thank the staff from the Active and Healthy Communities branch of the Community Services Department for their contribution to the “Sunshine Coast Sport and Active Recreation Plan 2011-2026”.*

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

That Council:

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

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

Total \$1,000,000

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

Related Documentation

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

Critical Dates

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

Implementation

Council's Capital Works Program includes limited future allocation of funding to contribute towards the staged detailed planning and construction of Master Plan initiatives, and outlines future stages of development to be prioritised in accordance with Council's 10 year Capital Works Program.

The Master Plan will allow investigation of joint partnership and external funding opportunities in addition to Council's Capital Works funding and Council's community grants program. This will be conducted in consultation with the affiliate groups, the community and Council.

The adoption of the Master Plan will also provide council and stakeholders with a sound base to lobby the state and federal governments for implementation funding assistance for the recommended upgrades and improvements to the associated infrastructure.

8.4 INFRASTRUCTURE SERVICES**8.4.1 MARY CAIRNCROSS SCENIC RESERVE BUILDING RENEWAL PROJECT - CONSTRUCTION FUNDING**

File No:	Statutory Meeting 28 January 2016
Author:	Project Coordinator Infrastructure Services Department
Attachments:	Att 1 - Financial Analysis December 2015 195 Att 2 - Architectural images of the final design 201

PURPOSE

As per Council's resolution in relation to the Mary Cairncross Scenic Reserve Building Renewal Concept Design (OM14/179), this report presents the final design, updated construction costs and funding options, and to seek endorsement for securing capital works funds for the construction stage of the project.

EXECUTIVE SUMMARY

The Mary Cairncross Scenic Reserve (the Reserve) is highly recognised as a regional icon for its significant conservation values and has been a popular destination for local residents and visitors alike for over fifty years. It is estimated to attract around 200,000 visitors annually.

Council manages the Reserve in close association with a range of partners including the community based Management Committee, The Friends of Mary Cairncross and over 90 volunteers.

It has been identified that the on-site facilities are not adequate to meet operational needs, visitor expectations and modern standards. In recognition that building renewal was required for the current infrastructure a range of proposals have been developed over the years. The Sunshine Coast Hinterland Nature Based Tourism Plan (Tourism Qld, 2009) identified the Reserve as significant on a national scale and a best prospect catalyst project for positioning the Hinterland as an iconic nature based tourism destination.

The renewal includes a new Discovery Centre, café, gift shop, elevated viewing platform and boardwalk, meeting theatre, conservation research area, offices and amenities for the volunteers and staff.

Working in conjunction with the community based Concept Design Advisory Panel the consultants developed a number of design concepts, two of which were subject to an extensive stakeholder engagement and community consultation program. The feedback received was largely in support of the project and key stakeholders such as the Friends of Mary Cairncross, the volunteers and the tourism groups are particularly excited about the proposed renewal.

The design concepts, associated costing and consultation outcomes were presented to Council in December 2014, where one of the concepts was endorsed (with some specific changes) for detailed design development to a shovel ready state. The detailed design and construction tender package are now completed.

The detailed construction costs estimate for the redevelopment is \$4.735 million including 7.5% contingency, consultant and superintendent fees.

Council's capital works program forecasts \$3.55 million for the Environmental Visitor Education Facilities (2016/17 through to 2020/21). Additional to that, gold coin donations to the value of \$250,000 have been dedicated to the project by the Mary Cairncross Scenic Reserve Management Committee, bringing the total available funds to \$3.8 million.

The Federal Government has recently announced that Council's application for a \$1 million grant under the Queensland Tourism Infrastructure Fund (administered by the Queensland Department for Tourism, Major Events, Small Business and the Commonwealth Games) was successful.

To be able to capitalise on this external funding offer it is proposed, that \$266,350 be brought forward to 2015/16 and a further \$3,218,650 to 2016/17 for construction of the proposed facilities making Council's overall outlay \$3,485,000.

Bringing forward these future program allocations will necessitate a corresponding reduction of the program in the relevant years noted above. It is not envisaged that there will be any significant impact on other future projects or staff resourcing associated with bringing forward future capital funding into the 2016/17 financial year as the majority of these funds had been allocated to the sub program level only, not to specific projects.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Mary Cairncross Scenic Reserve Building Renewal Project - Construction Funding", including the artists impressions for the final design**
- (b) note the Queensland Tourism Infrastructure Fund \$1 million funding offer and the associated funding agreement conditions stating that Council is required to provide evidence on or before 31 January 2016 that it has (or has secured) sufficient funding (in addition to the Grant) required to complete the Activity and entering into a building contract with the successful tenderer on or before 15 March 2016**
- (c) authorise the Chief Executive Officer to enter into contract with the successful tenderer**
- (d) endorse the bringing forward of \$2,768,650 from 2017/18 – 2020/21 to the 2016/17 capital forecasts for the Environmental Visitor Education Facilities Sub Program to bring the budget to \$3,218,650 for approval during the 2016/17 budget adoption and**
- (e) note that there is a proposed increase in the 2015/16 adopted capital budget for the Environmental Visitor Education Facilities Sub Program of \$266,350, as part of Budget Review 2.**

FINANCE AND RESOURCING

Construction cost and project funding

The construction cost for the proposed redevelopment is estimated at \$4.735 million including a 7.5% contingency, consultant and project management fees.

Council's forward capital works program includes the amounts listed below for Environmental Visitor Education Facilities.

Financial year	Funds required for Mary Cairncross project	Funds retained for other programmed projects
2016/17	\$450,000	\$67,000
2017/18	\$600,000	\$150,000
2018/19	\$700,000	
2019/20	\$400,000	
2020/21	\$1,400,000	
Total	\$3,550,000	\$217,000

To enable building construction in the 2016/17 financial year it is proposed to bring forward the amounts noted above to 2016/17 within the Environmental Assets Capital Program. Please note that bringing forward these future program allocations will necessitate a corresponding reduction of the program in the relevant years noted above. It is not envisaged that there will be any significant impact on other future projects or staff resources associated with bringing forward future capital funding into the 2016/17 financial year as the majority of these funds had been allocated to the sub program level only, not to specific projects.

As shown in the table some funding shall be withheld to support other programmed projects.

Additional to this, gold coin donations to the value of \$250,000 have been dedicated to the Discovery Centre component of the project by the Mary Cairncross Scenic Reserve Management Committee, bringing the total available funds to \$3.8 million.

The Federal Government announced in October 2015 that Council's application for \$1 million under their Queensland Tourism Infrastructure Fund (QTIF - administered by the Department for Tourism, Major Events, Small Business and the Commonwealth) was successful.

One condition attached to the QTIF grant is that construction is required to start as soon as reasonable to maximise the amount of funds expended in 2015/16. Accordingly, **Table 1** summarises the estimated cash-flow and funding requirements. As outlined in Table 1, it is proposed that Council bring forward \$266,350 into 2015/16 and \$3,218,650 for 2016/17 (B1752) from the future Environmental Visitor Education allocations. This will be supported by revenue from QTIF totalling \$1 million over 2015/16 and 2016/17.

Table 1 - Construction Cash Flow Forecast

Construction months	Construction cost profiling	Revenue from QTIF	MCSR Management Committee	SCC Cashflow (cumulative)	
Apr-16	\$ 29,357			\$ 29,357	
May-16	\$ 78,128			\$ 107,485	
Jun-16	\$ 208,814	\$ 50,000		\$ 266,298	
Jul-16	\$ 434,673			\$ 434,673	
Aug-16	\$ 709,777			\$ 1,144,450	
Sep-16	\$ 906,753			\$ 1,616,529	
Oct-16	\$ 906,753			\$ 1,813,505	
Nov-16	\$ 709,777	\$ 850,000		\$ 766,529	
Dec-16	\$ 434,673		\$ 250,000	\$ 894,450	
Jan-17	\$ 208,814			\$ 643,487	
Feb-17	\$ 78,128			\$ 286,941	
Mar-17	\$ 29,357	\$ 100,000		\$ 7,485	
Total 2015/16	\$ 316,298	\$ 50,000	\$ -	\$ 266,298	SCC budget 2015/16
Total 2016/17	\$ 4,418,702	\$ 950,000	\$ 250,000	\$ 3,218,702	SCC budget 2016/17
Grand Total	\$ 4,735,000	\$ 1,000,000	\$ 250,000	\$ 3,485,000	Total SCC Outlay

Potential additional funding

The 2016/17 round of QTIF was announced in October 2015 and Council submitted an application for an additional \$1 million for the Mary Cairncross project. Notwithstanding this opportunity, the Department stated that it is under no obligation to award additional funding and that it would be contingent upon meeting agreed construction milestones in 2015/16 and successful application for additional funding. An announcement in relation to QTIF 16/17 is not anticipated before March 2016.

Further to this Council has lodged an application for \$2 million with the National Stronger Regions Fund (NSRF) offered by the Department of Infrastructure and Regional Development. This application was not successful.

The Friends of Mary Cairncross have indicated an interest in supporting the interpretive fit-out of the Discovery Centre to the value of \$50,000 to \$100,000 with the amount yet to be confirmed.

Operational costs and revenue

The Business Case Assessment report presented to Council in March 2013 included detailed financial analysis of the strategic development options considered for the future of the Reserve.

Council currently expends approximately \$220,000 annually to support the ongoing operation of the built facilities at the Reserve (excluding the rainforest walks, picnic areas, and public toilets that are outside of the scope of this building renewal project).

Table 2 provides a comparison of current operating costs and revenue with that estimated for the redevelopment under consideration.

It is estimated that 1.2 FTE is required currently to manage the existing built precinct; this would need to be increased to 2.2 FTE as a result of the proposed operating model. This is required to allow for the operation of the gift shop and to assist with the delivery of the expanded educational programs. The Business Case Assessment (The Stafford Group, 2012) recommends that, for most benefit, the management of the retail function be kept in house within Council. The management of the gift shop will involve a level of complexity and turnover that the volunteers are not comfortable with and they expressed their choice to not participate in this function directly.

It is forecast that the increased revenue from retail sales off-sets any increase in employee costs; however, to fully validate the revenue assumptions, it is proposed that any change to employee arrangements will be on a temporary basis and reviewed on the anniversary of the commencement of retail operations.

The café operation is currently under a lease arrangement and it is proposed that a new lease be set up through public tender as part of the facility upgrade.

Table 2 –Operating cost breakdown

Statement of Income and Expense	Current 2018/19 Forecast \$	Proposed Redevelopment 2018/19 Forecast \$	Change \$
Operating Revenues	-	-	-
Café lease	8,500	25,000	16,500
Café turnover		17,000	17,000
Gift shop revenue		203,400	203,400
Meeting space rental		15,500	15,500
Gold coin donations	75,289	126,600	51,311
Total Operating Revenue	83,789	387,500	303,711
Operating expenses	-	-	-
Employee costs (incl vehicles)	118,684	185,000	66,316
Maintenance and utilities	99,758	81,000	(18,758)
Cost of goods for gift shop		98,000	98,000
Total Operating Expenditure	218,442	364,000	145,558
Operating Result	(134,653)	\$23,500	158,153

Built precinct only; cost items for walks, picnic areas and public toilets are not relevant and are excluded from this analysis.

In general, most cost items will increase with the proposed development, however as the revenue potential of the site also increases significantly, it is anticipated that the operating deficit will improve into an operating surplus, as shown in **Table 2** and **Table 3**.

The proposed revenue increases provide the opportunity to bolster much needed support for the Reserve's special values and partnerships, including the volunteer program, research activities, environmental learning and rainforest conservation.

Table 3 – Operating cost / revenue projections

Year	If we 'do nothing'	Proposed Redevelopment
Year 5 (discounted)	-110,700	\$39,600
Year 10 (discounted)	-114,200	\$68,900

Built precinct only; cost items for walks, picnic areas and public toilets are not relevant and are excluded from this analysis.

Life cycle costs

A summary of the construction and life cycle costs associated with the concepts considered are provided in **Table 4**. The Net Present Cost (NPC) estimates are based on a 6.5% discount rate over a 25 year horizon. **Table 4** also includes the key assumptions that were factored into the analysis.

Table 4 – Net Present Cost and assumptions

Year	If we 'do nothing'	Proposed Redevelopment
Capital expenditure	\$200,000	\$4.735 m
Net Present Cost	\$2.7 m	\$3.0 m
Visitor numbers year 1	200,000	220,000
Visitor numbers year 25 (estimated)	230,000	320,800
Café penetration	N/A	45%
Café turnover to council after yr 3	N/A	5%
Gift shop penetration	N/A	20%
Cost of goods (retail)	N/A	45%
Meeting room average hourly rate	N/A	\$30/h
Meeting room utilisation	N/A	25%
People donating (gold coin)	25%	56%

The Net Present Cost estimate for 'doing nothing' is \$300,000 less than that for the proposed redevelopment, however, it is not recommended to continue with the 'do nothing' option. The \$200,000 expenditure will only bring minimal improvements (disability access, better compliance with the Building Code of Australia and electrical standards) but it does not provide any benefits in terms of highlighting educational or conservation values, nor in terms of contribution to regional economic development. Furthermore, retaining the existing facilities is not feasible over a 25 year period.

In summary, it is proposed to implement the redevelopment resulting in the following outcomes:

- One additional FTE starting 2017/18 (initially on a temporary basis)
- Positive operating result (operating surplus by year 2020/21)
- Capital expenditure of \$4.735 million – total Council outlay of \$3.485 million over 2015/16 and 2016/17
- Net Present Cost of \$3.0 million (25 years)

The full analysis including assumptions, detailed spreadsheets and sensitivity analysis is included in **Attachment 1**.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*

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

Operational Activity: 1.3.1 - Implement the industry and investment plans for high-value industries: Health and well-being; Education and research; Tourism, sport and leisure; Clean technologies; Aviation and aerospace; Knowledge industries and professional services; Agribusiness

Corporate Plan Goal: *An enviable lifestyle and environment*

Outcome: 3.3 - A reputation for innovative environmental practices

Operational Activity: 3.3.2 - Continue to engage, support and grow community partnerships in managing and enhancing the region's natural assets on public and private lands
3.3.4 - Finalise a design concept for the Mary Cairncross Scenic Reserve Visitor Education Centre where innovative building design promotes sustainability and uses technology to engage the community in environmental research and education

Corporate Plan Goal: *Service excellence*

Outcome: 4.2 - Services and assets are efficient, appropriately maintained and managed to meet the needs of a growing community

CONSULTATION

Internal Consultation

Internal Consultation

- Divisional, Environment and Community Programs Portfolio Councillor
- Place Portfolio Councillor
- Economic Development, Tourism Councillor
- Environmental Operations
- Project Delivery
- Property Management
- Environmental and Sustainability Policy
- Communication
- Principal Architect
- Strategy and Coordination, Funding Partnerships
- Finance

External Consultation

Concept Design Advisory Panel

Council established a community based Concept Design Advisory Panel to closely guide the design development process. The Panel had several design review meetings with the consultants and all Panel members are highly supportive of the final design which they believe will deliver on the desired outcomes identified in the brief.

Concept Design Advisory Panel included representation from the following:

- Mary Cairncross Scenic Reserve Management Committee
- Rotary of Maleny
- The Friends of Mary Cairncross
- Volunteers and guides
- University of the Sunshine Coast
- Hinterland Tourism Sunshine Coast
- Maleny Chamber of Commerce and
- the Divisional Councillor

Other external stakeholders consulted directly included:

- Jinibara People
- Volunteer and guide group
- The Café proprietor
- University of the Sunshine Coast (student group)
- Tourism Queensland
- Sunshine Coast Destinations Ltd
- Local historians
- Descendants of the Thynne family
- Maleny Historical Society
- Friends of Pattemore House
- Surrounding neighbours
- Ecology/fauna experts, natural values specialists
- Barung Landcare
- Richmond Birdwing Recovery Network
- Wildlife Preservation Society
- Lake Baroon Catchment Care Group
- Maleny District Green Hills
- Elected state and federal representatives
- Adjoining resident opposite MCSR

Community Engagement

During the business case, feasibility and concept design stages of the project a number of extensive consultation programs were conducted.

The last program was run in September-October 2014 and focused on concept design ideas. It was organised through internet, social media, media releases and brochures at all libraries and visitor information centres, and also included a Community Day at the Reserve.

The feedback received was largely in support of the project and a lot of constructive design ideas and concepts were offered to the consultants which were taken on board during the detailed design development. There remains a relatively small number of people who, while recognising the need to improve the facilities for the volunteers, do not support any changes to the café.

There was no additional community consultation during the detailed design development stage.

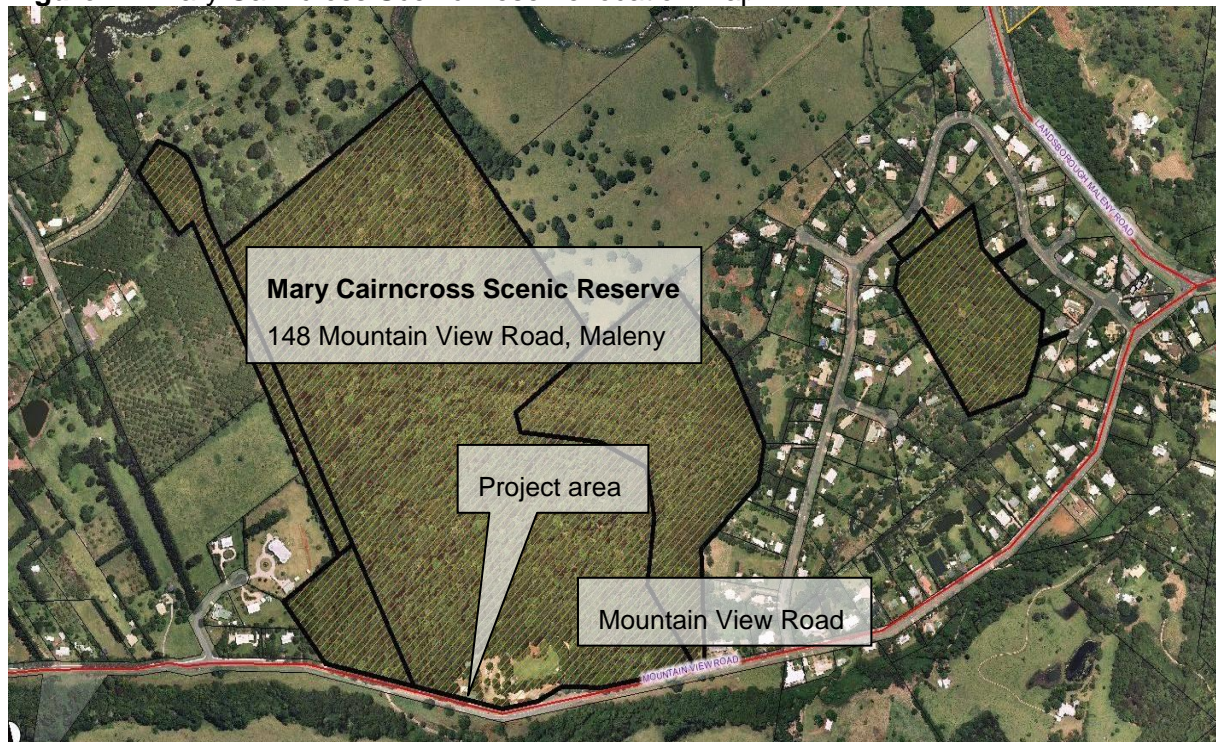
As and when it is confirmed that construction will proceed, a communication program will be implemented to advise the Sunshine Coast community and visitors to the Reserve about the details at commencement and then at key milestones.

PROPOSAL

Background and the need for renewal

The Reserve is located at 148 Mountain View Road, Maleny (**Figure 1**). The total area of the Reserve is about 55 ha, while the project site only covers the existing built precinct which is less than 3,000 square metres.

Figure 1 – Mary Cairncross Scenic Reserve location map



The Reserve is highly recognised for its significant conservation values and has been a popular destination for local residents and visitors for over fifty years. The easy accessibility of the Reserve, the exceptional vistas to the Glass House Mountains and the flat, safe walk through one of the last accessible rainforest remnants of the Maleny plateau provide a principal attraction able to be enjoyed by a wide range of visitor groups. It is estimated that the Reserve attracts around 200,000 visitors annually.

Council manages the Reserve in close association with a range of partners including the community based Management Committee, over 90 volunteers, the Friends of Mary Cairncross Association (the Friends) and other community groups.

The Reserve currently offers rainforest walks, an education centre, kiosk (café) with iconic view of the Glass House Mountains, temporary staff offices, recreation area, amenities and car/bus parking.

The strategic future of the Reserve and the day to day operation of the built precinct face a number of challenges as summarised below.

- The kiosk is approximately fifty years old, and the education centre and café seating area are twenty five years old. Issues include roof leaks, flooding of the Education Centre, vermin problems and the presence of asbestos (in safe condition as inspected in 2007).
- There is a need to upgrade, refresh and expand the interpretive, educational and way-finding materials across the site to provide a more engaging and interactive visitor experience, particularly for younger generations.

- There is limited ability to provide educational, or hospitality services in a weather proof environment (i.e. no protection from wet, windy and cold conditions).
- Access to the exceptional and nationally listed vistas to the Glass House Mountains could be enhanced and made safer for the benefit of all visitors.
- Functional needs and current standards are not being met:
 - The kitchen and servery are accommodated in a domestic residence with rudimentary arrangements set up to facilitate the operation of a commercial kitchen (e.g. 'piggy backed' cold room and commercial food preparation partly in the old domestic kitchen).
 - Insufficient learning and meeting spaces: one wing of the Education Centre needs to be closed to the public when meetings are held by the Management Committee, volunteers or Friends.
 - Council staff had been working out of temporary offices for several years, such as demountables and an office created at the service entrance to the café.
 - There are no appropriate on-site amenities (toilets and tea room) for staff and volunteers.
 - There is no research space currently available.
- Availability of space at this site of high conservation value is at a premium; however, the design and layout of the current structures affords a highly inefficient utilisation of space.

Business case assessment

In recognition that some form of building renewal was required to meet the above challenges, a range of proposals have been developed over the years. This included the Sunshine Coast Hinterland Nature Based Tourism Plan (Tourism Qld, Sept 2009) which identified the Reserve as significant on a national scale and a best prospect catalyst project for positioning the Hinterland as an iconic nature-based tourism destination.

To identify the most optimal development option a business case assessment was commissioned in 2012 to independently review the various options and determine their comparative merits based on environmental, financial, economic and social considerations, and to demonstrate that the proposed renewal is a sound investment of public funds. The report and associated community consultation outcomes were presented to Council in March 2013 and the recommended options were endorsed for concept design, further investigation and consultation.

The endorsed scope included the following functional spaces and services:

- New Discovery Centre
 - o interactive, innovative and engaging media, and displays focusing on the conservation, natural and cultural heritage values of the Reserve
 - o the current gold coin donation system will remain in place
- Elevated viewing platform offering enhanced views of the Glass House Mountains to elevate the safety issues associated with crossing Mountain View Road
- Elevated boardwalk providing a close-up rainforest experience while also allowing equitable access to the upper level (a visitor lift will also be installed for this purpose)
- Tea house style café (including a commercial kitchen):
 - o providing a relaxed atmosphere for daytime eating and beverages
 - o the business case recommended maintaining the existing seating area and scope of operation
 - o currently the café operates under a lease arrangement; it is proposed to set up a new lease through open tender as part of the facility upgrade
- Staff and volunteer offices
- Conservation research area
- Meeting theatre

- with audio/video equipment, for presentations, workshops and learning activities
- some limited revenue potential exists from rental of this space
- Gift shop
 - with local and regional, conservation-related and eco-friendly products promoting the Reserve's key values
 - the business case recommends that Council operate this space rather than an external commercial operator
- Covered gathering and meeting space (ie. for school groups)
- Staff and volunteer car-parking

Design development

The consultant team was engaged in March 2014 and includes Guymer Bailey Architects working with Norm Richards (local Architect) and Focus productions (Brisbane based interpretive consultants). During the concept stage of the interpretive work local cultural heritage consultant Steve Chaddok also provided key support and input.

Council established a community based Concept Design Advisory Panel (CDAP) to closely guide the design development process. The CDAP included representation from the MCSR Management Committee, Rotary, the Friends of Mary Cairncross, the Volunteers, the University of Sunshine Coast, Hinterland Tourism, Maleny Chamber of Commerce and the Divisional Councillor.

The consultant team integrated well and had a very positive working relationship with the CDAP. The design product reflects on the market analysis provided by the Business Case and associated community feedback.

Two design concepts were presented to Council in December 2014. The concept that was endorsed for detailed design development provided the following benefits:

- larger and more open internal floor space, with more areas available for interpretive or cultural displays, and enhanced visitor experience in general
- smaller overall footprint allowing more landscaping / revegetation works
- more open visitor flow with less potential for bottlenecks
- better functionality for volunteers
- meeting rooms with elevated views into the rainforest and to the Glasshouse Mountains
- higher degree of protection from the elements (inclement weather)
- stronger revenue potential

The resulting building layout and architectural images are enclosed in **Attachment 2** and **Table 5** provides a summary of how the final design meets requirements.

Table 5 – Design features

Features	Recommended concept Concept 2
Levels	Two levels
Building form	Integrates all functions into one building
Internal floor space	789 sqm
External area	970 sqm
Overall footprint	1530 sqm
Connection to rainforest	Strong connection with rainforest from within the building and through landscaped areas; e.g. elevated 'possum run' experience in the canopy without adding footprint to the development
Protection from elements (inclement weather)	<ul style="list-style-type: none"> - Interpretive spaces mostly indoor with some outdoor spaces - Viewing platform is partly enclosed and partly covered - Fully integrated building
Constructability	<ul style="list-style-type: none"> - The rainforest walking tracks will remain accessible during construction (with some possible intermittent and limited closures) - The existing Education Centre and café will not be able to maintain operation during construction - Temporary / mobile facilities will be considered to maintain visitor welcoming and catering services - The picnic area, play grounds, public toilets and GHM viewing areas will remain unaffected during the construction period
Design features addressed in design development , adapting the strengths of the alternative concept presented to Council	<ul style="list-style-type: none"> - Soften Mountain View Road image - Acoustic separation of the café and Education Centre - Fire safety requirements to be better engineered to minimize costs - Relocation of the ramp to the upper level (more like Concept 1)

Legal

Deed of Trust

The land occupied by the Reserve was gifted to the then Landsborough Shire Council in 1941 by the Thynne sisters, daughters of Mary Cairncross. The transfer document states that the land be held "*as a Reserve and Sanctuary for the preservation, conservation and exhibition of Natural Flora and Fauna of the said land for Scenic purposes and no other purpose whatsoever*".

This wording has the potential to give rise to various ways of interpretation and some in the community appear to believe that it is meant to be fully restrictive of any development and on-site activity.

Council, being the custodian of the land, has been and remains committed to honouring the Deed of Trust. Recent legal advice indicates that the proposed facilities, designed sensitively, will help visitors appreciate the conservation values and 'take home' messages of the Reserve, and to enjoy the iconic views of the Glass House Mountains landscape thereby further enhancing the intent and purposes of the Trust.

Protection of the View

Council maintains a good working relationship with the property owners immediately to the south of the reserve with a Memorandum of Understanding providing access for council on to the property to maintain vegetation that was planted in the past to mitigate land slips but has the potential to impede the view from the reserve.

Further, following discussion with the owners of this property, council has also initiated a design process detailing a range of landscape treatments that would provide for future privacy of the private property as well as define a council funded management program that has the intention of securing in perpetuity the iconic views of the Glass House Mountains seen from the reserve.

Funding Agreement

The Federal Government and State Government announced in October 2015 that Council's application for \$1 million under QTIF program was successful.

Council was required to enter into a Financial Incentive Agreement in December 2015. The Agreement is subject to Council "*providing evidence on or before 31 January 2016 that it has (or has secured) sufficient funding (in addition to the Grant) required to complete the Activity and entering into a building contract with the successful tenderer on or before 15 March 2016*".

Should the above special conditions be met, the Agreement outlines agreed milestone dates and QTIF payments as follows:

Milestone Number	Milestone Deliverables	Milestone Date	Instalment Amount (GST exclusive)
1.	Submission of (a) the Progress Report for the period from the Commencement Date to the Milestone Date for Milestone 1; (b) evidence that the demolition and site preparation have been completed pursuant to the Project Plan	15 April 2016	
2	Submission of (c) the Progress Report for the period from the completion of the Milestone 1 to the Milestone Date for Milestone 2; (d) evidence of the Recipient's Contribution at least equal to \$50,000; and (e) evidence that the following works have been completed pursuant to the Project Plan civil works (earthworks, foundation, drainage etc.);	15 June 2016	\$50,000
3	Submission of (f) the Progress Report for the period from the completion of the Milestone 1 to the Milestone Date for Milestone 2; (a) evidence of the Recipient's Contribution at least equal to \$850,000 (in addition to the Recipient's Contribution previously made); and	31 October 2016	\$850,000

Milestone Number	Milestone Deliverables	Milestone Date	Instalment Amount (GST exclusive)
	(b) evidence that the following works have been completed pursuant to the Project Plan: (i). structure and framing; and (ii). roofing.		
4	Submission of (a) the Final Report and Financial Acquittal Report for the period from completion of Milestone 3 to the Activity End Date; (b) evidence that (i). the Recipient's Contribution, at least equal to \$100,000 (in addition to the Recipient's Contributions previously made), has been made; and (ii). the Activity has been completed according to the Project Plan and relevant engineer design, including, but not limited to: A. façade & cladding B. internal lining, doors, windows C. internal fitout D. landscaping Evidence for completion of the Activity includes, but not limited to, a copy of certificate of practical completion and certification for the redeveloped visitor facility at Mary Cairncross Scenic Reserve, by a Registered Professional Engineer of Queensland.	31 March 2017	\$100,000
TOTAL			\$1,000,000

Café Lease

Council currently has an interim lease in place for the operation of the existing kiosk at the Mary Cairncross Scenic Reserve. The interim lease has been in place to allow continued services to visitors to the reserve while planning and funding arrangements have been finalised for the progress of the building renewal project.

The current lease extends through to 30 April 2016. To keep in line with the funding agreement requirements construction will need to start late March / early April 2016. This may necessitate early termination of the current arrangement. The lease conditions allow for Council upon six weeks written notification to advise the kiosk proprietor of early termination and this requirement is articulated in the Background to the lease and again identified in a later clause within the lease document.

Council Officers have maintained communications with the current proprietor in providing updates in relation to the progress of the building renewal project and has engaged formally with the proprietor regarding input. Council Officers located at MCSR also regularly communicate informally on progress of the building renewal project.

During the construction period offers will also be invited for the operation of the future café through an open tender process as required by the Local Government Regulation 2016 section 236.

Policy

- Sunshine Coast Access and Inclusion Policy 2011
- Sunshine Coast Asset Management Policy 2010
- Sunshine Coast Community Engagement Policy 2009
- Sunshine Coast Council Reconciliation Action Plan 2011
- Sunshine Coast Biodiversity Strategy 2010
- Sunshine Coast Economic Development Strategy 2010-2014
- Sunshine Coast Enterprise Risk Management Policy 2010
- Sunshine Coast Placemaking Policy 2012

Risk

Risk	Mitigation
Redevelopment seen as over-commercialisation of Reserve ('revenue grabbing')	Communicate clearly that all revenue has been and will be dedicated to the management of the Reserve
Significant increase to number of visitors to rainforest walks as a result of renewal	New facilities, interpretation strategy and operational strategy to ensure that visitors are educated and entertained as best as possible within built footprint.
Difficulty finding suitable partner for operation of café	Develop and negotiate an attractive lease arrangement (within constraints)
Overestimated visitor numbers affecting financial viability	Visitor numbers have been confirmed through traffic counting and previous site surveys; sensitivity of financial model to visitor numbers is low
Overestimated revenue affecting financial viability	Assumptions feeding into the analysis are highly conservative.
Lack of resources for on-going operation	Ensure that forward operating budgets include resources as required
Vegetation growth limiting the Glass House Mountain views	Negotiate legally binding controls with the land owners to control vegetation
Lack of parking space affecting viability of commercial operations	Business model to maximise off-peak utilisation of facilities; all weather facilities encourage use at all times; review car-parking along Mountain View Road
Undesirable environmental impact - construction	Contractor to prepare detailed environmental management plans, ongoing monitoring of contractor performance, to ensure that the recommendations of the Species Management Plans are implemented
Undesirable environmental impact - operation	Ensure that the lease agreement with the café proprietor considers environmental constraints (e.g. no night time operation) and monitor performance

Previous Council Resolutions

Ordinary Meeting date 11 December 2014 – Council Resolution (OM14/179)

That Council:

- (a) *receive and note the report titled "Mary Cairncross Scenic Reserve Building Renewal Project – Concept Design"*
- (b) *endorse Concept 2 as the preferred renewal concept, along with the Mary Cairncross Discovery Concept Plan for detailed design development to a "shovel ready" state, noting that the architectural aesthetics of Concept 1 will be incorporated in the upper storey design of Concept 2*
- (c) *note that a further report will be presented to Council by November 2015, following the completion of detailed design, construction cost and funding options including Federal, State and philanthropic donations, unless external funding becomes available prior to this time*

- (d) *note the significance of the view corridor from the Mary Cairncross Scenic Reserve to the Glasshouse Mountains, and Council will continue to progress arrangements with the relevant stakeholders to maintain the immediate view corridor*

Ordinary Meeting date 28 March 2013 – Council Resolution (OM13/46)

That Council:

- (a) *receive and note the report titled “Mary Cairncross Scenic Reserve Building Renewal Project - Business Case”*
- (b) *endorse for further analysis, design and consultation the preferred building renewal option (2a/2b)*
- (c) *request the Chief Executive Officer to provide a further report within six months, as a project hold point, on the total project costs, the outcomes of an initial design development and funding review process, in order for council to consider full project costs and benefits*
- (d) *authorise the Chief Executive Officer to commence actions to secure arrangement for the protection of the view corridor to the Glass House Mountains vistas and*
- (e) *the final acceptance of this project will only occur when council endorses appropriate funding sources.*

Meeting date 13 May 2004 – Council Resolution (04/146)

That Council:

- (a) *Report No. 20040429.1.ca from Environmental Operations Manager C Allan dated 29 April 2004, be received and noted;*
- (b) *The Master Plan shown as Attachment 1 to the report identified in (a) above, be endorsed;*
- (c) *The Master Plan be referred to the Recreation Infrastructure Program for consideration and budget discussions; and*
- (d) *The Master Plan and prioritised staged implementation be presented to the appropriate community managed committees to assist those organisations in identifying and seeking external funding opportunities to supplement Council’s implementation costs.*

Related Documentation

- Deed of Trust 1941
- Mary Cairncross Scenic Reserve Management Plan 2002 (under review)
- Mary Cairncross Scenic Reserve Master Plan 2004
- Sunshine Coast Hinterland Nature Based Tourism Plan 2009
- Mary Cairncross Scenic Reserve Building Renewal Project Business Case 2012

Critical Dates

The Financial Incentive Agreement that underpins the \$1 million QTIF grant is subject to Council “*providing evidence, satisfactory to the Department, on or before 31 January 2016 that it has (or has secured) sufficient funding (in addition to the Grant) required to complete the Activity*” (this being the full construction of the building renewal project).

The Financial Incentive Agreement requires that construction commence in March/April 2016 and be completed within 12 months or no later than 30 June 2017. This means that Council will be required to enter into contract with the successful tenderer during the caretaker period preceding the Local Government Elections to be held 19 March 2016. It is therefore proposed that the Chief Executive Officer be authorised to enter into contract for the Mary Cairncross Scenic Reserve Building Renewal construction contract during this period.

Implementation

- Complete design – end 2015
- Construction tender process – January – February 2016
- Commencement of construction – March – April 2016
- Commencement of café lease procurement – June 2016
- Estimated completion of construction – March 2017

8.4.2 SUNSHINE COAST ROAD SAFETY PLAN 2016-2020

File No:	Statutory Meeting 28 January 2016
Author:	Coordinator Traffic & Transportation Infrastructure Services Department
Appendices:	App A - Sunshine Coast Road Safety Plan 2016-2020217

PURPOSE

The purpose of this report is to present the Sunshine Coast Road Safety Plan 2016-2020 for adoption by council.

EXECUTIVE SUMMARY

The requirement for a road safety Plan is set out in the *Sunshine Coast Sustainable Transport Strategy 2011-2031*, which was adopted by council on 2 February 2011.

The *Sunshine Coast Road Safety Plan 2016-2020* provides the framework for improving road safety across the Sunshine Coast local government area. The Plan will ensure that council's road safety practices are current, consistent and coordinated.

The vision for road safety is:

The Sunshine Coast is recognised as a place which provides a safe travel environment for all road users.

The following targets have been identified to evaluate council's progress towards the vision:

- fewer fatalities in the Sunshine Coast area per capita, than the Queensland average
- fewer hospitalisations in the Sunshine Coast area per 100,000 population, than the Queensland average
- fewer crashes each year than the previous five year average.

The Plan sets out actions in five priority areas to reach these targets. An annual report to council will be delivered which will assess council's progress towards the target of a reduction in the number and severity of crashes on our roads.

The Plan includes processes which can be used to score and rank issues relating to crash locations, pedestrian facilities, cycle facilities, and speed management. This will enable infrastructure projects to be developed for potential inclusion in the Ten Year Capital Works Program.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled "Sunshine Coast Road Safety Plan 2016-2020" and**
- adopt the Sunshine Coast Road Safety Plan 2016-2020 (Appendix A) as a key document to guide Council in achieving key road safety objectives for the Sunshine Coast Region.**

FINANCE AND RESOURCING

The activities detailed within the Plan are in many cases already delivered within the ordinary business of council. Allocations of money from the Capital Works Program for pedestrian enabling facilities and Cycle Infrastructure facilities will continue to be used for improving safety for pedestrians and cyclists across the region.

Greater focus will be given to securing an increased share of State and Federal government funding for Blackspot projects. An annual council budget allocation of \$250,000 has been requested in the 10 Year Capital Works Program to plan and design upgrade projects on identified hazardous intersections or links. These designs can then be used as a basis for Blackspot applications or for construction using the approved budget in future years.

A specific budget allocation of \$250,000 has been requested in the 10 Year Capital Works Program to address speed management issues across the region. In the 2015/16 and 2016/17 financial year this budget is being spent on intersection treatments to reduce traffic speeds in residential streets and on digital speed boards throughout the region.

The actions within the Plan are proposed to be funded in a variety of ways, including:

- projects undertaken by Infrastructure Services
- future projects to be ranked and scored for consideration for the future capital works budget
- road safety projects may be eligible for state grants through the community road safety grants or the Blackspot program

The Plan does not require additional funds to be provided by council, rather a change in the prioritisation of projects to ensure road safety factors are included. This has been achieved in the 2015/16 and 2016/17 financial years.

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
Outcome:	2.4 - People and places are connected
Operational Activity:	2.4.2.1 - Facilitate the delivery of efficient transport systems and connections through multi modal network planning and studies, and planning partnerships with the Department of Transport and Main Roads

CONSULTATION

The Plan has drawn reference from internal review and feedback from the community engagement and external stakeholder consultation process undertaken during June 2015. Feedback from both internal and external stakeholders was considered and the Plan was amended following the feedback period.

A presentation was given to the Transport Community Group detailing the draft Plan and feedback was requested from this Group directly. Following the receipt of feedback from the community engagement period, a further presentation was given for the Transport Community Group and to council at an SDF to advise what amendments had been made to the Plan.

Internal Consultation

Infrastructure Services

- Director, Infrastructure Services
- Manager, Transport Infrastructure Management
- Coordinator, Traffic & Transportation
- Coordinator, Asset Management & Capital Planning

Regional Strategy and Planning

- Manager, Transport and Infrastructure Policy
- Coordinator, Transport Network
- Coordinator, Transport Strategy & Policy

Corporate Strategy and Delivery

- Communication Officer, Communication Branch

Transport Portfolio Councillor

- Cr Rick Baberowski

Strategic Discussion Forum 10 November, 2014

- Councillors and ELT

Ordinary Meeting 26 March 2015

- Councillors and ELT

Strategic Discussion Forum 9 November, 2015

- Councillors and ELT

External Consultation

The draft Plan sought feedback on its objectives, key action areas and actions through external consultation with the wider community for a one month period in June 2015. The Plan was presented to the Transport Community Group before and after the public consultation period.

Community Engagement

At the Ordinary Meeting held 26 March 2015, Council endorsed the Draft Road Safety Plan for the purpose of public consultation. The consultation process was carried out from 1 June to 30 June 2015 and encouraged the community and external agencies to have their say on the draft Plan through a number of avenues including Council's website, hard copy documents and feedback forms in all Council libraries and customer service centres.

The consultation included advertising in local papers, on radio, and use of Council's facebook and eNews.

Feedback was received from 13 individual members of the public. Overall, the media, state government agencies, and members of the public were supportive of the Plan. The following agencies also provided responses to the Plan:

- State Government Department of Transport and Main Roads
- Queensland Police Service
- Surrounding Local Government Authorities
- Motor vehicle groups (i.e. RACQ)
- Community groups (i.e. Rotary, Lions, Transport Community Group)
- Sunshine Coast University

Finalisation of the Plan has incorporated many of the recommendations submitted by the public, external agencies and Council branches, these include;

- Streetscaping and non-physical measures in forms of traffic calming to be considered as a retrofit in streets with speeding issues
- Incorporating the use of social media in education and information actions
- Key Performance Indicators to report on such as:

- The number of logged customer requests pertaining to crash locations
- The progress of the Sunshine Coast in comparison to the state average for fatalities, hospitalisations and total crashes per 100,000 population
- The projects that have been planned and / or delivered as part of the road safety initiative from the capital works budget.
- Investigation of partnering opportunities for research and trials such as research projects with the University of the Sunshine Coast
- Incorporation of trials of new technologies and infrastructure options for increased safety as an additional action within the Plan.

PROPOSAL

The Sunshine Coast Road Safety Plan 2016-2020 has been developed to set the framework for improving road safety across the Sunshine Coast area. The need for a Road Safety Plan is set out in the Sunshine Coast Sustainable Transport Strategy 2011-2031, which was adopted by council on 2 February 2011.

The Plan will ensure that council's road safety practices are current, consistent and coordinated. The vision for road safety is:

The Sunshine Coast is recognised as a place which provides a safe travel environment for all road users.

While the latest available data for the five year period from 2007-2011 demonstrates that there were fewer fatalities, hospitalisations and overall crashes in the Sunshine Coast area per capita than the state average, the Plan aims to ensure this continues and that council's road safety practices remain current and effective.

It is recognised that while we might not be able to prevent all road crashes, we can reduce the likelihood of death, serious injury and the cost of road trauma to the community.

The following targets have been identified to evaluate progress towards the vision:

- fewer fatalities in the Sunshine Coast area per capita, than the Queensland average
- fewer hospitalisations in the Sunshine Coast area per 100,000 population, than the Queensland average
- fewer crashes each year than the previous five year average.

The Plan sets out actions in five priority areas for council to address road safety as follows:

1. Education and encouragement

- Working towards ensuring our road users are people who are competent, alert, and comply with the road rules. They accept responsibility and consider the safety of themselves and others, particularly vulnerable road users. The actions include assisting other government agencies with education, including the implementation of the TravelSmart program.

2. Crash investigation and prevention

- Working towards a road network that reduces the likelihood of crashes occurring and minimises the consequences of crashes. The actions include proactive management of roads, roadsides and pathways to provide a safe road environment for those most at risk. Council will continue to seek external funding from the Black Spot Program and other sources to treat high risk locations.

3. Pedestrian enabling facilities

- Working towards making the Sunshine Coast a place where pedestrians are given priority and supported by a safe, attractive and engaging urban environment. This will be done through the identification of high risk locations and missing links of pathways

to improve pedestrian safety. This information will be used in the development of a priority list for potential inclusion in council's Ten Year Capital Works Program.

4. On and off road cycle facilities

- Working towards making the Sunshine Coast a place where cycling is a safe, efficient and comfortable way to travel. This will be done through the identification of high risk locations and missing links to improve the safety of both on and off road cycling users and the development of a priority list for potential inclusion in council's Ten Year Capital Works Program. Council will continue to maximise external funding sources for cycle treatments such as the Cycle Network Local Government Grants Program.

5. Speed management

- Working towards making the Sunshine Coast communities safe where people feel comfortable in their local residential streets. This will be through the development of a priority list of high risk locations where speed management measures can be implemented to enhance safety for the community.

A list of the actions within the plan is provided in **Figure 1**.

Figure 1: Road Safety Plan Actions*Proposed actions include*

- Promote state and local road safety education programs to educate drivers on road safety issues, including basic road rules
- Encourage schools to include road safety education as part of their curricula.
- Continue provide support for schools and State agencies implementing a 'Safe School Travel' (SafeST) program and improve infrastructure around schools
- Educate motorists on the dangers of illegal parking and enforce local laws to control this
- Trial new ways of engaging with the public on matters of road safety
- Continue to undertake road safety reviews or audits as part of the design of new roads and road upgrades
- Identify and treat locations which have a high incidence of motorcycle crashes
- Continue to monitor and review crash data to identify black spot locations
- Continue to seek maximum funding from the Black Spot Program and other sources to treat high risk locations
- Develop priority lists for pedestrian enabling facilities, new cycle infrastructure and speed management measures for potential inclusion in the Ten Year Capital Works Program
- Adopt recommendations in the state government's Action Plan for Walking to improve pedestrian safety
- Identify high risk locations and missing links to improve pedestrian and cyclist safety
- Review council's reseal program and identify opportunities to improve bicycle safety
- Implement cycling safety and pedestrian safety actions outlined in the Sunshine Coast Active Transport Plan 2011-2031
- Design new residential streets for low speeds
- Traffic calming into existing residential streets
- Trial new technologies to see what makes a difference
- Prepare an annual report to council to monitor progress of the Plan's vision

The success of this Plan is dependent on strong commitment and support from council, the whole community, and our key state and federal transport agency partners.

The Plan will include processes which can be used to score and rank issues relating to crash locations, pedestrian facilities, cycle facilities, and speed management. This will enable projects to be developed for potential inclusion in the Ten Year Capital Works Program.

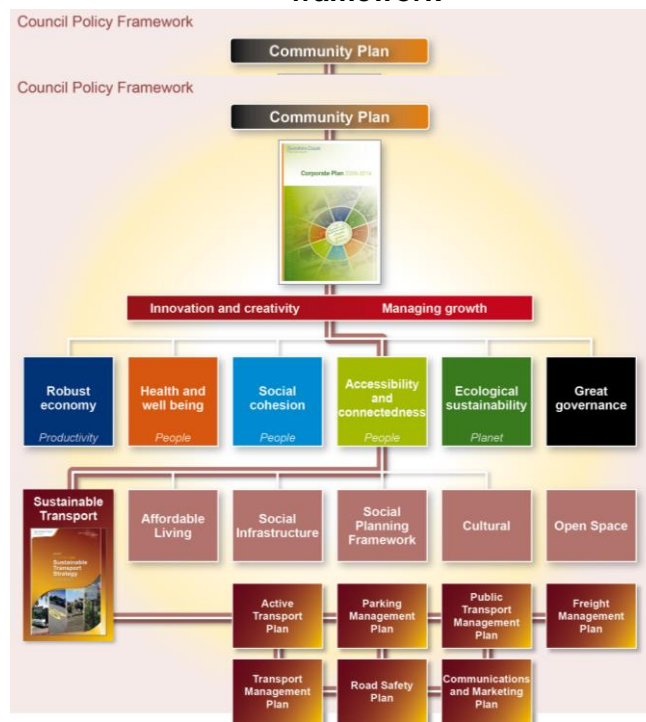
Legal

The Plan is written to be a document where it is the intent of council to strive to reduce road trauma. At no time is it proposed that any of the actions will change the current responsibilities of council. The proposed actions, not normally undertaken by council, remain the responsibility of the control of the lead agency such as the Queensland Police Service or the Department of Transport and Main Roads. Council can assist where possible in a supporting role. All of the actions are constrained within the availability of council resources and time frames and are subject to the council budget processes.

Policy

As an element of council’s Corporate Plan, the Accessibility and connectedness theme and associated policy framework, identify the need for a transport system that allows ease of movement and better public transport as a priority. **Figure 2** shows the relationship between the Sustainable Transport Strategy and the Road Safety Plan along with the other policy documents under this theme.

Figure 2: Corporate Plan themes and associated Accessibility & connectedness policy framework



The Sunshine Coast Council’s Sustainable Transport Strategy identifies the policy direction for sustainable transport to the year 2022. This strategy was adopted by Council in February 2011 and represents council’s position for transport planning on the Sunshine Coast and identifies a number of challenges and opportunities to deliver more sustainable transport outcomes. One of the challenges identified is to “*significantly improve the safety of all transport systems to reduce the unacceptable road trauma*”.

The Sustainable Transport Strategy specifies that to action this challenge, council must achieve the goal of “*delivering a safe travel environment*” by working towards four policy directions. These are:

- Reduce the incidence and severity of road trauma on the region's roads and, in doing so, move towards a zero road toll
- Prepare and implement a Road Safety Plan which aims to make the road transport system more forgiving of human error
- Minimise the level of unsafe road user behaviour
- Build partnerships with the community and other stakeholders to address road safety issues.

The Sunshine Coast Road Safety Plan 2016-2020 will provide the framework for improving road safety across the Sunshine Coast local government area. The Plan will ensure that council's road safety practices are current, consistent and coordinated. The Plan supports the Sustainable Transport Strategy, providing a more detailed and targeted policy position for road safety.

Once endorsed, the Plan is intended to provide longer term policy direction, guiding investment in key initiatives, and providing the platform for council's transport planning and management programs. Through its implementation, the Plan will integrate with existing council endorsed and future strategic documents to provide a core platform for advocacy to other State and Federal agencies.

Risk

Failure to plan for safer Sunshine Coast roads would impact on the lifestyle, character, economy and community of the Sunshine Coast and wider community.

The Plan is a priority planning tool and will provide a framework for road safety planning, delivery, advocacy and leadership on the Sunshine Coast into the future. By taking actions to reduce the likelihood of an incident occurring, and by reducing the severity of the injuries when an incident does occur, we have the most impact on lowering the overall risk to our community.

Previous Council Resolution

This report relates to the following two council resolutions:

Ordinary Meeting 26 March 2015 – Council Resolution (OM15/40)

Item 8.4.1 – Sunshine Coast Road Safety Plan

That Council:

- (a) receive and note the report titled "Sunshine Coast Road Safety Plan";*
- (b) endorse the draft Sunshine Coast Road Safety Plan 2015-2019 (Appendix A) for the purpose of public consultation; and*
- (c) request the Chief Executive Officer to collate and consider all feedback received as part of the public exhibition and comment and present the findings to a Strategic Discussion Forum of council before the final draft of the Road Safety Plan is formally considered by Council.*

Ordinary Meeting 2 February 2011 - Council Resolution (OM11/24)

(SPC) Item 4.2.2 - Sunshine Coast Sustainable Transport Strategy 2011 - 2031 and Active Transport Plan 2011 – 2031

That Council:

- (a) receive and note the report titled “Sunshine Coast Sustainable Transport Strategy 2011-2031 and Active Transport Plan 2011 - 2031”;*
- (b) adopt the Sunshine Coast Sustainable Transport Strategy 2011 – 2031 (Appendix A) as the key document to guide the Council in future transport planning and management decisions, subject to sound triple bottom line business case planning and the flexibility to accommodate innovation where appropriate, with the exception of provision for paid parking and the proposed reduction in minimum standards;*
- (c) adopt the Active Transport Plan 2011 – 2031 (Appendix B) as the key document (subordinate only to Appendix A) to guide the Council in future active transport planning and management decisions, subject to sound triple bottom line business case planning and the flexibility to accommodate innovation where appropriate;*
- (d) refer the action plans of the Sunshine Coast Sustainable Transport Strategy 2011 – 2031 (Appendix A) and the Active Transport Plan 2011 – 2031 (Appendix B) to the 2011/2012 operational plan and budget process; and*
- (e) acknowledge and thank the members of the Transport Community Group, Cycling Reference Group and the wider community for their contribution to the development of the Sunshine Coast Sustainable Transport Strategy 2011 – 2031 and the Active Transport Plan 2011 – 2031.*

Related Documentation

The documents listed below are the respective Federal, State and Local government road safety related documents:

Federal

- National Road Safety Strategy 2011 – 2020
 - Available at: <http://www.atcouncil.gov.au/documents/atcnrssl.aspx>.

State

- Queensland Road Safety Strategy and action plans
 - Available at: <http://www.tmr.qld.gov.au/Safety/Road-safety/Strategy-and-action-plans.aspx>.

Local

- Corporate Plan 2009 - 2014
- Sustainable Transport Strategy 2011 - 2031
- Active Transport Plan, 2011 - 2031

Critical Dates

While there are no critical dates relating to this report, the adoption of the Plan in early 2016 will ensure that the policies within the Plan can be implemented and that the Plan is able to inform the development of the future operational and capital budget planning process.

Implementation

Implementation of the Plan will involve the cooperative resources from a range of council departments and government agencies. The Plan includes processes which can be used to score and rank issues relating to crash locations, pedestrian facilities, cycle facilities, and speed management. This will enable council staff to develop a priority program of projects inclusion in the Ten Year Capital Works Program for road safety related infrastructure. The implementation of the Plan includes the implementation of such processes to inform budget planning processes.

An annual report to council will be prepared and delivered which will assess the progress towards our target, of a reduction in the number and severity of crashes on our roads.

8.5 CORPORATE STRATEGY AND DELIVERY

8.5.1 NATIONAL STRONGER REGIONS FUND - ROUND 3

File No: Corporate Planning and Governance – Statutory Meeting 28
January 2016

Author: Coordinator Funding Partnerships
Corporate Strategy and Delivery Department

Attachments: Att 1 - National Stronger Regions Fund Round 3 Guidelines .. 257

PURPOSE

This report seeks Council endorsement of up to two projects which would be the subject of applications under Round 3 of the National Stronger Regions Fund (NSRF).

EXECUTIVE SUMMARY

The National Stronger Regions Fund is a Commonwealth government funding program with an allocation of \$1 billion over five financial years from 2015-2016 (see NSRF Guidelines at **Attachment 1**). The NSRF provides funding for capital projects which involve the construction of new infrastructure or the upgrade or extension of existing infrastructure. The NSRF has a strong focus on projects delivering an economic benefit to regions and employment creation. There have been two funding rounds conducted to date. There is currently approximately \$500 million remaining in uncommitted program funds for allocation in Round 3 and subsequent rounds.

Local governments and not for profit organisations (not owned by local or state government) are eligible to apply for funding of up to a maximum of \$10 million per project. Applicants can now submit up to two projects per funding round. Commonwealth funding contributions must be matched on at least a dollar for dollar basis.

Council has been unsuccessful in securing funding commitments under each of the previous two funding rounds of the National Stronger Regions Fund. In Round 2, Council submitted two project applications - the Sunshine Coast Solar Farm and the Mary Cairncross Scenic Reserve Building Renewal Project. Round 2 was heavily oversubscribed, with 514 applications lodged requesting \$1.47 billion in grant funding.

Officers of the Department of Infrastructure and Regional Development (DIRD) (which administers the NSRF) provided verbal feedback on both applications. DIRD will not provide assessment feedback in writing. Care needs to therefore be taken in placing a high level of reliance on verbal feedback provided by departmental officers - particularly given the assessment feedback will not be verified in writing and the ultimate funding decisions are not made by the department.

In terms of considering candidate projects as potential Round 3 applications, the Solar Farm would not be an eligible project under that round given it will be well advanced by the time funding decisions are made. Retrospective project funding is not available under NSRF.

The officer level feedback on the Mary Cairncross Scenic Reserve Building Renewal project indicated that it scored highly on the contribution to economic growth criteria, however it needed to score more strongly on other program criteria. In considering whether to submit a Round 3 application for latter stages of work associated with this project, it needs to be borne in mind that overall, this project has fundamentally not changed in terms of its objectives and outcomes to be achieved. Furthermore, an early stage component of the project has already

attracted \$1 million in Commonwealth funding through the Queensland Tourism Infrastructure Fund (QTIF) and latter stages of work are the subject of a second application to the 2016-2017 round of the QTIF (which closed on 23 November 2015). This has implications for the extent to which the project could be successful in receiving funding under Round 3 of the NSRF.

Council officers have identified and assessed four potential projects which could be considered as possible funding applications under Round 3 of NSRF. Each project has been assessed (by Council officers) based on the level of project development, alignment with NSRF objectives and criteria and whether matching funding contributions are already included in Council's endorsed forward capital works schedule.

The four potential candidate projects are:

- Redevelopment of The Events Centre, Caloundra
- The Mary Cairncross Scenic Reserve Building Renewal Project – latter stages of work that will not have commenced by the time NSRF Round 3 decisions are made.
- Expansion of the Coolum Library
- Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre

Of the four potential candidate projects, the Redevelopment of The Events Centre, Caloundra, most strongly meets the eligibility and program criteria, with requisite documentation well advanced. Council also resolved on 23 July 2015 (OM15/124) that the redevelopment of The Events Centre should be given priority consideration for any future rounds of NSRF or other relevant funding programs that become available. It is understood this project is also supported by the Federal Member of Parliament representing the locality in which The Events Centre is situated.

In terms of a second candidate project as a potential application under Round 3 of the NSRF, it is considered that:

- the QTIF represents a more appropriately targeted Commonwealth funding opportunity for the latter stages of the Mary Cairncross Scenic Reserve Building Renewal Project. Given the overall objectives of the project are unchanged since the unsuccessful Round 2 NSRF application, it is possible this project would encounter the same assessment outcomes if it was resubmitted under Round 3 of NSRF;
- the expansion of the Coolum Library is a needs based project, which has been the subject of comprehensive community consultation. A project management plan can be completed prior to the lodgment of a NSRF application in March 2016. While the project may not rate as highly as other candidates on the contribution to economic growth assessment criteria, it is noted that other library facilities elsewhere have attracted funding under previous rounds of the NSRF (although these have generally been as part of a wider project scope); and
- the Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre would add considerably to the value proposition and investment offer for the Maroochydore Priority Development Area. The outcomes of the current procurement process from this project will be the subject of a separate report to Council. That said, there is no current capital allocation in Council's forward capital works schedule for this project. If this is still the case at the closing date for NSRF Round 3 applications (ie. 15 March 2016), this project would be ineligible for funding.

Based on this analysis, it is considered that the second candidate project should be either:

- the Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre, if matters associated with the eligibility of the project can be resolved prior to 15 March 2016; or

- the expansion of the Coolum Library - if an application does not proceed in relation to the Automatic Waste Collection System (Stage 1a) project.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “National Stronger Regions Fund - Round 3” and
- (b) authorise the Chief Executive Officer to develop and submit a funding application under Round 3 of the National Stronger Regions Fund for the redevelopment of The Events Centre, Caloundra and
- (c) authorise the Chief Executive Officer to develop and submit a funding application for a second project under Round 3 of the National Stronger Regions Fund, with the project application to be either –
 - (i) the Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre - if matters associated with the eligibility of the project are addressed prior to 15 March 2016 or
 - (ii) the expansion of the Coolum Library - if matters associated with the eligibility of the Automatic Waste Collection System (Stage 1a) project cannot be resolved prior to 15 March 2016.

FINANCE AND RESOURCING

The National Stronger Regions Fund Guidelines require at least a dollar for dollar funding commitment as a minimum from eligible applicants. Council generally only nominates projects where there is a clear commitment within the existing forward capital works schedule.

Matching funding for the redevelopment of The Events Centre, Caloundra; the expansion of the Coolum Library; and the Mary Cairncross Scenic Reserve Building Renewal project is included in Council’s currently approved forward capital works schedule.

The Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre project has yet to be considered by Council for inclusion in the forward capital works schedule.

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*
Outcome: 5.2 - A financially sustainable organisation
Operational Activity: 5.2.3 - Diversify and strengthen council's revenue base by identifying options to generate income from new sources

CONSULTATION

Internal Consultation

- Executive Leadership Team
- Manager, Project Delivery
- Manager, Property Management
- Manager, Environmental Operations
- Manager, Community Relations

- Manager, Strategy and Coordination
- Manager, Waste and Resource Management
- Coordinator, Facilities Management
- Team Leader, Library Operations

External Consultation

Officers of the DIRD have been consulted on the outcome of the assessment of Council's Round 2 NSRF applications.

Regional Development Australia Sunshine Coast (RDASC) has been informed of Council's potential projects for submission under Round 3 of the NSRF. RDASC will be further consulted as part of the development of Council's applications to facilitate their engagement in project advocacy and application support.

The General Manager of The Events Centre, Caloundra has been consulted on the development of a funding application for the redevelopment of that facility. It is understood from previous communications that the Member for the Federal Electorate of Fisher supports the submission of a NSRF application for this project. A formal letter of support will be sought from the Member for Fisher to accompany Council's NSRF application for this project.

Similarly, the Member for the Federal Electorate of Fairfax will be consulted and his support sought for the second project application, given both candidate projects are located in the Fairfax Electorate.

Community Engagement

Community volunteers and Friends of Mary Cairncross Incorporated were consulted in the development of the Mary Cairncross Scenic Reserve Building Renewal project.

The General Manager of The Events Centre, Caloundra has consulted widely with artists, performers, industry bodies, schools and patrons to inform the proposed scope for the redevelopment of that venue.

A formal community engagement plan is being implemented as part of the proposed expansion of the Coolum Library.

The Automatic Waste Collection System (Stage 1a) is on a greenfield site owned by Council. While consultation has been undertaken with SunCentral Maroochydore Pty Ltd, there has been no broad scale community engagement on the Automatic Waste Collection System project.

PROPOSAL

The NSRF is a Commonwealth government funding program with an allocation of \$1 billion over five financial years from 2015-2016. The NSRF provides funding for capital projects which involve the construction of new infrastructure or the upgrade or extension of existing infrastructure. The NSRF has a strong focus on projects delivering an economic benefit to regions and employment creation.

Specifically, the objective of the NSRF is to fund investment ready projects which support economic growth and sustainability of regions (particularly regions experiencing higher levels of socio-economic disadvantage), by supporting investment in priority infrastructure.

The desired outcomes of the NSRF include:

- improved level of economic activity in regions;
- increased productivity in the regions;
- increased employment and a more skilled workforce in regions;

- increased capacity and improved capability of regions to deliver major projects, and to secure and manage investment funding; and
- improved partnerships between local and state governments, the private sector and community groups, and more stable and viable communities.

The NSRF assessment criteria include:

- the extent to which a project contributes to economic growth in the region;
- the extent to which a project addresses disadvantage in a region;
- the extent to which a project increases investment and builds partnerships in the region; and
- the extent to which a project and the applicant are viable and sustainable.

There have been two funding rounds of the NSRF conducted to date. There is currently approximately \$500 million remaining in uncommitted program funds for allocation in Round 3 and subsequent rounds. The closing date for Round 3 applications is 15 March 2016, with successful project applications forecast to be announced in July 2016.

Local governments and not for profit organisations (not owned by local or state government) are eligible to apply for funding of up to a maximum of \$10 million per project. Applicants can now submit up to two projects per funding round. Commonwealth funding contributions must be matched on at least a dollar for dollar basis.

All projects nominated for any funding rounds of the NSRF must be able to be commenced within 12 months of signing a funding agreement and be able to be completed on or before 31 December 2019. Replacement of existing infrastructure is only eligible where a significant increase in productivity can be demonstrated as a result of the project.

Previous applications to the NSRF

Council has been unsuccessful in securing funding commitments under each of the previous two funding rounds of the NSRF. In Round 2, Council submitted two project applications - the Sunshine Coast Solar Farm (which had also been the subject of Council's application in Round 1) and the Mary Cairncross Scenic Reserve Building Renewal Project. Round 2 was heavily oversubscribed, with 514 applications lodged requesting \$1.47 billion in grant funding.

Officers of the Department of Infrastructure and Regional Development (DIRD) (which administers the NSRF) provided verbal feedback on both applications in Round 2. DIRD will not provide assessment feedback in writing.

It is considered that, based on Council's previous experiences with this program, that care needs to be taken in placing a high level of reliance on verbal feedback provided by departmental officers - particularly given the assessment feedback will not be verified in writing and the ultimate funding decisions are not made by the department.

Decisions on funding applications are informed by departmental advice and information and advice from the applicant and other sources. The final funding decisions are made by a Ministerial Panel comprising:

- the Deputy Prime Minister and Minister for Infrastructure and Regional Development;
- the Minister for Major Projects, Territories and Local Government;
- the Assistant Minister to the Deputy Prime Minister; and
- the Assistant Cabinet Secretary.

Potential Applications for Round 3

In terms of considering candidate projects as potential Round 3 applications, the Solar Farm would not be an eligible project under that round given it will be well advanced by the time funding decisions are made. Retrospective project funding is not available under NSRF.

Council officers have identified and assessed four projects which could be considered as possible funding applications under Round 3 of NSRF. Each project has been assessed (by Council officers) based on the level of project development, alignment with NSRF objectives and criteria and whether matching funding contributions are already included in Council's endorsed forward capital works schedule.

The four potential candidate projects are:

- Redevelopment of The Events Centre, Caloundra
- The Mary Cairncross Scenic Reserve Building Renewal Project – latter stages of work that will not have commenced by the time NSRF Round 3 decisions are made.
- Expansion of the Coolum Library
- Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre

Redevelopment of The Events Centre, Caloundra

In the lead up to the submission of Round 2 funding applications, the redevelopment of The Events Centre, Caloundra was identified as a potential project that would be eligible for consideration under the NSRF. At that point however, the redevelopment project was not sufficiently defined or advanced to a stage where a viable application could be made that would meet the requirements of the NSRF. In particular, at that time the project scope, detailed designs and business case were still being developed. This level of documentation is necessary if a project is to be properly positioned to be a viable application under the NSRF.

Since that time, Council has received a report on the future capital works program requirements for The Events Centre (OM15/121 of 23 July 2015) and incorporated allocations in its forward capital works schedule to support the redevelopment of this venue. The requisite project documentation for a redevelopment project suitable for submission under the NSRF has also been developed. The redevelopment project that would be the subject of a NSRF Round 3 application would address Building Code of Australia compliance matters including improved disability access, enhancements to the staging and hospitality capability of the venue and technical and acoustic treatments that will enhance the operability of the facility and its ability to attract an array of event product. This in turn will generate post-construction employment for professional artists and in specialist disciplines and venue management and operations.

The total estimated eligible project cost is \$7 million, for which a funding contribution of \$3.5 million would be sought as part of any Round 3 application. Council's contribution towards the total project cost is already identified in the endorsed forward capital works schedule.

Of the four potential candidate projects, the redevelopment of The Events Centre most strongly meets the eligibility and program criteria. Council also resolved on 23 July 2015 (OM15/124) that the redevelopment of The Events Centre, Caloundra should be given priority consideration for any future rounds of NSRF or other relevant funding programs that become available. It is understood from previous communications that this project is supported by the Federal Member of Parliament representing the locality in which The Events Centre is situated.

Mary Cairncross Scenic Reserve Building Renewal Project

The officer level feedback on Council's unsuccessful Round 2 NSRF application for the Mary Cairncross Scenic Reserve Building Renewal Project indicated that it scored highly on the contribution to economic growth criteria. However, the project needed to score more strongly on other program criteria (including long term viability and regional disadvantage).

It should be noted that the project scope for any Round 3 application would be different to the unsuccessful NSRF Round 2 application. The Round 2 application was for a total project cost of \$4 million, with a funding request of \$2 million. As any works commenced on a NSRF project prior to a funding contract being in place would be ineligible for funding under NSRF, the project proposed for a Round 3 application would be limited to works remaining to be completed between September 2016 and the project completion date of April 2017. Thus the total project cost for the latter stages of work is estimated to be \$2.4 million, with a funding contribution of \$900,000 to be sought from NSRF.

It is understood that projects requesting less than \$1 million under NSRF are subject to less stringent assessment requirements (in terms of comprehensiveness of documentation) than those projects where a request of over \$1 million is sought. That said, Council has already completed significant documentation to support this project.

In considering whether to submit a Round 3 application for the latter stages of works associated with this project, it needs to be borne in mind that overall, this project has fundamentally not changed in terms of its objectives and outcomes to be achieved.

Furthermore, an early stage component of the project has already attracted \$1 million in Commonwealth funding through the Queensland Tourism Infrastructure Fund (QTIF) and latter stages are the subject of a second application for \$1 million to the 2016-2017 round of the QTIF (which closed on 23 November 2015). This has implications for the extent to which the project could be successful in receiving funding under Round 3 of the NSRF. The NSRF Guidelines provide that total funding for a project from Australian Government sources cannot exceed 50% of the total eligible project cost. If the 2016-2017 QTIF application is successful, this project will be ineligible for funding under Round 3 of the NSRF.

On balance, it is considered the QTIF represents a more appropriately targeted Commonwealth funding opportunity for the latter stages of this project. In addition, given the overall objectives of the project are unchanged since the unsuccessful Round 2 NSRF application, it is possible this project would encounter the same assessment outcomes if it was resubmitted under Round 3 of NSRF.

Expansion of the Coolum Library

The proposed expansion of the Coolum Library is a needs based project identified in the *Sunshine Coast Libraries Plan 2014-2024*, with the infrastructure and operational requirements outlined in the Coolum Library Facility Development Plan.

Comprehensive community consultation has been undertaken on this project and a project management plan can be completed prior to the lodgment of a NSRF application on 15 March 2016.

The total estimated eligible project cost is \$1,987,500, for which a funding contribution of \$957,500 would be sought as part of any Round 3 application. Council's contribution of \$1,030,000 towards the total project cost is already identified in the 2016-2017 and 2017-2018 endorsed forward capital works schedule.

It is acknowledged that while employment will be created during the construction phase of the project, Council officers have indicated that it will be difficult to evidence sustainable economic benefits (including employment creation), although it could be argued that new activities made possible through additional facility space will generate some local employment. While the project may not rate as highly as other project candidates on the contribution to economic growth assessment criteria, it is noted that other library facilities elsewhere in Australia have attracted funding under previous rounds of the NSRF (although these have generally been as part of a wider project scope as part of community and cultural precinct developments).

Formal support from the Federal Member for Fairfax and other relevant stakeholders would need to be sought and confirmed as part of the development of any Round 3 NSRF application for this project.

Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre

This project involves the construction of an underground waste collection system that will service the waste collection needs for the Maroochydore City Centre. This waste collection solution would add considerably to the value proposition and investment offer for the Maroochydore Priority Development Area.

Council has previously considered and adopted in principle (OM15/194 of 15 October 2015), the business case for the Automatic Waste Collection System for the Maroochydore Priority Development Area. The project is presently the subject of a procurement process, the outcomes of which will be separately reported to Council.

The total estimated eligible project cost at this time is \$6,000,000, for which a funding contribution of \$3,000,000 would be sought as part of any Round 3 application. This project has no current capital allocation in Council's forward capital works schedule. If this is still the case at the closing date for NSRF Round 3 applications (ie. 15 March 2016), this project would be ineligible for funding under that program at that time.

Proposed approach in terms of Round 3 applications

As indicated above, Council has the opportunity to submit two project applications under Round 3 of the NSRF. Based on Council officer assessments and consideration of relevant issues associated with this program, it is considered that Council should proceed to develop and submit an application for the redevelopment of The Events Centre, Caloundra.

In terms of a second project application, each of the other three projects offer differing strengths and challenges. Taking into account the circumstances associated with each project, the learning from previous rounds of the NSRF and the alignment of the projects in terms of the outcomes which the NSRF seeks to achieve, it is considered that second project application should be either:

- the Automatic Waste Collection System (Stage 1a) – Maroochydore City Centre, if matters associated with the eligibility of the project can be resolved prior to 15 March 2016; or
- the expansion of the Coolum Library - if an application does not proceed in relation to the Automatic Waste Collection System (Stage 1a) project.

Legal

There are no significant legal implications associated with the recommendations in this report. The obligations that would be established on Council if any project applications under Round 3 are successful would be governed by a Commonwealth Funding Agreement, which would be reviewed by Council's Chief Legal Officer prior to execution.

Policy

The development of the recommendations in this report has occurred in accordance with Council's Funding Partnerships Policy.

Risk

There are not significant risks associated with Council's consideration of the recommendations in this report. The approach of seeking formal support from the relevant Federal Members of Parliament and other key stakeholders for any project applications advanced by Council under Round 3 of the NSRF is recommended to improve the likelihood of successful assessment outcomes.

Previous Council Resolution**Ordinary Meeting 15 October 2015 – Council Resolution (OM15/194)**

That Council:

- (a) *adopt in principle the Business Case for the Automatic Waste Collection System for Maroochydhore Priority Development Area, for implementation within the Maroochydhore central area*
- (b) *request the Chief Executive Officer to bring forward a report on the tenders for construction of the Automatic Waste Collection System and associated costs of the implementation of the initial stage of this system and*
- (c) *request the Chief Executive Officer to bring forward a Waste Strategy for implementation of the Automatic Waste Collection System including associated charging regimes and cost recovery mechanisms for future residents and businesses within the proposed new development within the Maroochydhore Priority Development Area.*

Ordinary Meeting 23 July 2015 - Council Resolution (OM15/121)

That Council:

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

Ordinary Meeting 23 July 2015 - Council Resolution (OM15/124)

That Council:

- (a) *receive and note the report titled “National Stronger Regions Fund”*
- (b) *endorse the Sunshine Coast Solar Farm project and the Mary Cairncross Scenic Reserve Building Renewal project as Council’s priority projects for submission under the National Stronger Regions Fund Round 2*
- (c) *note that a further report will be provided to Council dealing with priority projects to be nominated for any future round of the National Stronger Regions Fund or other relevant funding programs that become available and*
- (d) *in respect of (c) above, give priority consideration to the Sunshine Coast Events Centre and that the necessary documentation be prepared in a timely fashion.*

Ordinary Meeting 11 December 2014 - Council Resolution (OM14/179)

That Council:

- (a) *receive and note the report titled “Mary Cairncross Scenic Reserve Building Renewal Project – Concept Design”*
- (b) *endorse Concept 2 (Appendix A) as the preferred renewal concept, along with the Mary Cairncross Discovery Concept Plan (Appendix B) for detailed design development to a “shovel ready” state, noting that the architectural aesthetics of Concept 1 will be incorporated in the upper storey design of Concept 2*
- (c) *note that a further report will be presented to Council by November, 2015 following the completion of detailed design, construction costs and funding options including Federal, State and philanthropic donations, unless external funding becomes available prior to this time*
- (d) *note the significance of the view corridor from the Mary Cairncross Scenic Reserve to the Glasshouse Mountains, and Council will continue to progress agreements with the relevant stakeholders to maintain the immediate view corridor.*

Ordinary Meeting 21 August 2014 - Council Resolution (OM14/119)

That Council:

- (a) *receive and note the report titled “Sunshine Coast Libraries Plan 2014-2024”*
- (b) *adopt the “Sunshine Coast Libraries Plan 2014-2024” (Appendix A) and*
- (c) *note the “Sunshine Coast Libraries Plan 2014-2024 – Supporting Resources” (Appendix B).*

Related Documentation

- Guidelines for the National Stronger Regions Fund – Department of Infrastructure and Regional Development
- Mary Cairncross Scenic Reserve Masterplan
- Mary Cairncross Scenic Reserve Building Renewal (Business Case Assessment)
- Sunshine Coast Libraries – Cooloolam Facility Development Plan
- SunCentral Maroochydore Automatic Waste Collection System Business Case

- The Events Centre Development and Maintenance Plan
- The Events Centre Project Management Plan

Critical Dates

The National Stronger Regions Fund guidelines require submission of Round 3 applications by 15 March 2016. However, due to the high volume of last minute applications being lodged, it is preferable to lodge applications by 11 March 2016, as the grant portal can experience technical difficulties potentially resulting in a failure to lodge by the closing date.

Consideration of the recommendations in this report in January 2016 will provide sufficient lead time for the development of appropriate applications for Council endorsed projects for lodgment by the closing date for Round 3.

Implementation

Subject to Council's consideration of the recommendations in this report, applications for Council's endorsed projects which would be the subject of Round 3 NSRF applications will be completed by no later than 8 March 2016 to enable the Chief Executive Officer to authorise lodgement by 11 March 2016.

Council's standard method of confirmation for the matching funding requirement is a letter from the Chief Executive Officer indicating Council is committed to the project applications and Council's contributions are included in its endorsed capital works schedule. Subject to confirmation of funding contributions from the NSRF, the Chief Executive Officer will advise Council of the application outcomes and seek Council endorsement of its final project contributions to enable the execution of funding agreements.

8.5.2 BRISBANE ROAD CAR PARK

File No: Statutory Meeting 28 January 2016
Author: Director Corporate Strategy and Delivery
Corporate Strategy and Delivery Department

PURPOSE

The purpose of the report is to update Council on the Expression of Interest (EOI) process being undertaken for the site known as Brisbane Road Car Park, Mooloolaba, and seek a delegation for the Chief Executive Officer to proceed to calling of tenders from shortlisted proponents.

EXECUTIVE SUMMARY

The Brisbane Road Car Park in Mooloolaba is a significant development site. As identified in the recent Mooloolaba Visioning project, the car park site has the potential to catalyse new development opportunities as part of a suite of exciting initiatives for Mooloolaba.

One of the strongest and most consistent messages from the community consultation is improvements to car parking in Mooloolaba. This includes additional car parking, removal of car parking from the bottom of The Esplanade, and better utilisation of the Brisbane Road Car Park.

The ability to deliver significant social and economic uplift in Mooloolaba is dependent on finding a practical solution to car parking pressures. Council officers have identified the need for approximately 1,000 new car parks over the medium to long term. While it is likely the spaces will be delivered across a range of prospective sites, the Brisbane Road Car Park site is the only Council controlled site which will make a significant contribution to increase parking numbers.

The Brisbane Road Car Park site currently provides 176 car parks. Council officers propose that, regardless of the future redevelopment uses of the Brisbane Road Car Park, the site should accommodate a minimum of 500 public car spaces exclusive of any onsite generated parking requirements. This will allow Council to manage short to medium term parking demands and to also facilitate other catalyst projects that will revitalise Mooloolaba.

At its Ordinary Meeting of 23 July 2015, Council resolved to proceed with the calling for expressions of interest for the site known as Brisbane Road Car Park.

The expressions of interest received have been evaluated and the higher ranked respondents given the opportunity to present to an officer evaluation panel, specialist technical staff, and the Council-appointed probity advisor. Following the presentations, the panel is satisfied that the process should proceed to initiating tenders.

On that basis, this report recommends that Council authorise the Chief Executive Officer to initiate tenders from a shortlist of respondents who submitted an expression of interest for the Brisbane Road Car Park, Mooloolaba site.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Brisbane Road Car Park ”
- (b) authorise the Chief Executive Officer to initiate tenders from the higher ranked respondents who submitted expressions of interest for the site known as Brisbane Road Car Park, Mooloolaba and
- (c) note that a further report will be provided to Council for consideration of tenders received.

FINANCE AND RESOURCING

To date, draft design guidelines (\$6,400) and a feasibility analysis (\$9,500) have been prepared – prior to the Expression of Interest process commencing.

Costs relating to the Expression of Interest process, including costs associated with the Probity Advisor, have been met from existing budget allocations.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*
Outcome: 1.2 - New capital investment in the region
Operational Activity: 1.2.4 - Finalise planning, scoping and financing arrangements to progress the Brisbane Road carpark at Mooloolaba

CONSULTATION**Internal Consultation**

- Manager Procurement and Contracts
- Manager Project Delivery
- Manager Economic Development
- Coordinator Design Services
- Coordinator Property Project and Development
- Principal Development Planner

External Consultation

External Probity Advisor

Community Engagement

While not solely focused on the Brisbane Road Car Park site, community engagement has occurred through “Place Making Mooloolaba.” This process will inform the future development of a Master Plan for Mooloolaba.

PROPOSAL

The Mooloolaba Visioning Project began in November 2012 with an Enquiry by Design Workshop (with local community members), with another workshop held in September 2014. The aim of the visioning project is to develop a holistic vision for Mooloolaba that can piece together numerous studies and initiatives that have been undertaken by Council since the Maroochy Plan commenced in 2000.

The visioning project generated four 'Big Ideas' which were refined into three key opportunities comprising 15 key initiatives. These 15 key initiatives were tested internally for feasibility and were deemed of merit to progress to the next phase of the project.

The Brisbane Road Car Park site is one of the 15 key initiatives of the draft Visioning Plan, and has been the subject of previous redevelopment options including a tender process conducted by the former Maroochy Shire Council.

The Mooloolaba Visioning Project acknowledges the site as a key part of the revitalisation of Mooloolaba, with the potential for the following:

- Catalysing a second redevelopment front within Mooloolaba away from The Esplanade
- Delivery of much needed additional car parking to the area in the longer term and allowing the removal of car parking on The Esplanade in the short term. This will enable the early redevelopment of The Esplanade and foreshore into an 'Ocean Walk' and new public recreation space
- Provision of new street connections and public open space.

At the Ordinary Meeting of 11 December 2014, Council directed the Chief Executive Officer to develop and provide, for Council's consideration by 28 February 2015, a proposal to initiate a competitive process for selecting a preferred developer for the Brisbane Road Car Park site. The proposal is to specify the development outcomes for the site including the following:

- Publicly accessible car parking
- A high-quality hotel and associated retail outlets
- Active street frontage
- A potential contribution to the future development of publicly accessible open space in Mooloolaba.

A report was presented to the Special Meeting of 30 March 2015 which included design guidelines prepared by an external consultant. The following uses were identified as being able to be accommodated within the proposed design guidelines:

- A six level public car park structure
- A resort/hotel development.

At this meeting, Council authorised the assessment of financial viability of the two options.

A report was presented to the Ordinary Meeting of 23 July 2015 where it was resolved to call for 'Expressions of Interest' from the market on the basis that this was the most expedient way to determine what redevelopment options and financial models Council may consider to fund the delivery of a minimum of 500 public car spaces. Based on past studies, it is not certain if the delivery of the 500 public car spaces is financially attractive to the private market.

The expressions of interest received have been evaluated and the higher ranked respondents given the opportunity to present to an officer evaluation panel, specialist technical staff and the Council-appointed probity advisor. Following the presentations, the panel is satisfied that the process should proceed to initiating tenders.

On that basis, this report recommends that Council authorise the Chief Executive Officer to request tenders from a shortlist of respondents who submitted an expression of interest for the Brisbane Road Car Park, Mooloolaba site.

Legal

There have been previous contracts relating to this site which have been resolved and there are no outstanding legal issues in relation to the site.

Section 228 of the *Local Government Regulation 2012* deals with how Council may invite expressions of interest:

- (2) The local government must either—
 - (a) invite written tenders under subsection (4); or
 - (b) invite expressions of interest under subsection (5) before considering whether to invite written tenders under subsection (6)(b).

- (3) However, the local government may invite expressions of interest under subsection (5) only if the local government—
 - (a) decides, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders; and
 - (b) records its reasons for making the resolution in the minutes of the meeting at which the resolution was made.

- (5) The invitation for expressions of interest must—
 - (a) be made by an advertisement in a newspaper that circulates generally in the local government area; and
 - (b) allow written expressions of interest to be given to the local government for at least 21 days after the advertisement is published.

- (6) If the local government invites expressions of interest under subsection (5), the local government may—
 - (a) prepare a short list from the persons who respond to the invitation for expressions of interest; and
 - (b) invite written tenders from those persons.

- (7) If—
 - (a) an invitation to tender under subsection (4) or (6)(b) states that the local government might later invite all tenderers to change their tenders to take account of a change in the tender specifications; and
 - (b) the local government does change the tender specifications; the local government may invite all the persons who submitted a tender to change their tender to take account of the change, before making a decision on the tenders.

Policy

The proposal is in accordance with Council's Procurement Policy.

Further consideration will need to be given to the regulation of parking in the broader Mooloolaba area in parallel with any Expression of Interest process.

Risk

The Mooloolaba Visioning Project acknowledges the site as a key part of the revitalisation of Mooloolaba and imitating a tender provides the opportunity to start delivering on the vision for the area.

A previous contractual arrangement relating to this site attracted significant negative community reaction. To address this risk, a communication strategy will be developed.

There is a risk that the requirement to provide a minimum 500 car spaces may make the project financially unviable. To address this risk, a desktop assessment that confirms broad feasibility was completed.

Previous Council Resolution**Ordinary Meeting 23 July 2015 – Council Resolution (OM15/127)**

That Council proceed with the calling of Expressions of Interest for the site known as Brisbane Road Car Park, Mooloolaba in accordance with section 228 of the Local Government Regulation 2012, noting that the calling for expressions of interest would be in the public interest for the following reason:

- (a) the process will allow Council to evaluate submissions with a view to identifying the solution that best aligns with the interest of the public and Council.*

Special Meeting 30 March 2015 – Council Resolution (SM15/3)

That Council proceed as discussed in confidential session.

Ordinary Meeting 11 December 2014 – Council Resolution (OM14/187)

That Council:

- (a) develop a draft Place Making Visioning Plan for Mooloolaba that will include accessibility and parking initiatives for reporting to council and future public consultation and*
- (b) authorise the Chief Executive Officer to undertake the actions as directed in confidential session.*

Ordinary Meeting 7 December 2011 – Council Resolution (OM11/304)

That Council request the Chief Executive Officer to commence a detailed design process for the site, with full consideration of the broader urban precinct, including a design and development brief for consideration by council, aimed at achieving the development of the site for a mixed use outcome including the provision of significant additional carparking for the precinct.

Ordinary Meeting 7 December 2011 – Council Resolution (OM11/305)

That Council:

- (a) request the Chief Executive Officer to prepare and implement a communication strategy for the project, in consultation with the Mayor and divisional councillor, that informs the community of processes to be considered by council in regard to the project; and*
- (b) endorse the spokespersons for the project be the Mayor and divisional councillor.*

Related Documentation

- Mooloolaba EBD Vision Process
- Sunshine Coast Planning Scheme 2014
- Mooloolaba Spit Futures Plan 2009

Critical Dates

If Council proceeds as recommended in this report, the following timeline is envisaged:

- February 2016: tenders called
- April 2016: tenders close
- June 2016: Council report to award tender

Implementation

If Council proceeds as recommended in this report, the Chief Executive Officer will call for tenders from a shortlist of proponents who submitted an expression of interest for the Brisbane Road Car Park, Mooloolaba site.

8.5.3 SUNSHINE COAST AIRPORT EXPANSION PROJECT DELIVERY TEAM

File No: Statutory Meeting 28 January 2016
Author: Director Corporate Strategy and Delivery
Corporate Strategy and Delivery Department

PURPOSE

The purpose of the report is to inform Council of the progress being made in relation to delivery of the Sunshine Coast Airport Expansion Project (the Project).

EXECUTIVE SUMMARY

The Sunshine Coast Airport Expansion Project has progressed since Council received its previous report on 28 September 2015. The Additional Environmental Impact Study Public Notification process has been completed, and responses to public submissions have been completed and forwarded to the Office of the Coordinator-General. The Coordinator-General will consider these responses and prepare a report with a recommendation on the approval of the Project.

At its Special Meeting of 28 September 2015, Council noted that a project procurement and delivery strategy workshop would be undertaken for the purpose of ensuring that the Project is delivered at the best value for money for Council.

A Delivery Options Workshop held on 6 November 2015 identified that the establishment of robust governance arrangements, the formation of a dedicated project delivery team, and structured risk assessment be progressed as a matter of priority.

OFFICER RECOMMENDATION

That Council

- (a) receive and note the report titled “Sunshine Coast Airport Expansion Project Delivery Team” and**
- (b) authorise the Chief Executive Officer to establish a Sunshine Coast Airport Expansion Project Delivery Team and implement a Project Governance Structure to oversee the delivery of the project.**

FINANCE AND RESOURCING

Project costs for the remainder of the current financial year will be accommodated within Council’s existing capital budget, and an allocation of surplus budget funds of \$577,000 (a result of the strong performance of the business) is proposed to be transferred to the project capital allocation as part of the BR2 considerations. It is anticipated that capital expenditure will be recovered as a result of a future transaction, should that path be approved by Council.

Works to be funded by the additional capital include the following:

- Salaries and wages for the Project Delivery Team
- Workspace accommodation set-up costs for the Project Delivery Team
- Consultancy costs in relation to the preparation for preliminary works associated with the Project.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*

Outcome: 1.2 - New capital investment in the region

Operational Activity: 1.2.1.2 - Progress the endorsed financing strategy to secure the required investment to facilitate expansion of the Sunshine Coast Airport

CONSULTATION

Internal Consultation

- Chief Executive Officer
- Director Corporate Strategy and Delivery
- Director Corporate Services
- Sunshine Coast Airport Project Control Group
- Manager Project Delivery, Infrastructure Services Department
- Consultant Advisor

Community Engagement

Council has continued to engage with the community and has recently completed the public exhibition of the Additional Environmental Impact Statement (AEIS). The Queensland Coordinator-General is currently assessing public submissions from the exhibition which closed on 30 November 2015.

In executing the communication plan associated with the Additional Environmental Impact Statement public notification period, Council undertook to convene a public Community Forum which was held at Twin Waters on 9 November 2015. The Mayor, the Director Corporate Strategy and Delivery, the General Manager Sunshine Coast Airport, and a representative of the Sunshine Coast Environment Council provided a briefing on the project and conducted a question and answer session. At the forum, the community was informed that Council's primary objectives for the Project are as follows:

- Maximising the value of the Airport for Sunshine Coast ratepayers
- Pursuing financial assistance from other levels of government
- Securing an investment partner in the upgraded airport allowing Council to repay loans obtained from other levels of government while driving further increases in the value of the Airport
- Council retaining of a long-term interest in the Airport.

An ongoing community engagement program has been identified in the scope of works to be developed as part of the project delivery.

PROPOSAL

Project Delivery

At the Special Meeting on 28 September 2015, Council noted that a project procurement and delivery strategy workshop would be undertaken for the purpose of ensuring that the Project is delivered at the best value for money for Council.

A Delivery Options Workshop held on 6 November 2015, and a preliminary assessment of the various delivery options was undertaken. The workshop considered the delivery of the project in three main works packages:

- Preliminary works (ie Finland Road works, vegetation relocation work and some clearing)
- Earthworks, dredging, runway, taxiway, apron and ancillary works (eg lighting)
- Building works (ie passenger terminal).

The delivery of complex projects such as this require comprehensive approaches to both Governance and Risk Management that require a level of sophistication that, as a corporate entity, Council has yet to experience.

The workshop identified the establishment of robust governance arrangements, the formation of a dedicated project team and the progression of a structured risk assessment are high priorities.

To ensure that Council is best positioned to minimise risk exposure, it is proposed that a Project Delivery Team be established with the assurance that each member will have the appropriate level of skills, competencies and experience to undertake the task.

It is proposed that the Project Delivery Team contains both internal and external members depending on the skill required. This will maximise the opportunity for knowledge, experience and skills growth within Council's workforce through exposure to this large and complex project.

It is anticipated that the project will be divided into three phases as follows:

- Phase 1 – planning phase (including completion of the current planning activities and the approvals process)
- Phase 2 – design phase (including the design of preliminary works and Stage 1 of a design and construct process)
- Phase 3 – construction phase (including the Stage 2 construction under a design and construct process and the construction of the terminal upgrade).

The structure and size of this project team will depend on the refinement of the delivery options. Attachment A outlines an indicative structure of the initial team commensurate with the complexity of the project. An indicative phased approach to resourcing will be rolled out with the final structure being informed by the adopted delivery methodologies.

In progressing the works, a number of strategic issues that were identified in the Delivery Options Workshop are outlined below need to be addressed in the short term.

Project Governance

The governance structure should be developed to reflect:

- statutory obligations and accountabilities
- the potential for independent expertise to provide Council with the assurance that unforeseen risks will be mitigated – such expertise would include legal and financial as well as construction/technical
- comprehensive level of detail across all aspects of delivery such as budgeting, scheduling, procurement, safety, communications, and community engagement
- capturing of corporate knowledge and learnings – recognising that the delivery of this complex project has the potential for Council to significantly upskill its workforce, improving its future approach to both program and project management and
- integration with a broader Program Governance across Council's entire business.

To date the project governance has encompassed formal reports to Council, presentations to Strategic Discussion Forums, informal Councillor briefings and the establishment of a Project Control Group (PCG).

The PCG membership consists of the Mayor, Portfolio Councillor Regional Projects, Portfolio Councillor Finance, Water and Corporate Planning, Portfolio Councillor New and Emerging Industries, Chief Executive Officer, Director Corporate Services, Director Infrastructure Services and Director Corporate Strategy and Delivery.

The PCG met seven times in 2015 and will continue to function while other arrangements are considered.

Structured risk assessment process

A key element of any project is to identify project risks, assess their likelihood and potential impact and to establish potential mitigation options and risk allocation. It is recommended that a structured risk assessment process be progressed.

The outcome of the risk assessment process will be an important input to decision-making in relation to delivery options as it will clearly identify key project risks and assist in determining the party which is in the best position to manage those risks. In turn, this will enable refinement of delivery options.

The development of a comprehensive design and delivery strategy will be necessary to minimise Council's exposure to potential construction and operational risk. It will be paramount that the Design Brief adequately and succinctly defines the outcomes required, and the degree of process and materials control necessary to ensure the quality of the finished product meets the required standards on a whole of life basis.

Structured market sounding

As part of the transaction planning task, the Project would benefit greatly by conducting a structured market sounding process with industry, in order to seek the views of contractors on key issues. It is important to ensure that appropriate probity controls are implemented as part of any market sounding activities, to ensure integrity of the process.

Safety

As a Local Government Authority, Council has specific legal obligations and accountabilities to ensure Council officers and contractors that will ultimately be under Council's control are working in a safe and secure environment.

Stakeholder Management

Complex projects such as this require a comprehensive integrated approach to managing stakeholders at all phases of the delivery process. Critical to the success of the Project is the requirement for consistent messaging from all levels of Council.

Legal

As the Project involves a tender process, *Local Government Regulation 2012* is relevant:

Section 228 – Tender process

(1) This section is about how a local government must invite written tenders for—

- (a) a large-sized contractual arrangement; or
- (b) a valuable non-current asset contract.

King & Wood Mallesons have been engaged as Legal Advisor through Council's Legal Services Branch.

Key regulatory and legislative issues that will continue to be addressed through the development phases of the Project include compliance with Council's Procurement Policy (in accordance with relevant provisions of the Local Government Act).

Policy

Delivery of the Project is consistent with the Sunshine Coast Planning Scheme 2014 and the Sunshine Coast Airport Master Plan 2007.

Risk

The establishment of a Project Delivery Team is aimed at managing and mitigation project risks and ensuring that the significant opportunities from the Sunshine Coast Airport expansion project are realised.

A further, more comprehensive, risk assessment will be undertaken during the delivery phase of the Project and will be one of the priority tasks of the core Project Delivery Team.

Previous Council Resolution**Special Meeting 28 September 2015 - Council Resolution (SM15/23)**

That Council authorise the Chief Executive Officer to progress matters as discussed in confidential session in relation to the Sunshine Coast Airport Expansion Project.

Related Documentation

- Sunshine Coast Airport Environmental Impact Statement
- Sunshine Coast Airport Additional Information to the Environmental Impact Statement
- Sunshine Coast Planning Scheme 2014
- Sunshine Coast Airport Master Plan 2007

Critical Dates

The date that Council receives the Queensland Coordinator-General's Report on the Project, recommending that the Project can proceed, is critical to the progression of the Project.

Implementation

If Council determines its approval to progress matters in this report, the establishment of the Sunshine Coast Airport Expansion Project Delivery Team and the implementation of a comprehensive Project Governance Structure can proceed.

8.6 OFFICE OF THE MAYOR AND THE CEO

Nil

9 NOTIFIED MOTIONS**10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

11 CONFIDENTIAL SESSION**11.1 REGIONAL STRATEGY AND PLANNING****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - INFRASTRUCTURE AGREEMENT (MAROOCHYDORE)**

File No: Statutory Meeting 28 January 2016
Author: Project Coordinator
Regional Strategy & Planning Department

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

11.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED AMENDMENT TO SUNSHINE COAST PLANNING SCHEME 2014

File No: Statutory Meeting 28 January 2016
Author: Principal Strategic Planner
Regional Strategy & Planning Department

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

11.2 CORPORATE SERVICES**11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ACQUISITION OF LAND FOR ROAD PURPOSES - PART OF LOT 11 ON RP 835984 - 7 HONEY FARM ROAD MERIDAN PLAINS****File No:** ACQ 0082 - Statutory Meeting 28 January 2016**Author:** Coordinator Land Management
Corporate Services Department

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

11.2.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ACQUISITION OF LAND - 67 POWER ROAD BUDERIM LOT 3 ON RP 215630 - STRINGYBARK ROAD TO DIXON ROAD BUDERIM**File No:** ACQ0116 - Statutory Meeting 28 January 2016**Author:** Senior Property Officer
Corporate Services Department

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

11.2.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - DISPOSAL OF COUNCIL LAND**File No:** Statutory Meeting 28 January 2016**Author:** Principal Property Officer
Corporate Services Department

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

11.2.4 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ROAD CLOSURE - MOOLOOLABA

File No: Statutory Meeting 28 January 2016
Author: Coordinator Property, Projects and Development
Corporate Services Department

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

11.3 COMMUNITY SERVICES

Nil

11.4 INFRASTRUCTURE SERVICES**11.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - AUTOMATIC WASTE COLLECTION SYSTEM**

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

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

11.5 CORPORATE STRATEGY AND DELIVERY

NIL

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 25 February 2016 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE