

Agenda

Ordinary Meeting

Thursday, 8 December 2016

commencing at 9:00am

Council Chambers, Corner Currie and Bury Streets, Nambour

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Special Meeting held on 31 October 2016 (Strategic Planning), the Ordinary Meeting held on 10 November 2016 and the Special Meeting (SunCentral & Sunshine Coast Airport Quarterly Update) held on 10 November 2016 be received and confirmed.

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

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

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

5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

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

6 MAYORAL MINUTE**7 PRESENTATIONS / COUNCILLOR REPORTS**

8 REPORTS DIRECT TO COUNCIL**8.1 PLANNING AND ENVIRONMENT****8.1.1 DEVELOPMENT APPLICATION - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES - SHOPPING COMPLEX, 141 JONES ROAD, BUDERIM**

File No: MCU15/0192

Author/Presenter: Senior Development Planner
Planning and Environment Department

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Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1690912>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Harvest Management Services Pty Ltd c/o Project Urban
Proposal	Development Permit for Material Change of Use of Premises (Shopping Complex)
Properly Made Date:	17/09/2015
Information Request Date:	15/10/2015
Information Response Received Date:	23/05/2016
Decision Due Date	18/10/2016 (1 st 20 business days)
Number of Submissions	1,178 (almost all proforma submissions), with 5 in support and the rest objecting
PROPERTY DETAILS	
Division:	7
Property Address:	141 Jones Road, Buderim
RP Description:	Lot 1 SP 105435
Land Area:	1.962 hectares
Existing Use of Land:	Vacant

STATUTORY DETAILS	
Planning Scheme:	Maroochy Plan 2000 (16 September 2013)
SEQRP Designation:	Urban Footprint
Strategic Plan Designation:	Urban Conservation
Planning Area / Locality:	No. 8 Kuluin/Kunda Park
Planning Precinct / Zone:	No. 1 Kuluin Gateway
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for Material Change of Use of Premises (Shopping Complex) at 141 Jones Road, Buderim. The application is before council due to the number of submissions received in response to public notification.

EXECUTIVE SUMMARY

The proposal is for a 4,937m² shopping complex comprised of a mid-sized, full line Woolworths supermarket, 3 shops and a fast food outlet at the intersection of Maroochy and Jones Road, Kuluin. The impact assessable application has been assessed against the Maroochy Plan 2000 superseded planning scheme, under which the development site is designated as Town Centre Frame. As such, the assessment manager must not have regard to the Sunshine Coast Planning Scheme.

The site has a current approval over it for 6,350m² of showrooms in 3 separate buildings.

In 2007, council refused an application for a 6,790m² shopping complex consisting of 2 supermarkets (Woolworths and Aldi), numerous shops, a fast food outlet, office and outdoor dining on the same site.

In 2008, the refusal was upheld by the Planning and Environment Court on the basis that:

- 2 supermarkets would constitute a primary destination competing with major centres
- insufficient unsatisfied demand (economic need) for a district centre
- unresolved traffic and access issues
- insufficient grounds to justify an approval despite conflict with the planning scheme.

The judgement inferred that a smaller centre may have been considered to be more consistent with the planning scheme retail hierarchy.

There have been significant changes in the intervening eight years between the 2008 Appeal and the present time, including:

- The Sunshine Coast population has increased by 18%, with Buderim and Maroochy/Kuluin increasing by 9% and 11% respectively
- There is now a recognised unsatisfied demand (economic need) for full line supermarket floor space in the area
- In 2013, council approved an extension to the North Buderim shopping centre for an expanded IGA, creating a precedent for a supermarket within the same Town Centre Frame precinct. Council's economic consultant (expert witness in the shopping centre appeal), advises that the North Buderim Markets now operate as a district centre
- Despite the IGA approval, Council's economic consultant found that there remains a moderate level of unsatisfied demand (economic need) for approximately 3,500m² of additional supermarket floor space within the area and
- The draft South East Queensland Regional Plan identifies the site as being located within an area of regional economic significance.

The application is recommended for approval with reasonable and relevant conditions.

OFFICER RECOMMENDATION

That Council:

- (a) **APPROVE With Conditions Application No. MCU15/0192 and grant a Development Permit for a Development Permit for Material Change of Use of Premises (Shopping Complex) situated at 141 Jones Road, Buderim (Appendix A) and**
- (b) **find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:**
1. **There is a moderate level of unsatisfied demand (economic need) for approximately 3,500m² of additional supermarket in the area resulting from population growth.**
 2. **There is a spatial gap in the provision of supermarkets within this area and no alternate undeveloped designated centre land to accommodate the use.**
 3. **The use would be wholly located within the same Town Centre Frame precinct as the existing North Buderim Markets (an 'in centre' development), which currently operates as a district centre (not a local or village centre) under the retail centres hierarchy.**
 4. **The centre would provide convenient access to a full line supermarket (increased choice) to local and passing traffic consistent with the Planning Area Intent retaining expenditure within the area.**
 5. **The development would not constitute a primary destination competing with the major centres and could be absorbed into the retail hierarchy with little impact on other centres.**

FINANCE AND RESOURCING

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

Council's Transport and Infrastructure Policy Branch has provided the following estimate of the infrastructure charges required by this development.

The infrastructure charge for Council networks applicable to the shopping complex has been calculated in the current quarter (June 2016) as \$910,642.

PROPOSAL

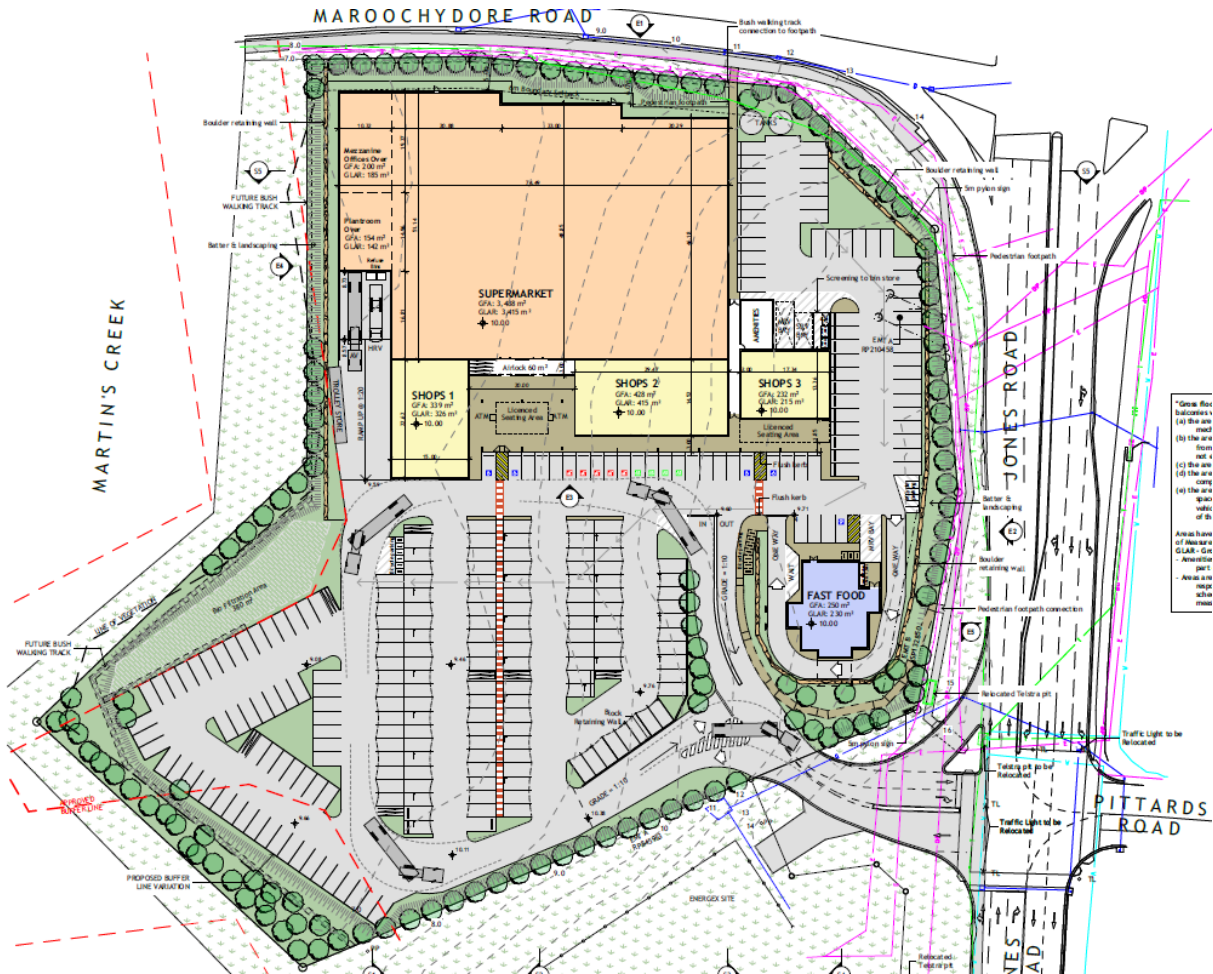
The applicant originally lodged an application for a Development Permit for Material Change of Use for a 5,035m² (GFA) shopping centre, to be anchored by a 3,906m² supermarket with 879m² of specialty shops and a 250m² fast food outlet. Council agreed to assess the application against the Maroochy Plan 2000 superseded planning scheme (SPS15/0142). The application is impact assessable by virtue of being a shopping centre.

In response to council's Information Request, the applicant reduced the size of the shopping centre to 4,937m² (-2%), reduced the supermarket by -6% to 3,688m² (3,488m² floor plate and 200m² mezzanine office), increased the shop GFA to 999m² (+12%), retained the 250m² fast food outlet unchanged and reduced the building height from 10m to be 8.5m above finished fill level.

Access is proposed from an upgraded signalised intersection at Jones and Pittards Road. The shopping complex would be supported by 261 onsite car parking bays, 6 motorcycle bays, bicycle bays and service vehicles bays. A landscape plan identifies screening landscaping along the Maroochydore Road and Jones Road frontages, as well as at the site entrance and along Martin's Creek.



The application was accompanied by an *Economic Impact Assessment* (EIA) prepared by MacroPlan Dimasi and a *Traffic Study* prepared by Adam Pekol Traffic Engineering. Both documents have been updated in response to council's Information Request. An *Assessment of Bulky Goods Potential* was also prepared by MacroPlan Dimasi to demonstrate that showrooms are not economically viable on the site. Additionally, a *Flood Impact Assessment* prepared by Civil and Water Design, a *Stormwater Management Plan* (SMP) prepared by McVeigh Engineering and a *Flora Survey Report* and *Water Ways Assessment* prepared by Duke Environment support the application.



Layout Plan

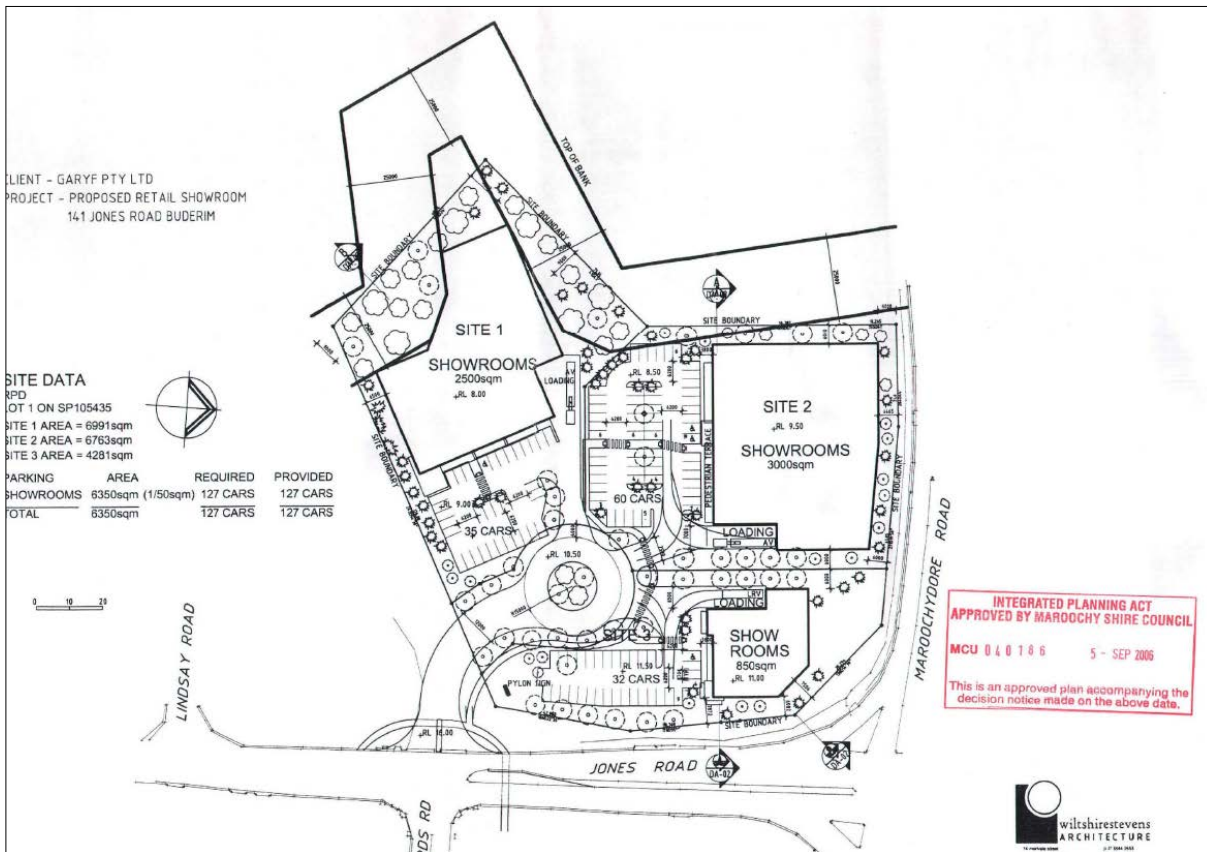
SITE DETAILS

Background/Site History

Application No.	Decision and Date
MCU04/0186	On 6 September 2006, Council approved an application for 6,350m ² of showrooms in 3 separate buildings on the site.
(Appeal no. 260 of 2006) of MCU04/0186	On 25 September 2006, the applicant appealed the conditions of approval for the showrooms to the Planning & Environment Court. On 24 June 2010, the Court dismissed the appeal. The approval remains current until 27 August 2018.
MCU06/0187 & REC06/0126	On 10 July 2007, Council refused an application for a 6,790m ² shopping complex consisting of 2 supermarkets (3,400m ² & 1,280m ²), 1,200m ² of shops, a 170m ² fast food outlet, 100m ² of office and outdoor dining.
(Appeal No. BD1958 of 2007) of MCU06/0187	On 25 November 2008, the Planning & Environment Court upheld Council's refusal of the shopping complex application.
MCU04/0186.01	On 14 December 2011, the applicant lodged a change application to amend the relevant period for the showroom approval (MCU04/0186) from 2 years to 4 years. On 31 August 2012, an Infrastructure Agreement was entered into between Council and the applicant to pay development contributions based on the Adopted Charges.

Application No.	Decision and Date
OPW12/0131	On 13 August 2012, Council approved an operational works application for bulk earthworks associated with the showroom approval (MCU04/0186).
OPW14/0367	On 27 August 2014, Council approved an operational works application for landscaping associated with the showroom approval (MCU04/0186). The approval rolled the relevant period for the higher order approval (MCU04/0186) over such that it now lapses on 27 August 2018.
SPS15/0142	On 23 June, 2015, Council agreed to accept and assess the current shopping complex application under the superseded planning scheme (Maroochy Plan 2000). Assessment of an application under a superseded planning scheme means that the assessment manager must not have regard to the current planning scheme.

Previous Applications over the Site



Current Approval - Showrooms (MCU04/0186)

On 6, September 2006, council approved a Development Permit for Material Change of Use of Premises (6,350m² of Showrooms) in three separate buildings on the site supported by 127 car parking bays. The approval is current until 27 August 2018. Access is approved from a signalised intersection at Jones/Pittards Road. The conditions of approval require substantial improvements to the intersection and Jones Road to accommodate the additional traffic, but not to the same extent as the current application. The approved showroom requires vegetated buffers along the road frontages and a 25 metre buffer to Martins Creek.



Refused Shopping Complex (MCU06/0187)

On 10 July 2007, council refused an application for a 6,790m² shopping complex consisting of 2 supermarkets (3,200m² Woolworths & 1,280m² Aldi), 1,200m² of shops, a 170m² fast food outlet, 100m² of office and outdoor dining supported by 372 car parking bays, including underground parking. The proposal included a reconfiguration application (REC06/0126) to separate the supermarkets into individual lots.

On 25 November, 2008, the Planning & Environment Court (Appeal no. 260 of 2006) upheld council's refusal, primarily on the basis that:

- the magnitude of the proposal with 2 supermarkets meant that the proposal would constitute a primary shopping centre destination not anticipated by the planning scheme's retail centres hierarchy
- there was insufficient unsatisfied demand (economic need) for a district shopping centre with 2 supermarkets at that point in time
- there were substantial unresolved traffic and access issues and
- there were insufficient grounds to justify approval despite conflict with the scheme.

Comparison of previous applications with the current application

Use	Approved showrooms (MCU04/0186)	Refused shopping complex (MCU06/0187)	Current application (MCU15/0192)
Supermarket or showroom	Showroom 1 – 3,000m ² Showroom 2 – 2,500m ² Showroom 3 – 850m ²	Woolworths - 3,200m ² + Aldi - 1,280m ² Total 4,480m ²	3,488m ²
Office	-	100m ²	200m ² (mezzanine)
shops	-	1,875m ²	999m ²
Fast food	-	170m ²	250m ²
Outdoor dining	-	165m ²	-
Total GFA	6,350m² GFA	6,790m²	4,937m²
Car parks	127	372	261

Site Description

Site & Locality Description	
Road Frontage	130m to Maroochydore Road, 95m to Jones Road
Existing Significant Vegetation	Primarily cleared
Topography:	Sloping away from road to Martins Creek
Surrounding Land Uses:	Roads, commercial, residential, substation.



Jones Road Commercial Precinct



Jones Road and Maroochydore Road Development Site

The 1.9 ha vacant site is located on the corner of Jones Road and Maroochydore Road and is accessed from Jones Road at the Pittards Road intersection. The property slopes away from Jones Road towards Martins Creek. The subject site is predominantly cleared with some riparian vegetation along the edge of Martins Creek.

Surrounding Land Uses

There is an Energex electricity substation located to the south of the site. Martins Creek and a flood plain are located west of the site. Further west of the site is the industrial area of Kunda Park. The North Buderim Markets and IGA are located immediately east of the site on the opposite side of Jones Road. Maroochydore Road is located immediately north of the site. Across the other side of Maroochydore Road is the McDonald's fast food outlet and Kuluin local centre which is accessed from Main Road.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

- State Planning Policy
- The South East Queensland Regional Plan
- State Planning Regulatory Provisions
- Any Structure Plan or Master Plan in place for declared areas
- Any Preliminary Approval Overriding the Planning Scheme for the land
- The Planning Scheme for the local government area
- Any Temporary Local Planning Instrument in place for the local government area

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

Statutory Instruments – State and Other

State Planning Policies

The State Planning Policy took effect in December 2013 and is applicable to this application.

The State Planning Policy was not formally incorporated into the applicable version of the *Maroochy Plan 2000*. The application is, therefore, required to be assessed against the applicable components.

The State interest requirements of the State Planning Policy are broad provisions that directly overlap with provisions already contained in the applicable version of the Maroochy Plan 2000 (and which are discussed elsewhere in this report). However, for completeness, the following brief assessment is provided.

With regard to water quality, development is required to avoid or otherwise minimise adverse impacts on the environmental value of receiving waters arising from stormwater quality or flow. The proposed development is considered to avoid adverse impacts on the water course by generally providing a 25 metre setback to buildings from Martins Creek (refer to water quality section of this report).

With regard to natural hazards, the proposal would fill the site to achieve flood immunity (refer to flooding assessment section of this report).

South East Queensland Regional Plan

The site is located within the Urban Footprint of the South East Queensland Regional Plan. The proposal is for a shopping complex within the Urban Footprint.

Section 8.6 Principle is to '*focus employment, infill housing and community services in well-planned, vibrant and accessible regional activity centres and along high-frequency transit corridors*'.

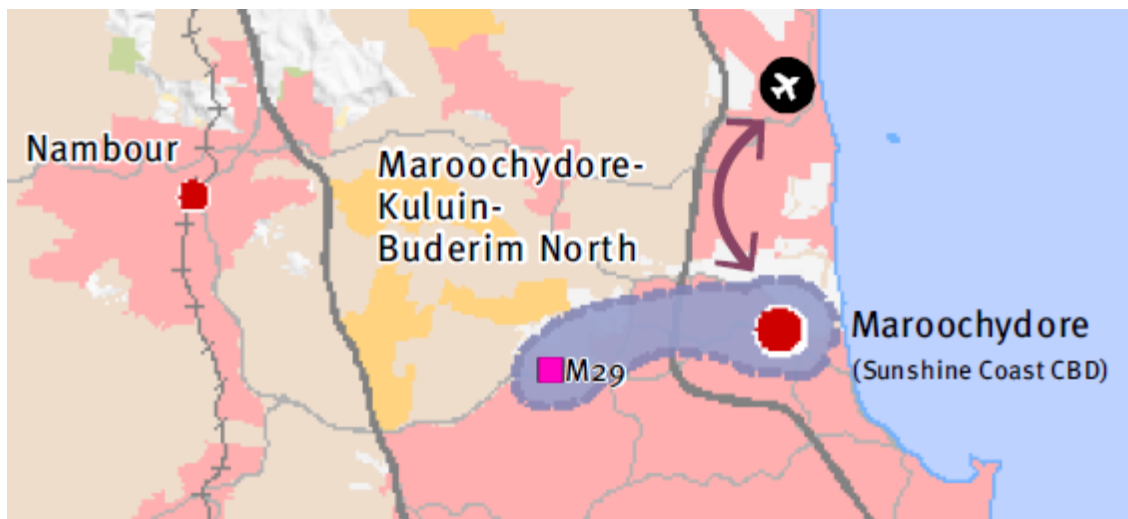
The proposed shopping complex would be located within a designated activity centre (Town Centre Frame) adjacent to Maroochy Road. The site is serviced by a regular public bus service which stops on Pittards Road adjacent to the existing North Buderim shopping centre.

Section 8.6.5 recommends the exclusion of '*out-of-centre land use and development that would detrimentally impact on activity centres*'.

The proposed shopping complex is not an out-of-centre land use, being wholly located within the same Town Centre Frame precinct as the existing North Buderim shopping complex located on the opposite side of Jones Road.

The proposed development is of a scale that is considered to be consistent with the regional land use intent, regional policies and desired regional outcomes for the Urban Footprint. The development is for an Urban use within the Urban Footprint.

Note: The draft South East Queensland Regional Plan identifies the development site as being located within an '*area of regional economic significance*', which includes Maroochy Road, Kuluin, and North Buderim (Prosper Map 2b).



SEQ Regional Plan Map 2b - Future area of regional economic significance

'Areas of regional economic significance are areas that demonstrate a synergy across economic and employment areas important to the region because they contain a concentration of significant economic activity. These areas:

- *support groupings of employment precincts, including centres, knowledge and technology precincts and/or major enterprise and industry areas, where business-to-business activity/connections are occurring*
- *support high levels of specialisation in one or more high-value industry sectors that have an outward trade focus, including:*
 - *knowledge and corporate (for example sectors such as finance, professional services, health and education)*
 - *energy and resources (mining related activities, including head office functions)*
 - *advanced manufacturing (generally described as transforming basic inputs into final products or componentry)*
 - *tourism*
 - *creative and cultural*
- *support significant levels of employment across their area*
- *are supported by significant state and/or local government commitments*
- *have strong transport connections (existing or committed)'*

State Planning Regulatory Provisions

The following State Planning Regulatory Provisions are applicable to this application:

- South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions
- State Planning Regulatory Provision (Adopted Charges)

The proposal is considered to comply with the State Planning Regulatory Provisions.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is the superseded planning scheme, being Maroochy Plan 2000 (16 September 2013).

Council agreed to assess the application for a shopping complex against the superseded planning scheme on 23 June 2015 (SPS15/0142). Therefore, under the *Sustainable Planning Act 2009*, the assessment cannot have regard to the Sunshine Coast Planning Scheme.

A shopping complex is defined under the Maroochy Plan 2000 as:

'Premises, comprising one or more buildings in the form of an integrated development having a gross floor area of more than 1,000m², established in a coordinated manner, and used for one or more shops, either with or without any one or more of the following purposes:

- (a) Art and craft centre*
- (b) Convenience restaurant*
- (c) Fast-food store*
- (d) Garden centre (in a tenancy having a total use area of not more than 200m²)*
- (e) Indoor recreation*
- (f) Restaurant*
- (g) Medical centre*
- (h) Office or*
- (i) Veterinary clinic.'*

The proposal for a medium sized supermarket, three shops and a fast food outlet fits within the definition of shopping complex under the superseded planning scheme, as does the 2013 approval of the North Buderim Markets Supa IGA within the same precinct (MCU13/0094).

Changes since the previous Shopping Centre Appeal

Council's economic consultant, who was also council's expert witness in the previous shopping centre appeal, advises that, *'whilst this application is to be assessed in accordance with the same planning scheme that applied to the 2007 application (Maroochy Plan 2000), there have been some changes that have occurred in the intervening eight years between the 2008 Appeal and the present time. MacroPlan Dimasi's letter has addressed these issues, which include:*

- (a) The Sunshine Coast population has increased by 18%;*
- (b) The populations of Buderim North SA2 and Maroochydore/ Kuluin SA2 have increased by 1,300 persons (9%) and 1,800 persons (11%), respectively;*
- (c) The supermarket at the adjoining North Buderim Shopping Centre has increased in size to 1,100m² (MCU13/0094);*
- (d) This application is for a centre that is 26% smaller and comprises a single full-line supermarket rather than a full-line supermarket and a discount supermarket; and*
- (e) The 2008 Court judgement inferred that a smaller shopping centre may have better suited the Planning Scheme requirements and met an unsatisfied demand.*

Four of these five points suggest that the application should be more favourably received in 2016 than in 2008, whereas the expansion of the supermarket at the adjoining North Buderim Shopping Centre suggests that some of the increased and unsatisfied demand has now been catered for'.

Council's economic consultant advises that, since the 2013 council approval of the IGA supermarket within the same Town Centre Frame precinct, *'the existing North Buderim centre is presently operating at the District Centre level'.*

Desired Environmental Outcomes

With regard to the DEOs (Volume 2), a number of Strategic Implementation Measures are applicable, in so much as they set the overriding policy position for the commercial and retail hierarchy applicable to the development:

DEO No 3 – Economic Sustainability – Strategic Implementation Measures

- *reinforce the roles of various centres in the achievement of the Shire's commercial hierarchy, including Maroochydore as a Principal Activity Centre and Nambour and Sippy Downs as Major Activity Centre (as recognised in the South East Queensland Regional Plan 2005-2026)*

DEO No 3 – Urban Design, Heritage and Character – Strategic Implementation Measures

- *through the Retail and Commercial Centres Hierarchy described in the Strategic Plan, and the Centre Precincts or sites specifically identified in the Planning Areas, ensure Local centres are located at sites that are specifically identified in the Planning Scheme, and are of a scale consistent with Statements of Desired Precinct Key Character Elements (in Volume 3).*

DEO No 7 – Physical Infrastructure

- *maintenance of a Retail and Commercial Centres Hierarchy to ensure that new nodes of activity are not created that would duplicate existing established or planned services and infrastructure in centres that meet the reasonable needs of the community*

Section 4.3 of the retail and commercial strategy identifies the retail centres hierarchy as:

- The Maroochydore Principal Activity Centre
- Major Activity Centres at Nambour and Sippy Downs (Town Centre Core and Frame)
- District Centres (see below)
- Village Centres (including Buderim)
- Local Centres
- Tourist Centres

'Local centres are not intended to be established as, or to expand into, higher order centres comprising or containing a standard size or larger supermarket. Any such facilities are defined (in Volume 1) to be a Shopping complex, and it is intended that such facilities be located only within District centres or higher order centres within the hierarchy.'

The development site is not a Local Centre. The development site is located within a designated Town Centre Frame activity centre, which is the second highest level in the hierarchy, down from Town Centre Core, which is intended to accommodate the highest order regional retail and commercial development on the coast.

Implementation Measure (19) says, *'district centres may be allowed if it can be established that the existing of such a centre is necessary to cater for unsatisfied demand or to allow systemic development of a particular area'*. Council has the discretion to approve district centres to cater for unsatisfied demand, which it exercised in 2013 when it approved the Supa IGA supermarket in this same precinct as part of the North Buderim Markets.

The applicant's Economic Impact Assessment identifies a *'significant unsatisfied demand for supermarket facilities at the subject site'* resulting from population growth, exacerbated by *'a very significant spatial gap in the commercial retail hierarchy'* in this area of the Sunshine Coast.

Council's economic consultant advises there is a moderate level of 'unsatisfied demand' for full line supermarket floor space at this location despite the 2013 approval of the North Buderim Markets IGA supermarket. Council's consultant is of the opinion that a medium size (approximately 3,500m²) full line supermarket, to address that unsatisfied need, would not constitute a primary shopping destination competing with the major centres, unlike the

previous shopping centre application with two supermarkets. Council's consultant concludes that the current proposal would constitute a neighbourhood district centre, which would primarily service local area demand and passing traffic. A key submitter against the proposal provided an Economic Impact Assessment, which agreed that, *'in the broader context of the centres hierarchy the proposed centre would not be a primary (or higher order) shopping destination'*.

It is considered that the Woolworths proposal is not 'out-of-centre', being wholly located within the same Town Centre Frame precinct which accommodates the recently expanded North Buderim Markets. That shopping complex contains a pharmacy, liquor store, butcher, florist, gym, bakery, fast food outlet, repair shop, coffee shop and a recently expanded 1,100m² IGA supermarket. Council's economic consultant advises, *'the existing North Buderim centre is presently operating at the District Centre level'*.

Therefore, it is considered the proposal would not undermine the retail and commercial centres hierarchy or affect the DEOs (refer to Economic Assessment sections of this report).

Strategic Plan

3.5.6 - To provide for retail commercial and service industrial activities appropriate to service the residential communities without compromising residential amenity.

Being located west of Jones Road and adjacent to Maroochydore Road within a Town Centre Frame Precinct, the proposal would not significantly impact the amenity of the surrounding residential areas. The development would be well separated from existing residential dwellings, if approved. The development would be required to substantially improve the road network to accommodate increased traffic along Jones Road.

4.3.2 - Major Activity Centres - the Major Activity Centres at Nambour and Sippy Downs will complement the Principal Activity Centre, with the establishment of higher order retailing, commercial and service functions encouraged to establish here in preference to the lower order centres in the hierarchy.

The applicant's Economic Impact Assessment identifies that there is now a high level of *'unsatisfied demand'* for a supermarket at this location. *'Given its limited range of services and scale, in the context of the surrounding centres hierarchy, which includes many centres well in excess of 40,000m², it is clear that the development would not be the primary or principal, shopping destination in the region'*.

Council's economic consultant agrees there is a *'moderate level of unsatisfied demand'* for a full line supermarket at this location and that it could be absorbed into the centre's hierarchy as a neighbourhood district centre without impacting the major centres (refer to Economic Needs Assessment and Grounds for Refusal sections of this report).

4.4.3 - Retail and Commercial Centres are to be Readily Accessible to a Range of Transport Modes.

The Jones Road development site would be accessible by private vehicle, public transport (bus serviced) and pedestrian links across Jones Road.

4.3.4 - Local centres are not intended to be established as, or to expand into, higher order centres comprising or containing a standard size or larger supermarket.

The development site is not a Local Centre, as previously acknowledged by the Court in Appeal No. 260 of 2006. It is designated Town Centre Frame.

4.4.1 – To Consolidate and Maintain the Integrity of the Retail and Commercial Centres Hierarchy.

(8) Consolidation of commercial and retail development in the Town Centre Core and Frame is encouraged.

The proposal would comply with 4.4.1 (8) by consolidating commercial development within an existing Town Centre Frame precinct. Examples of supermarkets located in a Town Centre Frame include the existing North Buderim IGA located within this precinct, Woolworths Sippy Downs, Aldi Nambour and Aldi Maroochydore.

10.5.4 – *‘To protect Waterways, Waterbodies and Wetlands in a Manner which Protects and Enhances Water Quality and Aquatic Habitats’.*

The proposal would provide buffering to Martins Creek and riparian rehabilitation in the corridor.

Planning Area

The subject site is located in Planning Area No. 8 Kuluin/Kunda Park, at a ‘gateway’ location, which contains a range of commercial uses oriented to visitors and passing vehicle traffic.

Section 3.8.3 Key Character Elements (2) (c) of the planning area vision statement area says that, ‘any new premises in the commercial centre at the intersection of Main and Maroochydore Roads will be required to demonstrate satisfactory access arrangements and effective buffering to surrounding residential land. The capacity of the Maroochydore Road will be protected, with high standards of visual amenity sought along the road corridor. This centre is not intended as a primary shopping area’.

Council’s economic consultant, and the submitter’s Economic Impact Assessment, agree that the Woolworths supermarket proposal would not be considered a primary shopping destination. The proposal is well separated from residential development. A dense screening buffer to Maroochydore Road would preserve the visual amenity of the corridor, in conjunction with a 6 metre setback to the building. The existing showroom approval allows a similar building interface with the transport corridor with a landscaped 6 metre setback.

The applicant’s Economic Impact Assessment (MacroPlan Dimasi) points out that, ‘in the context of the retail provision at higher order centres like Maroochydore (in the order of 80,000m²); Buddina (more than 40,000m²); Caloundra (more than 40,000m²), and Nambour (more than 20,000m²), the proposed development would hardly be considered a primary shopping destination’.

The Department of Transport and Main Roads, as a concurrence agency, is satisfied that the proposed site access and intersection upgrades would protect the capacity of Maroochydore Road and provide adequate site access. Council’s landscaping specialist considers that the building can be adequately buffered to protect the visual amenity of Maroochydore Road.

‘New development is to recognise and protect the function, capacity and efficiency of these roads. In particular, access arrangements to Maroochydore Road should ensure that the existing function and capacity of the road are maintained.’

It is considered that the above requirement refers to the portion of the planning area north of Maroochydore Road adjacent to Main Road. Irrespective, the Department of Transport and Main Roads, in its concurrence agency role responsible for Maroochydore Road (State Controlled Road) and the operation of associated intersections, has given its approval with conditions. Council’s traffic consultant agrees that the proposed upgrades to Jones Road, and to the intersections, would significantly improve the road network (refer to Traffic Section).

The Location of Uses and Activities for the Planning Area states that, ‘the commercial development at the intersection of Maroochydore and Main Roads is expected to accommodate services and facilities which are more vehicle oriented and serve both local and passing traffic.’

While it is considered that the Planning Area statement refers primarily to future commercial development located north of Maroochydore Road, the proposal for a medium sized supermarket south of Maroochydore Road would cater to local area demand and passing traffic consistent with the planning area guidelines (refer to Economic Section of this report).

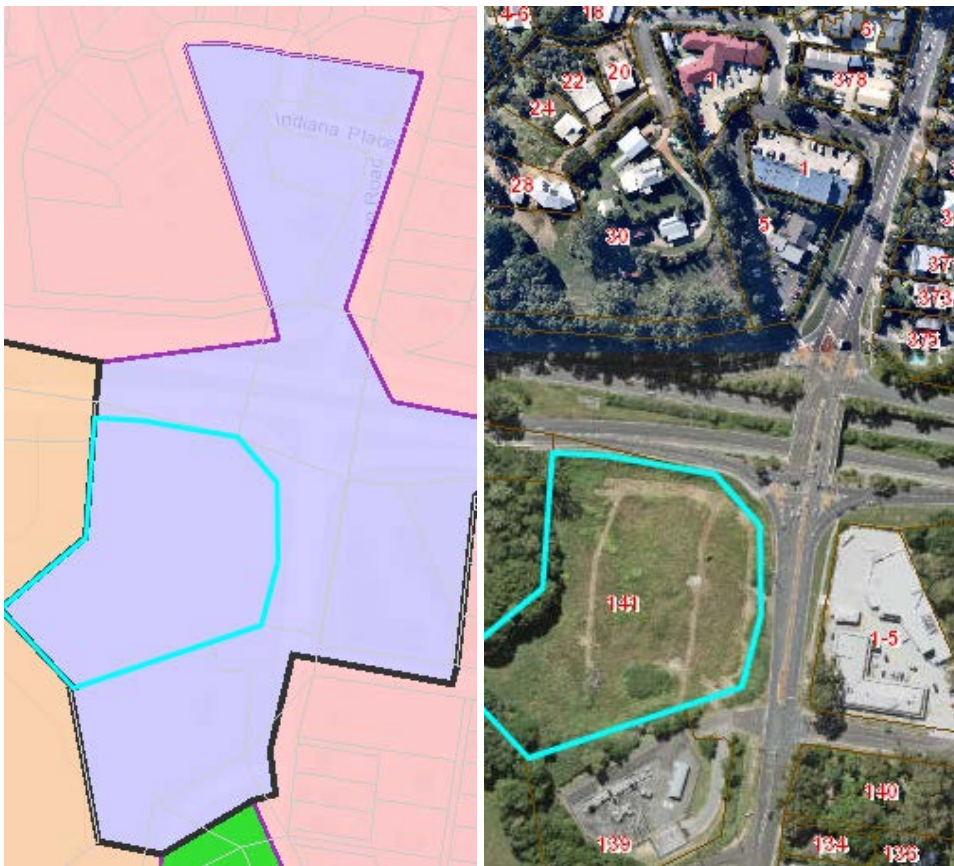
Section 3.8.3 Key Character Elements (2) (c) of the planning area Vision Statement area states, 'the centrally located Kuluin Local Centre and school facilities are to be maintained and enhanced as much as possible'.

The Kuluin Local Centre constitutes a separate Local Centre not included within the existing Town Centre Frame precinct, which does not contain significant retail activity and which would not be impacted by a supermarket offering. The school facilities would not be impacted by the proposal.

Precinct Intent – Town Centre Frame

The subject site is located in Planning Area No. 8 Kuluin/ Kunda Park, Precinct 1 (Kuluin Gateway) and is designated as Town Centre Frame.

The Town Centre Frame precinct spans Maroochydore Road and Jones Road to include the development site and the existing North Buderim Markets shopping complex east of Jones Road and Kuluin Village and McDonalds Restaurant north of Maroochydore Road.



Kuluin Gateway Town Centre Frame Precinct

The Statement of Intent for Precinct Classes (Volume 3, p11) for Town Centre Frame states:

'These precincts (Frame) are intended to adjoin the Town Centres' Core areas (which this precinct does not) and provide for types of uses and buildings which complement each Core area's functions and environment. These Precincts (Frame) are expected to have environments which are more vehicle-oriented than the Core Precincts. Non-residential premises should be of a lesser scale and intensity than that in the Centres Core Precincts. Uses requiring larger site areas, generating higher volumes of traffic and otherwise not needing a central location (such as showrooms, service stations, restaurants with drive through facilities and the like) are considered more suited to sites in these Precincts.'

Town Centre Frame typically accommodates uses which are complementary to Town Centre Core, such as larger showrooms and other vehicle oriented development. However, this Town Centre Frame precinct is an anomaly, in that it is isolated and not located adjacent to a Town Centre Core. Kuluin Town Centre Frame does not adjoin a Town Centre Core and, therefore, by definition, cannot complement it.

The applicant currently has an approval for showrooms over the site, but has provided an Assessment of Bulky Goods Potential report, which argues that the site is not economically viable for that use (refer to Economic Impact Assessment section).

It is acknowledged that, with the exceptions of Sippy Downs Woolworths (approx. 4,037m²), Maroochydore Aldi (1,200m²) and Nambour Aldi (1,200m²), Town Centre Frame does not normally anticipate or accommodate shopping centres and/or supermarkets. However, when council approved the extension to the North Buderim Markets for an IGA supermarket in 2013, the issue of whether this Town Centre Frame precinct should accommodate a shopping complex and supermarket was resolved in the affirmative. Council's economic specialist advises that the precinct now operates as a district level shopping centre.

Other examples of supermarkets located outside the Principal/ Major Activity Centres (Core) approved under Maroochy Plan 2000 to cater to local, village or district demand (neighbourhood), but which do not constitute *primary shopping destinations* include:

Supermarket GFA

- North Buderim Markets IGA in the same precinct (1,100m²)
- Woolworths at Chancellor Park Market in Town Centre Frame (4,037m²)
- Woolworths at Coolum Park (approx. 2,800m²)
- Woolworths at Mountain Creek (approx. 2,700m²)
- Woolworths at Buderim Village Centre (approx. 2,590m²)
- Coles at Peregian Springs (approx. 2,800m²)
- Coles at Coolum (approx. 2,550m²)
- Coles at Pacific Paradise (approx. 2,500m²)
- Coles at Mooloolaba Central (approx. 1,990m²)
- IGA at Bli Bli (approx. 1,400m²)
- IGA at Yandina (approx. 1,000m²)
- IGA Maud Street (1,000m²)
- IGA at Wises Road (982m²)
- IGA at Mount Coolum (678m²)
- Aldi Aerodrome Road (1,200m²)
- Aldi Sunshine Cove (1,738m²)
- Aldi Nambour (1,200m²)
- Aldi Brightwater (2,100m²)
- Kunara Organic Marketplace at Forest Glen (approx. 1,000m²).

Further, Aldi are applying to increase the size of all their supermarkets on the coast.

The applicant's Economic Impact Assessment identifies a special gap in the retail hierarchy for the provision of supermarket floor space at this location stating that, *'throughout the surrounding region there are many supermarket facilities provided as part of Local (Full Service) Centres, which are well located to serve such needs for their respective local communities, but no such facility exists at North Buderim'*. The nearest full line supermarket (Buderim) is approximately 7kms (average round trip), while the Maroochydore supermarkets are approximately 12kms (average round trip).

Therefore, while not generally anticipated by Town Centre Frame, there is a demonstrated need (unsatisfied demand), a special gap in the provision of supermarket floor space, and precedent for a supermarket (North Buderim Market IGA) within this Centre Frame precinct.

In their 2013 application (MCU13/0094) for an extension to the North Buderim shopping complex, the North Buderim Markets argued that their proposed expanded IGA supermarket complied with the Strategic Plan, the Retail and Commercial Centres Hierarchy, the Town Centre Frame Precinct Intent and the performance criteria of the relevant codes. On 13 December 2013, council agreed with them and approved an upgraded 1,100m² Supa IGA supermarket. The issue of whether the precinct should accommodate a supermarket was determined by that approval.

The unresolved issue remains how large a supermarket the precinct should accommodate. The applicant argues there is an unsatisfied demand for approximately 5,000m² of supermarket floor space in the catchment, which could be met by the combination of the existing 1,100m² IGA and the proposed 3,488m² Woolworths supermarket (refer to Economic Assessment). MacroPlan Dimasi argues that 3,500m² is the new 'average' size for a full line supermarket. The applicant reduced the size of the supermarket floor plate to 3,488m² in response to Council's Information Request.

'Over the past 5 years, the average size of new Coles stores has increased from around 3,360m² to 3,550m² and the average size of new Woolworths stores has increased from around 3,410 to 3,630m². In this context, there is a clear trend towards larger supermarkets, driven by customers, who tend to be increasingly time-poor and prefer a greater range of grocery items in one location. For Woolworths, the number of very large supermarkets over 6,000m² has remained constant over the last decade, though the number of supermarkets sized 5,000m² to 6,000 m² has increase from 13 to 18 over the last 10 years.'

Large destination supermarkets within a major centre are 4,000m² to 6,000m² in area.

Should council determine to approve the current proposal, the combined GFA of the Town Centre Frame district centre would be similar to that of the existing Buderim Village Centre.

Preferred and Acceptable Uses

Table 4.5 - *Supplementary Table of Development Assessment for Centre Precincts for Planning Area 8 0 Kunda Park, Precinct (1) Kuluin Gateway* identifies the following preferred uses within Kuluin Gateway Town Centre Frame: child care centre, convenience restaurant, fast food store, funeral parlour, garden centre, medical centre, office, restaurant, veterinary clinic and shops.

As shops, offices and fast food outlets are anticipated by the precinct description and code assessable, it is the supermarket component which makes the application impact assessable by elevating the use to that of a shopping centre.

Therefore, the primary consideration should be the potential impacts of the supermarket component on the surrounding area and if or how those impacts can be mitigated where possible (refer to Economic Section of this report).

Landscape and Built Form

'New development in the Precinct should achieve high standards of siting, design and landscaping befitting the visual prominence of the site.'

The proposed 8.5m buildings are typical of a contemporary supermarkets. The back of the supermarket, which would be oriented to Maroochydoore Road, has been stepped in to

articulate the north facing wall, which would be setback 6 metre from the property boundary, allowing sufficient area to establish a dense screening landscape buffer.

'Vehicle access to sites needs to be carefully considered, and measures such as sharing access points will be encouraged.'

Refer to Traffic Section of this report.

'Buildings should not exceed a height of two storeys (and no more than 8.5 m).'

The proposed buildings are no more than 8.5 metres from finished fill level.

Economic Impact Assessment

Showroom Assessment

The applicant has provided a Bulky Goods Potential economic assessment prepared by MacroPlan Dimas, which argues that the development site is not economically viable as a showroom site despite the current approval for showrooms.

Council's economic consultant agrees that:

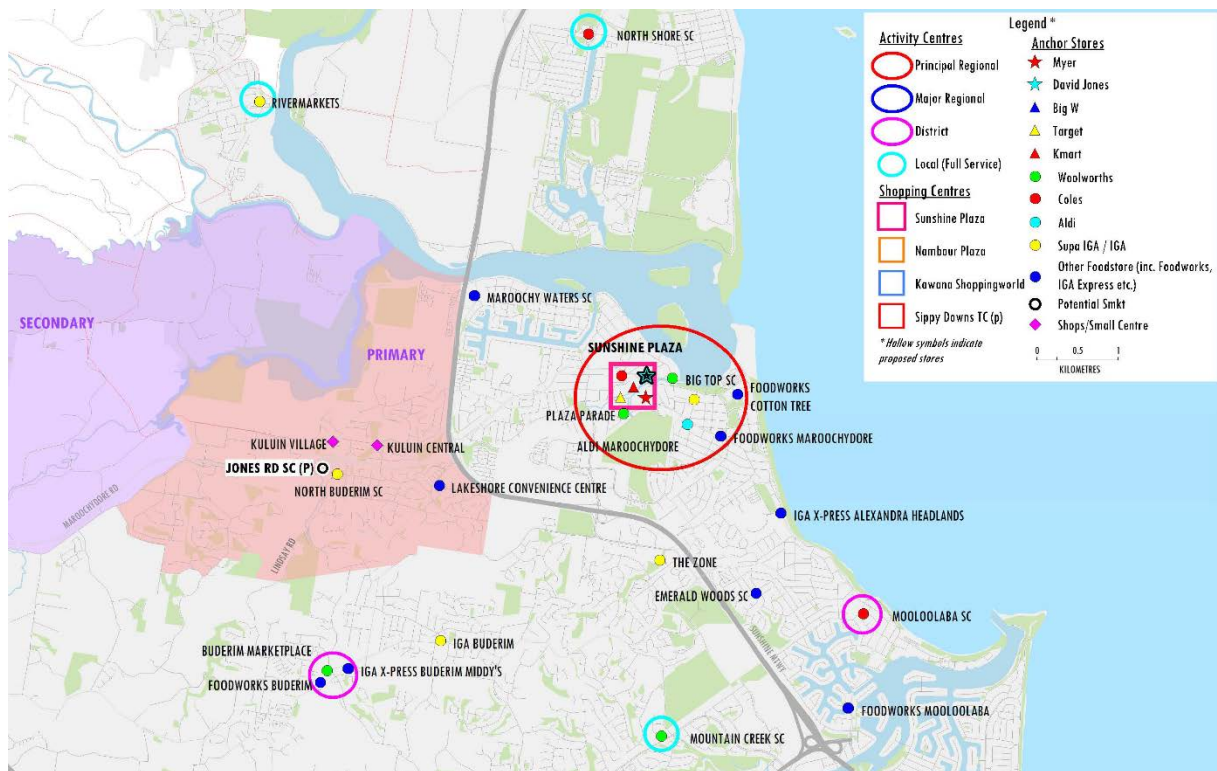
- (a) *'The subject site offers significant exposure and accessibility to a regional catchment;*
- (b) *Maroochydore and Kawana provide an extensive range of showrooms, some of which have only recently been developed;*
- (c) *There is probably an oversupply of showrooms on the Sunshine Coast at present, with some centres understood to be trading at below average levels; and*
- (d) *There is not an identifiable market gap at present.'*

Shopping Centre Economic Assessment

The applicant's Economic Impact Assessment (EIA)

The applicant provided an Economic Impact Assessment (EIA) prepared by MacroPlan Dimasi. The document, which is provided as an attachment, identifies the following grounds to support the proposed supermarket at the subject site:

- *'There is a significant supermarket market gap of 3,812m² identified at 2015, with the main trade area population generating demand of around 4,912m² of supermarket floor space, which is presently being met by a small 1,100m² IGA supermarket.*
- *There is a clear spatial gap for a Local (Full Service) Centre in this part of the Sunshine Coast, with the closest centre of this designation, or higher, located at Buderim District Centre (a 6 – 8 km round-trip from the subject site).*
- *Conditions have changed significantly since the 2008 court case. The population in the surrounding suburbs of Buderim/Mountain View has increased by around 3,500 persons but there have been no additional large supermarkets developed in this area since 2008. Therefore the Mountain View Local Centre and Buderim District Centre would have seen increases in the congestion levels – making these centres less convenient not only for residents in their respective primary sectors but also for residents around North Buderim/Kuluin (i.e. in the subject proposal's main trade area).*
- *Estimated impacts on the various centres within and surrounding the identified North Buderim trade area are generally minor to moderate, being in excess of 10% only for the Buderim District Centre and the existing North Buderim Centre. In our EIA, for*



Trade Area and Retail Hierarchy Centres

The Submitter's Economic Impact Assessment

The North Buderim Markets, as a submitter to the application, lodged its own Economic Impact Assessment, prepared by Economic Associates, which reviewed the applicant's (MacroPlan Dimasi) Economic Impact Assessment. The submitter's Economic Impact Assessment is provided as Attachment 2.

The submitter's Economic Impact Assessment concluded that:

- *'Approval of the proposed North Buderim Shopping Centre would devalue the intended role and function of the existing North Buderim local centre, which is intended to cater for the convenience needs of the local community.*
- *Approval of the proposed North Buderim Shopping Centre would directly compete with the existing North Buderim Shopping Centre, anchored by an IGA (1,330m²) given the proximity of the proposal to the existing centre.*
- *Approval of the proposed North Buderim Shopping Centre together with the existing North Buderim Shopping Centre and Kuluin Village would result in a total retail floor space of 7,953m² which is comparable to the scale of the existing Buderim District Centre (7,870m²).*
- *A higher proportion of turnover for the North Buderim Supermarket Centre anticipated to be derived from the higher order Maroochydore CBD;*
- *The modest population growth anticipated for the defined trade area due to the established nature of this corridor and limited residential land available for significant residential development;*

- *The EIA overstating the proportion of supermarket expenditure retained by the proposed North Buderim Supermarket Centre from the defined trade area, particularly the secondary trade area. The EIA provides no justification for the lack of differentiation of supermarket expenditure retention between the EIA's defined primary and secondary trade areas;*
- *The EIA overstating the overall market share potential derived from the defined primary and secondary trade areas for the proposed North Buderim Supermarket Centre, with almost identical market shares anticipated from both the primary and secondary trade areas. It is reasonable to anticipate market shares derived from secondary trade areas would be less due to the secondary nature of secondary trade areas;*
- *There being insufficient population within the primary trade area to warrant the development of a full line supermarket of the scale intended by the proposed North Buderim Supermarket Centre (a Woolworths supermarket of 3,688m²); and*
- *The EIA significantly underestimating the impact on the existing centres hierarchy, particularly the existing North Buderim Shopping Centre located directly opposite the subject site'.*

In summary, the submitter's Economic Impact Assessment disagrees with the applicant's Economic Impact Assessment, stating that:

- the applicant's assessment should not have relied upon the Secondary Trade Area
- the applicant's assessment overstates population projections
- the applicant's assessment overstates the retail expenditure base per household/capita
- the applicant's assessment overstates the supermarket shortfall provision set out in its market gap analysis
- the applicant's assessment overstates the market shares likely to be achieved by the proposal
- there is insufficient population to warrant a full-line supermarket at the scale proposed
- approval would elevate the expanded North Buderim centre to the District Centre level
- the applicant's assessment significantly understates the impact on the North Buderim Shopping Centre
- the reduced centre is not significantly different from that originally applied for
- the applicant's assessment has failed to demonstrate a need for the proposal
- the applicant's assessment has failed to demonstrate that the centres hierarchy cannot adequately service the needs of the community
- the applicant's assessment has failed to satisfy there is latent unsatisfied demand for the proposal
- the applicant's assessment has failed to demonstrate that adverse impact would not be caused to the network of centres and
- the applicant's assessment has failed to demonstrate that the scale of the proposed centre fits within the existing centre hierarchy.

Council's Peer Review of both Economic Impact Assessments

Council's economic consultant, and expert witness in the previous shopping centre appeal, undertook a peer review of both the applicant's Economic Impact Assessment and the submitter's Economic Impact Assessment.

Council's economic consultant concluded that:

'Following a detailed analysis of the submitter's Economic Impact Assessment (SEIA), I have formed the following views in respect of the key findings and conclusions reached by Economic Associates in its SEIA:

- (a) I agree with the SEIA that the Secondary Trade Area is not considered relevant to the analysis as a separate Trade Area;*
- (b) I disagree with the SEIA that the applicant's Economic Impact Assessment (EIA) has overstated population projections. The overstatement claim is based upon an analysis of recorded low numbers of dwelling approvals in the 2011/2 to 2013/4 period, which coincided with a downturn in the residential development sector. However, an examination of the residential zonings in the Primary Trade Area support the population growth assumed by the EIA.*
- (c) It is my view that the EIA has overstated the retail expenditure base by 14% and that the SEIA has understated the retail expenditure base by 10%.*
- (d) I agree with the SEIA that the EIA has overstated the shortfall in supermarket provision set out in its market gap analysis. The main reason for that overstatement is considered to be the failure by MacroPlan Dimasi to recognise that there is an over-provision in the neighbouring suburb of Maroochydore and that there is a natural flow of trade across the boundary of these two areas.*
- (e) It is not necessary for me to provide a view about market shares due to the EIA projecting turnover at the proposed development of \$40m in its first year of operation and the SEIA projecting turnover on the same basis at \$35m. I think that both estimates provide a good basis for the expected range of turnovers likely to be derived by the proposed development.*
- (f) I disagree with the SEIA that there is an insufficient population to support the development of a full-line supermarket. Whilst the population's needs could be met by a smaller full-line supermarket, the range and depth of goods available within the size of supermarket proposed would be superior.*
- (g) I disagree with the SEIA that approval would elevate the expanded North Buderim centre to the District Centre level (as referred to in the Superseded Planning Scheme). That is because the existing North Buderim centre is presently operating at the District Centre level. Existing commercial facilities at North Buderim provide approximately 3,000m² of floor space. District Centres are not specifically defined by the Superseded Planning Scheme, but it can be inferred that they are smaller than Major Centres and larger than Village Centres (which are anchored by small scale supermarkets and have a commercial floor space of up to 1,000m²). The existing North Buderim centre well exceeds the 1,000m² limit for a Village Centre.*
- (h) I agree that the EIA significantly understates the impact on the North Buderim Shopping Centre. However, the SEIA has significantly overstated the impact on the North Buderim Shopping Centre. With respect to this centre, the EIA estimated an impact of -11.5% and the SEIA estimated an impact of -50.4%. I have estimated the impact at between -20% to -25%. The impact estimated by the SEIA is simply not credible, based upon the assumption that 43% of the projected impacts would be*

directed towards centres not containing a full-line supermarket (even though more than 80% of turnover would be derived by the supermarket).

- (i) I agree with the SEIA that the reduced scale of the proposed centre (in response to the Information Request) is not significantly different from that originally applied for. However, this statement is not considered relevant.*
- (j) I disagree with the SEIA that the EIA has failed to demonstrate a need for the proposal. Whilst the EIA has overstated the need for the proposal, it is my view that there is a moderate level of planning need for the proposal.*
- (k) There is some merit in the SEIA's criticism that the EIA has failed to demonstrate that the centres hierarchy cannot adequately service the needs of the community, which was found to be a fatal weakness of the proposal in the 2008 Court Appeal. MacroPlan Dimasi was given another opportunity to address this issue in the response to information request (RIR), but the response is considered to have fallen short of the mark. Nevertheless, I consider that there are sufficient material differences in circumstances since the 2008 Court Appeal to warrant that the centres hierarchy cannot adequately service the needs of the community at present.*
- (l) There is also some merit in the SEIA's criticism that the EIA has failed to satisfy there is latent unsatisfied demand for the proposal. However, I consider that there is some latent unsatisfied demand for the proposal, sufficient to justify a moderate level of need.*
- (m) The EIA has demonstrated that adverse impacts would not be caused to the network of centres. However, I consider the EIA to have underestimated impacts upon the North Buderim Shopping Centre. Those impacts are considered significant. However, any resulting impacts would be made good by the proposed development'*
- (n) The SEIA's claim that the EIA has failed to demonstrate that the scale of the proposed centre fits within the existing centre hierarchy has some merit. The EIA did not fully address the proposal in terms of how it might sit within the Superseded Planning Scheme's hierarchy. The proposed centre would be classed as a District Centre under that Scheme's hierarchy, although it could well be classified as a Neighbourhood Centre in another Scheme's hierarchy.*

It is perhaps not surprising that I consider that the economic material prepared by MacroPlan Dimasi on behalf of the applicant to be optimistic and the SEIA prepared by Economic Associates on behalf of the submitter to be pessimistic. In my opinion, the most likely economic outcome lies somewhere between the results of the two sets of economic material.

It should also be recognised that criticisms can also be levelled at the SEIA. It has adopted conservative population projections, a low retail expenditure base and has significantly overstated impacts upon the smaller retail centres, especially the North Buderim Shopping Centre.

It is my view that there is a moderate level of need for the proposed shopping centre and that, with one exception, the centre hierarchy can adequately absorb the impacts of the proposed shopping centre. The exception is the recently expanded North Buderim Shopping Centre located opposite the subject site. Anchored by a 1,100m² IGA supermarket, this centre is considered vulnerable to the expected strong competition from the proposed Woolworths-anchored shopping centre.

The SEIA has levelled many criticisms at the EIA. Many of them have some merit. However, in my opinion none of the criticisms, either alone or in combination, are sufficient to sway me from the view that there is a moderate level of need for the proposal, that the proposal would

cause a significant impact upon the operation of the North Buderim Shopping Centre and that any loss in facilities at the North Buderim Shopping Centre would be made good by the proposed development.

There is an additional point that has been ignored by the SEIA and EIA. That is that the North Buderim Shopping Centre is located within the same Precinct and Zone as the subject site: Kuluin Gateway Precinct and Town Centre Frame Zone. Whilst the proposed Impact Assessable application needs to be assessed on its merits, I consider that the North Buderim Shopping Centre should not receive any special protection by the Superseded Planning Scheme in circumstances where the proposed site is included within the same Precinct and Zone as the North Buderim Shopping Centre. That is, being located in the same Precinct and Zone, it is to be expected that it would have a somewhat similar role and function’.

Economic Need and Unsatisfied Demand

With regard to the issue of economic need, which would potentially constitute grounds for approval despite conflict with the planning scheme, the applicant’s economic consultant (MacroPlan Dimasi) found that, *‘there is a clearly demonstrated market gap, or ‘unsatisfied demand’ for supermarket facilities at the subject site. The main trade area population of 10,600 persons generates supermarket floor space demand of around 4,912m², which is presently only being met by the small 1,100m² IGA supermarket at North Buderim’. While not all the available supermarket business generated by this population would be expected to be retained locally, it is reasonable that the bulk of that business should be able to be spent at convenient, local supermarket centre, particularly given the distances involved to access the nearest full range national chain supermarkets at present...’.*

‘Most of this supermarket demand must be escaping to other centres by necessity, but not necessarily because these centres are convenient to access. Indeed, the Buderim District Centre is a 6 – 8 km round trip (on average), including a steep ascent/descent and Maroochydore PAC is a 10 – 12km round trip (on average) for trade area residents, often with significant congestion. As alluded to earlier the convenience of Buderim District Centre would only have deteriorated since 2008, given the additional population growth in the surrounding region. It is unquestionable that there is a significant under-provision of supermarket facilities within the primary sector and main trade area overall and there is a need that is not being met in a convenient manner’.

The submitter’s Economic Impact Assessment claims there is only a *‘minor need’* for an additional supermarket at the subject site due to the following reasons:

- the defined trade area is sufficiently serviced by existing centre networks
- insufficient population within the primary trade area to support a full line supermarket
- the trade area is anticipated to experience only modest population growth within the next decade to ameliorate the impacts of the development on the existing centres hierarchy.

The submitter estimates a **1,482m²** shortfall of supermarket floor space in the primary trade area in 2015, which it suggests could be met by another small top-up shop (e.g. Foodworks).

MacroPlan Dimasi says, *‘duplicating another small, top-up shop at the site would do very little to help retain escape supermarket expenditure, as this expenditure would generally be in the form of leakage to large supermarkets and/or Aldi supermarkets beyond the trade area’.*

Council's economic consultant agrees that the applicant has overstated the shortfall in supermarket provision, *'because the EIA fails to recognise that there is an over-provision of supermarket GFA in Maroochydore (Principal Centre) and a natural flow of trade across the boundary of these two areas'*. Despite this, council's economic consultant found there is a *'moderate need'* (3.5 out of 7) for a full line supermarket at this location to satisfy an unsatisfied demand for *'the scale of development as amended for a supermarket (approx. 3,500m²) plus supporting specialty shops.'*

Council's economic consultant advises further that *'a major supermarket's role is to satisfy the major grocery shopping trip. It needs to provide a sufficiently broad range of goods so as to cater for most shoppers' needs, as augmented by a small range of supporting specialty shops, such as newsagency, pharmacy, hairdresser, café, etc. The smaller supermarkets (less than say 1,000m²) operated by independent grocers (eg IGA, Foodworks, Spa) are designed to satisfy the top-up shopping trip. They need to be convenient, have good accessibility and be open for extended hours. Cheap prices are not generally a feature of these facilities.*

'With respect to the major supermarkets operated by Coles and Woolworths, their sizes are dictated much more by the standard module sizes at the time of construction than any desire on behalf of Coles or Woolworths to roll-out their stores with some sort of hierarchy in mind. For example, some years ago the standard size of a supermarket was 2,000m². This has increased to 2,500m², 3,000m² and is now in the range of 3,500m² to 4,000m². I therefore agree that the proposed 3,500m² module is representative of the current modules being rolled out in Australia. That is, Coles and Woolworths prefer to roll-out this size store because they both expect that their shoppers would expect and be satisfied with the range of stock items they can fit into supermarkets of these sizes.

'The only real difference between a 3,000m² supermarket and a 3,500m² supermarket on the site is that the 3,000m² supermarket would provide a more restricted range of goods and some more queuing issues at peak times. That is, the 3,000m² supermarket would not satisfy need as well as a 3,500m² supermarket, but would cause the same magnitude of impact. The reduction in the size of the supermarket by 500m² would not achieve the desired outcome, a reduction in the magnitude of impact. Therefore, from a need and economic impact perspective, I do not support a small reduction in the size of the supermarket. Given the small size of the IGA across the road (1,100m²), there would be no difference in impact upon this much smaller supermarket.'

MacroPlan Dimasi states, *'it is unquestionable that the Maroochydore CBD does not conveniently service the weekly/fortnightly supermarket needs of the North Buderim primary sector and main trade population. When congestion and parking are also considered, a trip to the supermarket in the Maroochydore CBD could potentially take in the order of 40 – 50 minutes (assuming 10 - 15 min travel, 5 - 10 min traffic/ parking, 20 - 25 min shopping).'*

When the Principal Activity Centre (CBD) supermarket oversupply is removed, there is an unsatisfied demand (economic need) for approximately 4,900m² of supermarket floor space. This demand could be met locally by the combination of the existing 1,100m² IGA and a new 3,488m² full line Woolworths supermarket, rather than leaking to the CBD.

Therefore, a mid-sized supermarket is considered to be of an appropriate size to meet the unsatisfied demand (economic need) for a full line supermarket at this location.

Economic Impact on Existing Centres

Economic impact analysis typically considers:

- Distance from the proposed development
- Size of the centre
- Supermarket floor space, brands
- Role/ function of centre
- Estimated performance of a centre
- Share of expenditure.

The applicant's Economic Impact Assessment projects the impacts within and surrounding the North Buderim trade area as being '*generally minor to moderate*'. They estimate that the existing Buderim Village Centre and North Buderim Markets (including IGA) would be impacted by -13.6% and -11.6% respectively. The EIA suggests that none of the existing centres would be jeopardised with existing businesses being able to '*provide the surrounding community with levels of service that are at equivalent to the current (2014/15) situation and would not 'impact the viability of existing centres*'.

The North Buderim Markets Economic Impact Assessment estimates that the Buderim District Centre and North Buderim Centre would be impacted by -7.1% and -50.4% respectively. The reasons the impacts are expected to be so great on the North Buderim Markets include its close proximity to the proposed shopping centre (directly opposite), the size and scale, replication of services (supermarket, fast food, etc.) and limited anticipated population growth within the trade area. This includes the recently approved Martin's Creek residential development for 300+ lots, which would be within walking distance of the Town Centre Frame precinct.

Council's economic consultant agrees that the applicant's Economic Impact Assessment understates the impact on the North Buderim Shopping Centre. However, he also states that the submitter's Economic Impact Assessment's estimate of a 50.4% impact is not credible because of its underlining assumption that 43% of the projected impacts would be directed towards centres not containing a full-line supermarket even though more than 80% of turnover would be derived by the supermarket.

Council's economic consultant concludes, '*there is a moderate level of need for the proposed shopping centre and that, with one exception, the centre hierarchy can adequately absorb the impacts of the proposed shopping centre. The exception is the recently expanded North Buderim Shopping Centre located opposite the subject site. Anchored by a 1,100m² IGA supermarket, this centre is considered vulnerable to the expected strong competition from the proposed Woolworths-anchored shopping centre. The impact is likely to be in the order of 20% to 25%, which is above the level normally regarded as being significant and would be likely to cause some businesses to fail*'.

'However, the broader community should be no worse off, with the proposed new shopping centre expected to make good any loss of facilities or services presently offered by North Buderim Shopping Centre. Impacts upon other centres are not considered to be of concern due to either the centres not providing a similar range of facilities (eg Kuluin Central) or being so large that any impacts would be of a relatively small scale (eg Maroochydoore CBD)'.

With regard to the potential impact on the CBD, MacroPlan Dimasi found, '*the Sunshine Coast's only PAC, Maroochydoore, services the higher order needs of the whole Sunshine Coast population, which has grown by 1.7% per annum since 2008, or by more than 35,000 persons. In this context, congestion in Maroochydoore PAC would have increased significantly since 2008, with new retail facilities (including bulky goods retail), new*

commercial developments, new hotel developments and new residential development all adding to the overall activity levels in the PAC.

Summary of arguments in support of the proposal

With regard to addressing the unsatisfied demand for additional supermarket floor space in the current circumstances, the following summarises arguments in support of the proposal:

- The current proposal is 27% smaller than the previously refused shopping centre (with two supermarkets), consistent the moderate level of unsatisfied demand and the Planning Area Intent to cater to local and passing traffic.
- There is no other appropriately zoned undeveloped land (centre precincts) in the area, which could accommodate a full line supermarket (i.e. a special gap in the hierarchy).
- The unsatisfied demand is significantly greater if the estimated oversupply of supermarkets in the Principal Activity Centre (Maroochydore) is removed.
- The recently approved second Aldi at Sunshine Cove indicates that any supermarket oversupply in Maroochydore may be overstated and temporary. The existing store on Aerodrome Road is reportedly one of the busiest in Australia and at capacity.
- It is unsustainable for local Kuluin residents to travel 10 to 12kms (round trip) into an increasingly congested central business district (which is intended to service higher order regional shopping needs) or to travel 7kms (round trip) into an increasingly congested Buderim Village Centre to satisfy grocery shopping needs.
- Council's economic consultant advises that the current proposal could not be considered to be a primary destination shopping centre competing with the Principal (Maroochydore) or Major (Nambour) Activity Centres, but would constitute a neighbourhood centre. The submitter's Economic Assessment agrees that it would not be a primary destination.
- Council's economic consultant found that a full line supermarket at this location could be absorbed into the retail hierarchy with little economic impact other than on the North Buderim shopping centre located within the same precinct, which could be up to 20% potentially causing some businesses to fail.
- The High Court has previously established the principle that the threat of competition to existing businesses, if not accompanied by a loss of facilities/services to the local community, is not be a relevant town planning consideration (i.e. not grounds for refusal) in determining an application.
- Council's economic consultant advises that any loss of facilities/services at the North Buderim Markets would be made good by the new proposal.
- The Department of Transport and Main Roads has approved the proposed development with conditions (Attachment 7) requiring major upgrades to the Jones/Pittards Road intersection (site access), Jones Road (including an additional north bound through lane all the way to Main Road on the opposite side of Maroochydore Road).
- Council's traffic consultant (expert witness in the previous Court case), advises that the upgrades to the road network would satisfactorily resolves traffic issues.

- There are sufficient grounds to approve the development despite any perceived conflict with the planning scheme.

Grounds for Refusal

Should council determine to refuse the current application, because of its potentially negative impact on the profitability or economic viability of the existing North Buderim Markets and IGA, there is existing case law which should be considered before a position is determined.

The High Court of Australia in *Kentucky Fried Chicken Pty Ltd v Gantidis* (1979) 140 CLR 675, found that the economic loss expected to be suffered by existing businesses is not a relevant town planning consideration in determining an application, where such facilities or services are not lost to the community or made good by the new proposal.

His Honour Judge Stephen's judgement states, *'if the shopping facilities presently enjoyed by a community or planned for it in the future are put in jeopardy by some proposed development, whether that jeopardy be due to physical or financial causes, and if the resultant community detriment will not be made good by the proposed development itself, that appears to me to be a consideration proper to be taken into account as a matter of town planning. However, the mere threat of competition to existing businesses, if not accompanied by a prospect of a resultant overall adverse effect upon the extent and adequacy of facilities available to the local community if the development be proceeded with, will not be a relevant town planning consideration'*.

The High Court case makes it difficult to refuse a development based solely on its economic impacts on existing businesses, unless there is some overall loss of facilities or services provided to the community. There are numerous subsequent cases which have cited the High Court's finding. Recently, the Noosa Master's appeal (*Hydrox Nominees Pty Ltd v Noosa Shire Council* [2014] No APL13/0015) has confirmed this proposition. His Honour, Judge Rackemann, set aside Council's refusal of the Masters proposal, saying,

'It is well settled that town planning is not generally concerned with the protection of existing operators from competition per se. So much is reflected in the well known passage from the High Court's decision in Kentucky Fried Chicken Pty Ltd v Gantidis, 'that the mere threat of competition to existing businesses, if not accompanied by a prospect of a resultant overall adverse effect upon the extent and adequacy of facilities available to the local community if the development be proceeded with, will not be a relevant town planning consideration'. The Court has always been keen to ensure that a new facility at an unplanned location not prejudice facilities offered or potentially to be offered in a planned centre. This is not however, a case of "out-of-centre" development which might impact upon existing or proposed in-centre development. The subject site is an "in centre" location which is proposed for a facility which would compete mainly with existing out-of-centre retailer. The grounds to justify approval notwithstanding conflict lie in the significant public or community need, sufficient economic need and significant planning need for the proposal, and the benefits which it would bring to the community, viewed in the context of the suitability of the site. In the circumstances, I am satisfied there are sufficient grounds to approve the proposal notwithstanding conflict with the planning scheme'.

Council's economic consultant advises that, if the proposal resulted in any loss of businesses at the North Buderim centre, they would be made good by the newer and larger centre. He concludes that the impacts on other centres would be small and that the proposal could be absorbed into the planning scheme retail hierarchy.

A refusal based solely on the development's potential economic impact on existing businesses (including the IGA) would be inconsistent with the intent of case law about the

relationship between town planning and competition in the market place and unlikely to be supported by the Courts (i.e. not grounds for refusal).

Traffic Assessment

Access to the shopping complex is proposed from the western leg of an upgraded Jones Road/Pittards Road signalised intersection.

Element 2 (road and street network), P3 of the Transport, Traffic and Parking Code requires that, '*development with high traffic generating potential minimises any adverse impacts on land use and the external road and street system*'.

The applicant provided a Traffic Study, prepared by Pekol Traffic and Transport, which argues that the site can adequately accommodate the use with upgrades to Jones Road, Main Road and to the intersections with Pittards and Maroochydore Road.

The Department of Transport and Main Roads, as a concurrence agency for State Controlled Roads, has assessed the application and has approved the development with conditions. The Department requires upgrades to Jones Road, Maroochydore Road ramps and to the intersection on the northern side of the Maroochydore Road overpass (intersecting with the eastbound on/off-ramps). Council's traffic consultant (expert witness in the previous shopping centre appeal) considers the department's conditions to be the reasonable to mitigate its impacts on the State controlled road network.

Council's traffic consultant advised the development complies with the planning scheme and reasonable and relevant conditions could be imposed to mitigate the impacts of the development on the external road network. Proposed conditions have been prepared accordingly, involving a significant upgrade to the Jones Road/Pittards Road signalised intersection, and additional external works in addition to those required by the department in relation to the State Controlled Road as follows:

- On the northern Jones Road approach, the addition of a 60 metre long left-turn lane into Pittards Road and a 65 metre long right-turn lane into the site. These lanes would provide space to help manage queues from Pittards Road back to Maroochydore Road.
- An additional northbound through lane on Jones Road through the intersection, so that there are two through lanes extending south along Jones Road 90 metres back from Pittards Road (to a point approximately 30 metres south of Lindsay Road), connecting to the existing three lanes to be maintained on the approach to the Maroochydore Road intersection to the north. This extra lane provides additional capacity through the intersection in the northbound direction, helping to reduce queues along Jones Road to the south and provide additional queuing space between Pittards Road and Maroochydore Road. This upgrade would involve a significant cost to relocate two existing optical fibre pits on the western side of Jones Road.
- The addition of a pedestrian crossing across the northern intersection approach (so that there would be pedestrian crossings across all four approaches).
- A western intersection leg providing access to and from the subject site. The driveway to the adjacent Energex sub-station would connect via this new western leg.
- The addition of a short right-turn lane on Jones Road for turns into Lindsay Road immediately south of Pittards Road.
- Conversion of the middle lane on the southern approach to this intersection (i.e. over the existing Maroochydore Road overpass from Jones Road) from an exclusive right-turn lane to a shared through/right-turn lane. This would increase capacity for the

northbound traffic movement along Jones Road to Main Road, thereby assisting with managing queues from the overpass back to Pittards Road.

- To permit the conversion of the middle lane on the southern approach to a shared lane, construction of an additional northbound downstream lane on Main Road departing from the intersection, for a distance of 80 metres, before merging back to one lane on Main Road just prior to Indiana Place.
- Modifications to the western approach from the Maroochydore eastbound off ramp so that there are two right-turn lanes on to the Maroochydore Road overpass (south). This is to help manage queues along this off ramp back to Maroochydore Road.
- Lengthening of the queuing space associated with the left-turn slip lane on the northern approach, for left turns on to the Maroochydore Road eastbound on-ramp, to provide a queuing length of 45 metres.

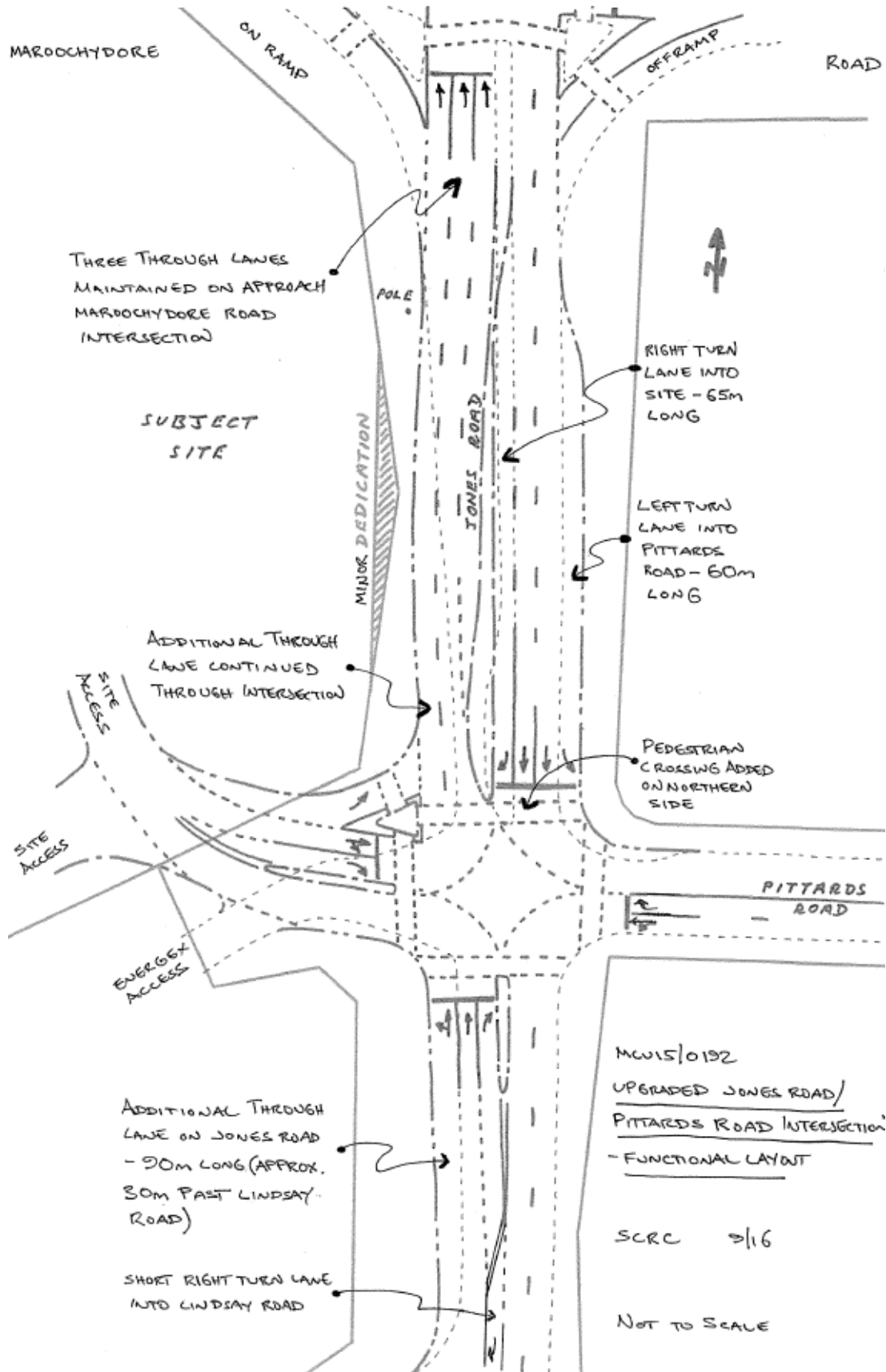
Council's traffic specialist considers that the additional north bound through lane on Jones Road, from Lindsay Road continuing through to Main Road, would lessen early morning peak hour queuing on Jones Road (i.e. traffic heading out of Buderim). The shopping centre would not open until 8:00am and the additional network capacity (extra through lane) would facilitate increased traffic flow out of Buderim. North of Maroochydore Road, an additional north bound through lane would facilitate increased traffic flow heading north on Main Road.

The potential for northbound through vehicles travelling on Jones Road, which are waiting to go straight ahead onto the Maroochydore Road overpass, to block vehicles wanting to turn left onto the Maroochydore Road westbound on-ramp heading to Nambour, has been investigated by the department, Council's traffic engineer and Council's traffic consultant. All believe the additional northbound through lane on Jones Road through the Pittards Road intersection, combined with the department's requirement that the middle northbound lane on the Maroochydore Road overpass be converted from a right-turn lane to a shared through/right lane and an additional north bound through lane on Main Road, would improve queues along Jones Road between Maroochydore Road and Pittards Road.

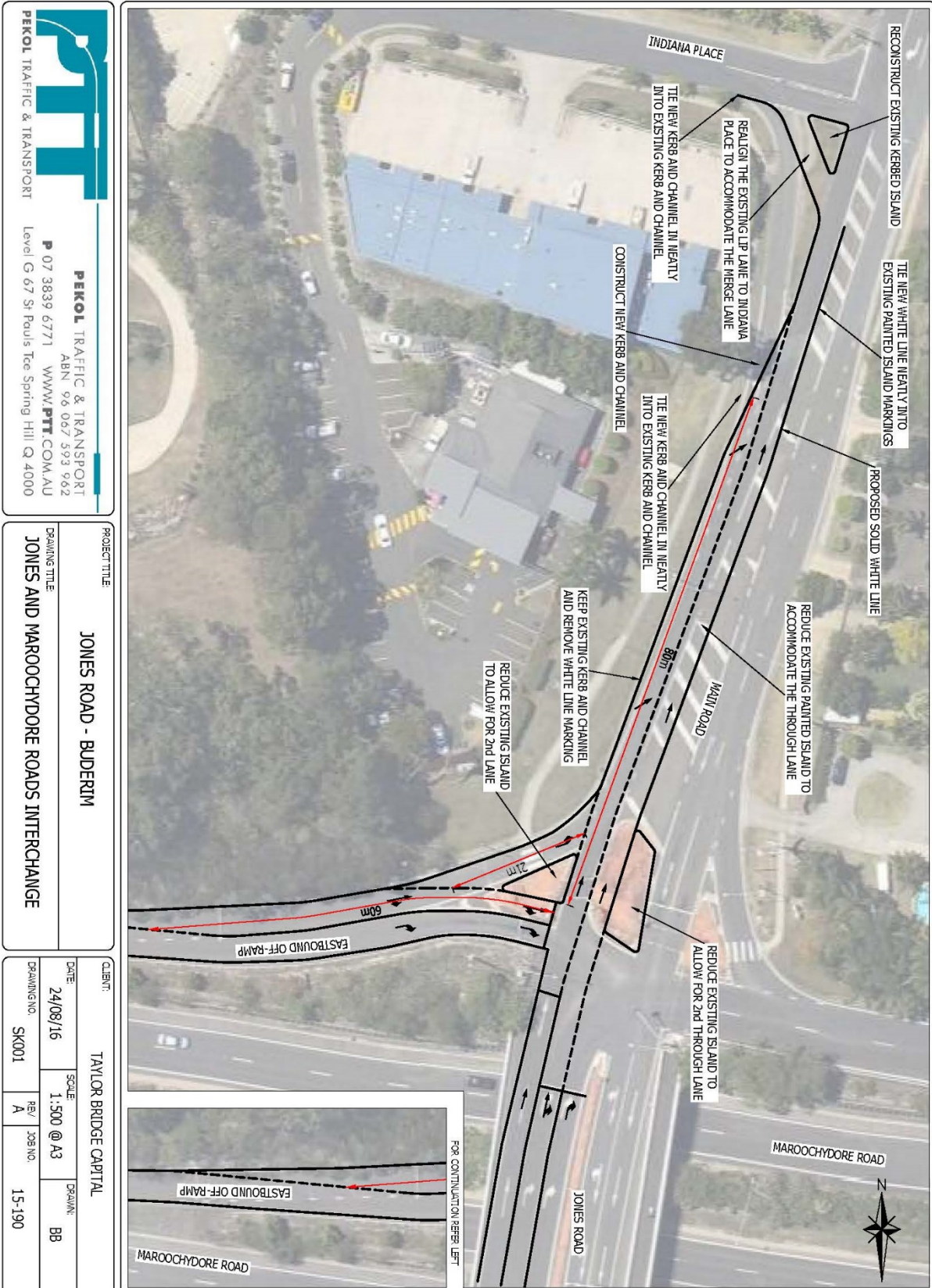


Existing Road Network

Sketches of the upgraded road and intersection layouts are identified on the annotated plan.



Upgraded Jones Road and Intersection upgrades



Proposed Main Rd upgrades north of Maroochydore Rd

FTI
PEKOL TRAFFIC & TRANSPORT

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PROJECT TITLE
JONES ROAD - BUDERIM

DRAWING TITLE
JONES AND MAROOCHYDORE ROADS INTERCHANGE

CLIENT
TAYLOR BRIDGE CAPITAL

DATE 24/08/16	SCALE 1:500 @ A3	DRAWN BB
DRAWING NO. SK001	REV. A	JOB NO. 15-190

Overlay Codes

The following overlays are applicable to this application:

- Nature Conservation and Biodiversity
- Waterways and Wetlands
- Acid Sulphate Soils
- Steep or Unstable Land
- Bushfire
- Flood Prone Land

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Code	Discussion
Nature Conservation and Biodiversity	There is a small section of the western portion of the site adjacent to Martins Creek identified a Nature Conservation. Vegetation within this area is proposed to be retained, rehabilitated and protected.
Waterways and Wetlands	<p>The site is adjacent to Martins Creek. The planning scheme requires a stream network buffer to development. The existing showroom development identifies a 25m setback to buildings. The Site Layout Plans have been amended to also identify a 25 metre buffer from Martins Creek to the proposed buildings. In places, the setback would accommodate landscaped bioretention, landscape batters, parts of a retaining wall and some car parks.</p> <p>Council's ecologist has assessed the application and recommended landscape conditions which would require:</p> <ul style="list-style-type: none"> • Rehabilitation of the 25 metre buffer via removal of declared and environmental weeds and revegetation with native riparian species endemic to the area. • Modification of the bioretention basin to include 700mm of cover media, which would allow it to be revegetated and contribute to both water quality and the visual amenity of the 25 metre buffer.
Assessment and Management of Acid Sulfate Soils	Conditions requiring monitoring and subsequent management of acid sulfate soils are recommended, as western areas of the site are near elevation 5 AHD. Excavations for the building, utilities or bio-filtration could encounter acid sulfate soils.
Development on Steep or Unstable Land	The site is gently sloping with slopes less than 10%. No buildings are proposed near any identified moderate or high landslide hazard areas. Boulder retaining walls are proposed around portions of the western perimeter, which would require structural design by a qualified RPEQ and safety fencing. Much of the site has previously been filled with unstabilised fill. Site preparation would be conditioned to Level 1 earthworks. The applicant's geotechnical report contains recommendations for footing design to mitigate any geotechnical site constraints and additional geotechnical conditions are recommended.

Code	Discussion
Integrated Water Management	<p>Part of the site is identified as being flood prone. The applicant proposes a retaining wall along the western portion of the site to retain fill to ensure that the buildings are flood immune to the Q100 year flood event. Conditions have been included to ensure flood immunity to the Q100 flood event.</p> <p>Stormwater from the proposed development is proposed to be treated to meet current best practice load based reduction targets in an end of line bio-retention device located within the buffer to Martins Creek. The site drains directly to Martins Creek which is the lawful point of discharge for the site. Easements have been conditioned over the site to provide discharge rights for the two points where external stormwater is discharged through the site.</p>

Development Codes

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

- Code for Town and Village Centre
- Code for Transport, Traffic and Parking
- Code for Landscaping Design
- Operational Works Code
- Code for Integrated Water Management
- Code for Waste Management in Commercial and Community Uses

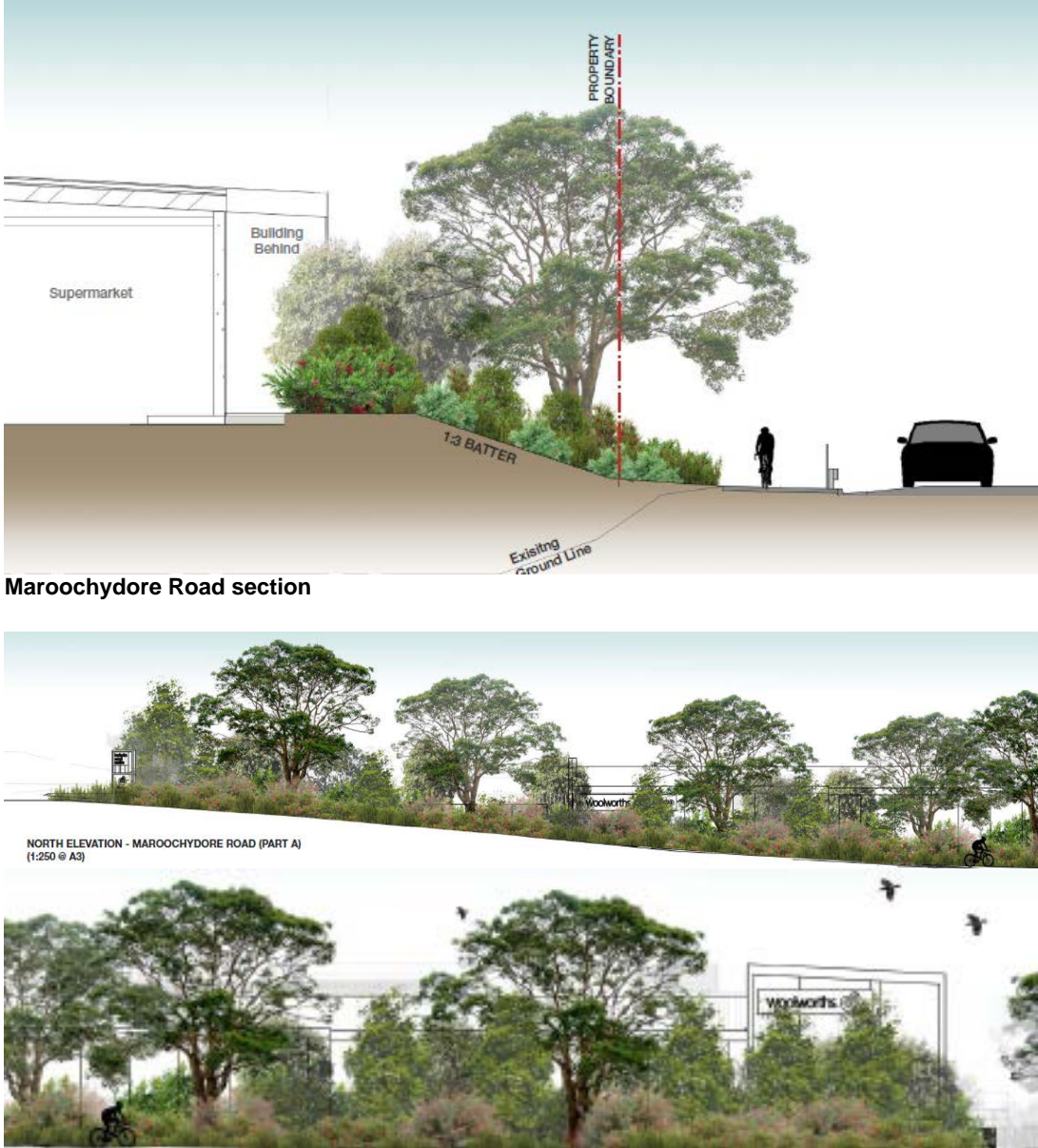
The application has been assessed against each of the above applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Code	Discussion
Town and Village Centres	<p>Purpose of the Code</p> <ul style="list-style-type: none"> • development is consistent with the intended role and desired character of Town Centre Core, Town Centre Frame and Village Centre Precincts and the locality and street in which the development is to be carried out; • development contributes to the creation of successful and attractive Centres at a scale appropriate to the intended role and function of Centres. <p>For reason identified in previous sections of this report, it is considered that the proposal meets the purpose of the Code.</p> <p>Element 2, A 3.1 - <i>'buildings adjacent to public streets and other public and semi-public spaces provide adequate and appropriate shelter along or around such spaces. Adequate shelter is a minimum width of 3.2 metres for frontages to core frontages and other principal streets in Centres and 2.7 metres in other locations or a lesser distance where footpaths/verges are narrower. Appropriate forms of shelter include verandahs, colonnades, awnings, covered pergolas and arcades.</i></p> <p>Provision of awnings would not achieve any benefit for the community and does not connect to any adjoining premises. However, a weather protection awning would be provided at the supermarket entrance.</p>

Code	Discussion
	<p><i>Element 1 - Performance Criteria 1</i></p> <p><i>'Premises must be of a type and scale consistent with the desired character of the Precinct and locality in which it is situated.'</i></p> <p>The precinct already operates as a modest district centre, which caters to the surrounding neighborhoods and passing vehicle traffic. The applicant's economic assessment argues that 3,400m² supermarket floor plate is the new normal for an average sized full line Woolworths. The proposal would be more consistent with the desired character of the precinct than the approved 3 showrooms, which would be bulkier and more visually intrusive.</p> <p><i>Element 4 - Performance Criteria 3</i></p> <p><i>'Buildings and groups of buildings must be sited and designed to respect or enhance the character and amenity of their streets and neighboring premises.'</i></p> <p>The main building (supermarket), would be located well within the site adjacent to Maroochy Road. The proposed building layout does not provide a desirable façade to Maroochy Road with a large wall backing onto the road frontage. Despite this:</p> <ul style="list-style-type: none"> • The concurrence agency for that State Controlled Road has approved the development with conditions • The north facing wall is articulated (stepped in) • recommended conditions require further articulation of the facade • 2 metres of dense screening landscaping has been conditioned between the building and the road • Council accepted a similar landscape outcome for the IGA building fronting Maroochy Road on the opposite side of Jones Road within the North Buderim shopping centre.
Transport, Traffic and Parking	<p>Traffic and Intersection Upgrades: (Refer to Traffic Assessment section of this report).</p> <p>Parking:</p> <p>The performance criteria outlined by the Maroochy Plan within Code 2.4 <i>Code for Transport, Traffic and Parking</i>, Element (7) the following is stipulated:-</p> <p><i>P1 On-site car parking areas are provided with adequate capacity to accommodate peak parking demands.</i></p> <p><i>P2 Car parks and their site access systems must be designed to provide safe and convenient parking and circulation for all of the different users of the facility.</i></p> <p>The applicant proposes 261 onsite car parking spaces (at least half shade sail covered), arguing that this number would be sufficient to meet demand. In addition, 6 motor cycle bays and 32 bicycle parks would be provided. For both Town Centre Frame and Core, (other than for a shopping complex), the Code specifies a minimum of one space per 20m² of gross floor area. The proposal meets the above requirement (4,937m² /20 = 247). Given that the main building of the proposal is the 3,488m² Woolworths supermarket, the provision of 261 car</p>

Code	Discussion
	<p>parking bays is considered to meet the Performance Outcome (sufficient to meet demand).</p> <p>With respect to service vehicles, Schedule 3 to Code 2.4 requires 3 van spaces, 2 SRV spaces, 2 MRV spaces, 1 LRV space and 1 AV space for this shopping complex. The updated layout provides 1 AV, 1 HRV (LRV), 2 MRV and 1 SRV space. As this centre is predominantly a supermarket with three shops and a fast food outlet, Council's engineering specialist considers that the quantity provided for larger service vehicles is sufficient to service the various parts of the site.</p>
Code for Integrated Water Management	<p>E1 P1 – <i>'The environmental values and quality of receiving waters within or downstream of a development site are protected or enhanced'</i>.</p> <p>E3 P1 – <i>'Development does not result in:</i></p> <ul style="list-style-type: none"> • <i>Adverse impacts on flood conveyance capacity;</i> • <i>Unacceptable risk to people's safety; and</i> • <i>Adverse impacts on the capacity to use land within the floodplain'</i>. <p>The land is identified in Council's Planning Scheme Regulatory Map 1.5 as flood prone and drainage constrained land. Council's hydrology specialist has recommended conditions to require development to be flood immune to the Q100 flood event in accordance with planning scheme requirements.</p>
Landscape Design	<p>The applicant has provided a Landscape Concept Plan for the site prepared by James Birrell Design, which would landscape the site and its perimeter. The existing vegetation within Martins Creek is proposed to be retained and rehabilitated, which would retain endemic species and remove weed species (refer to Nature Conservation section of this report).</p>

Code	Discussion
	 <p>The diagram is a detailed site plan for a commercial development. At the top, Maroochydoore Road runs horizontally. Below it is a large 'SUPERMARKET' building. To the right of the supermarket are three smaller buildings labeled 'SHOPS 1', 'SHOPS 2', and 'SHOPS 3'. Further right is a 'FAST FOOD' building. The plan includes numerous annotations: 'Wall H = 3.0m' and 'Wall H = 1.8m' along the left side; 'Wall H = 1m' and 'Wall H = 3m' on the right; and 'Wall H = 0m' and 'Wall H = 1.5m' in the lower central area. A '6m' setback is indicated along Maroochydoore Road. A '5m' wide dense screening landscape buffer is shown along the creek. The plan also shows 'MARTIN'S CREEK' on the left, 'JONES ROAD' on the right, and 'SOUTH EAST ELEVATION' at the bottom. Various numbers (1-21) and slopes (e.g., 1:3, 1:5) are scattered throughout the site, indicating specific landscape features and conditions.</p> <p>Landscape conditions are recommended to require:</p> <ul style="list-style-type: none"> • A 6m building setback to Maroochydoore Road, which must include a 5m wide dense screening landscape buffer to preserve the visual amenity of the corridor. • Additional tall spreading shade trees at spacing and locations, sufficient to mitigate the visual impact of the supermarket roof-line and associated car parking areas as annotated by Council on the Landscape Plan. • Rehabilitation of riparian rainforest species adjacent to Martins Creek.

Code	Discussion
	 <p>The top drawing is a cross-section of a road section. On the left, a building is shown with a 'Supermarket' sign and a 'Building Behind' label. A large tree stands to the right of the building. A vertical red dashed line indicates the 'PROPERTY BOUNDARY'. The ground level is shown with a '1:3 BATTER' slope and an 'Existing Ground Line'. A person on a bicycle and a car are shown on the road surface to the right.</p> <p>The middle drawing is a perspective view of the 'NORTH ELEVATION - MAROOCHYDORE ROAD (PART A) (1:250 @ A3)'. It shows a landscaped area with various trees and a 'Woolworths' sign in the background.</p> <p>The bottom drawing is another perspective view of the 'North Maroochydore Road elevations', showing a similar landscaped area with trees and a 'Woolworths' sign.</p>
<p>Code for Waste Management in Commercial Uses</p>	<p><i>P1 – ‘Premises must provide adequate areas for the storage of waste and recyclable items, in appropriate containers, which are suitably located for use, servicing and to minimize impacts on the amenity of users, occupiers and neighbors of the premises’.</i></p> <p>The proposal makes adequate provision for the storage and recycling of waste on the site.</p>

CONSULTATION

Economic Development Branch Input

‘Economic Development has considered the information provided pertaining to the proposed development at 141 Jones Road Buderim as a shopping complex and, in economic terms, is broadly supportive of redevelopment of the site for such purposes.

Economic Development also supports the assessment and statements provided in the peer review undertaken on behalf of Council by Norling Consulting in relation to economic impact aspects of the proposal.

We therefore wish to make the following points:

- It is recognised that the proposed development would purvey significant economic benefit to the local area and by inference the region during both the construction and operational phases. Although the scale of the development has diminished over the course of consecutive historical proposals for the subject site, the most recently proposed facility would result in an estimated 143 additional retail jobs once fully operational delivering a broader total economic impact for the Sunshine Coast of approximately \$29.3m per year and 231 ongoing local jobs according to economy.id economic modelling. Similarly, under this scenario and utilising the same modelling tool, the creation of 63 construction jobs delivers a total economic impact to the region of \$49.66m combined with \$25.02m benefit stemming from capital expenditure of \$14.7m during the construction phase alone. These employment outcomes and economic activity would contribute positively to the region's GRP whilst providing ongoing enhancement of the job pool.*
- In terms of economic benefit it is nevertheless recognised that the proposal is likely to have a significant negative impact upon the nearby North Buderim Shopping Centre due particularly to proximity and comparability of activity. It is noted that Norling Consulting identifies the impact as being in the order of 20-25%, a level of significance likely to cause some businesses to fail due to competitive pressures. Any economic benefit should therefore be considered to be the differential between the benefit derived from the new development and erosion of existing businesses/employment caused by it. The initial and ongoing scale of impact in such a competitive and market driven environment is however difficult to quantify and dependent upon individual business responses and adaptation to the new retailing presence. Overall however the scale of employment, activity and resultant economic benefit is likely to be augmented by this proposal.*
- The provision of such large format retailing in the locality would augment local consumer choice and service a moderate level of unsatisfied demand for a full service supermarket in the locality given the current distribution of such assets. Although the IGA located at the nearby North Buderim Shopping Centre has itself expanded in response to such exhibited demand it is recognised that ongoing population and demographic change is likely to result in further market driven evolution of the retail offer in such localities and their catchments.*
- It is acknowledged that development proposed is also likely to reduce the need for travel to other centres currently providing such retailing options. This likely reduction in volume of travel is likely to include to other higher order centres, such as Maroochydore, providing similar but also larger format options. This self-containment and erosion of travel is seen to be desirable in functional and business terms as well as appropriate to the overall hierarchy and role of activity centres relative to their trade area catchments.*
- As with any new development for commercial purposes the development and associated infrastructure provided, in this case in particular road infrastructure, must enable effective integration of the site within the existing urban context and not negatively impact upon either current needs or longer term strategic objectives for the locality and associated areas'.*

IDAS Referral Agencies

The application was referred to the following IDAS referral agencies:

Concurrence*Department of Infrastructure, Local Government and Planning (SARA)*

The department is a concurrence agency for State Controlled Roads. The department responded by letter dated 15 September 2016 approving the development with conditions relating to the site access, upgrades for Main Road, Jones Road and the Maroochydore Road intersection

Advice*Energex*

Energex is an advice agency for the application because the site contains transmission line easements and is located beside the Energex West Maroochydore Substation. Energex responded by letter dated 5 July 2016 as both an Advice Agency and a properly made submitter (ref: HBD 5238040 346062) recommending approval of the development with conditions relating to the use of the easements.

Other Referrals

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

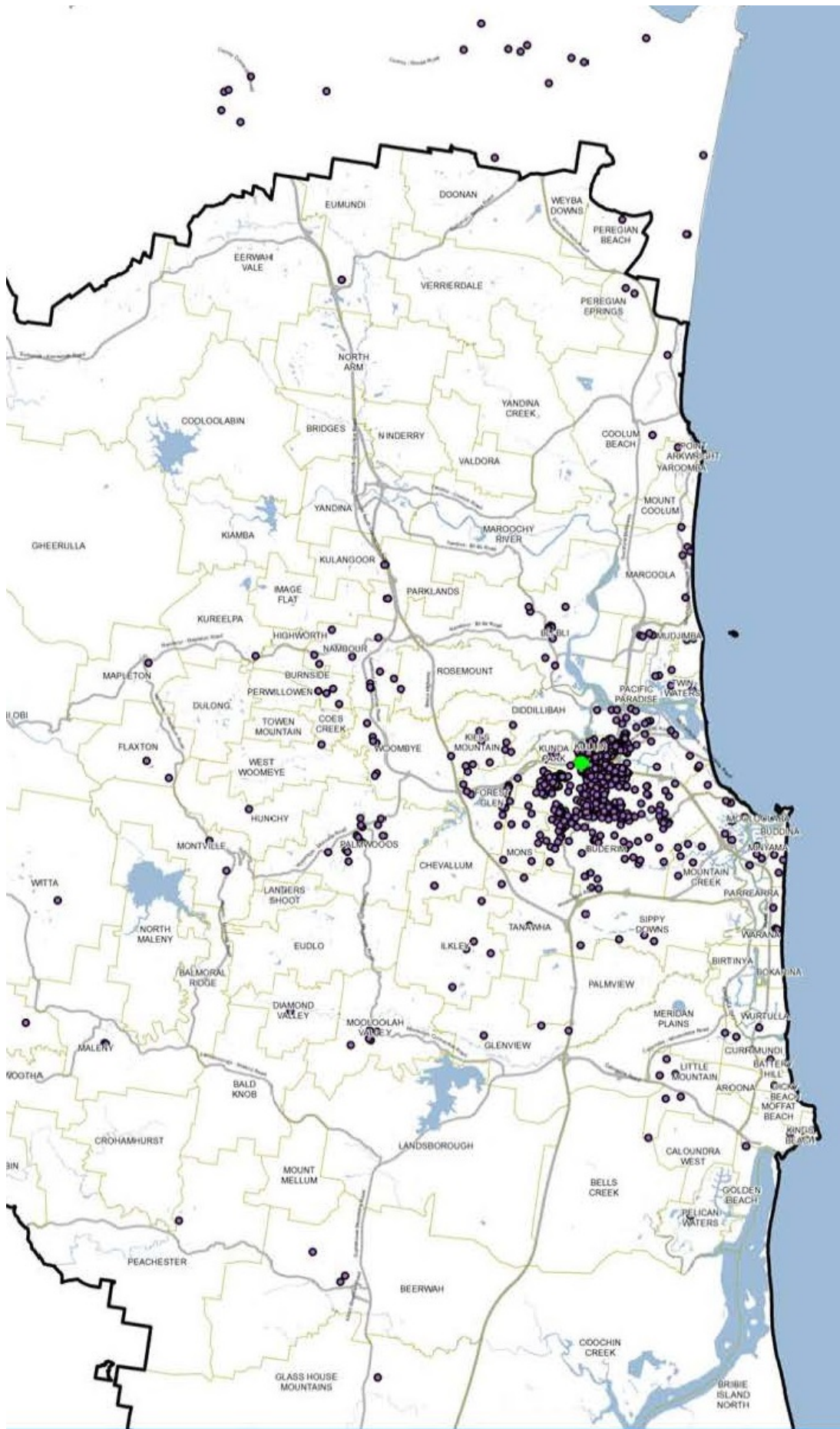
- Development Engineer, Engineering and Environment Assessment Branch
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment Branch
- Landscape Officer, Engineering and Environment Assessment Branch
- Environment Officer, Engineering and Environment Assessment Branch
- Ecology Specialist, Engineering and Environment Assessment Branch
- Urban Designer, Planning Assessment Branch
- Traffic Engineering, Engineering and Environment Assessment Branch
- Plumbing Specialist, Plumbing Services Branch

Public Notification

The application was publicly notified for 15 days, in accordance with the requirements of the *Sustainable Planning Act 2009*. 1,178 properly made submissions, and 136 not properly made submissions, were received, of which 1,166 were proformas. Only 44 individual submissions objecting to the application were received, many of which were hand written comments on the proforma form. Five submissions supported the proposal.

Both the North Buderim Markets and the IGA lodged formal detailed submissions opposing the Woolworths proposal. The North Buderim Markets submission was accompanied by an Economic Impact Assessment prepared by Economic Associates and a petition. The IGA submission was prepared by PSA Consulting.

998 submissions were mapped as being within the Sunshine Coast region, as shown below. Approximately 20% of the submissions appear to be from outside the region. Although the development site is located in Kuluin, most of the submissions were from the Buderim area.



Mapped submissions

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

Issues	Comments
Conflicts with the planning scheme DEOs and Strategic Framework and land use	<p>The proposal would not conflict with the DEOs or Strategic Framework because the proposal would not undermine the retail and commercial centre hierarchy.</p> <p>The Strategic Framework states that, '<i>district centres may be allowed if it can be established that the existing of such a centre is necessary to cater for unsatisfied demand or to allow systemic development of a particular area</i>'.</p> <p>Council's economic consultant confirms the applicant's assertion that there is a demonstrated need (unsatisfied economic demand) for full line supermarket facilities at this location, albeit a moderate one.</p> <p>(Refer to Strategic Framework and Economic Assessment sections of this report).</p>
The proposal would undermine the centres hierarchy. Shopping complex should be located in higher order centres	(Refer to Strategic Framework and Economic Assessment sections of this report).
No demonstrated economic need for the proposal at this location	Council's economic consultant finds that there is a moderate level of unsatisfied demand (economic need) for a full line supermarket at this location not satisfied by the IGA (refer to Economic section of this report).
North Buderim Markets already provides shopping centre facilities and a supermarket	The North Buderim Markets is a lawfully operating a shopping complex, anchored by an IGA. However, Council's economic specialist has concluded that there remains an unsatisfied demand (need) for full line supermarket at this location which cannot be meet by the existing shopping centre on the opposite side of Jones Road.
Impacts on small business and IGA in North Buderim Markets and Kuluin centre	Council's economic consultant agrees that the proposal could potentially impact the profitability and/or the viability of businesses within the North Buderim Markets, including the IGA. However, the High Court of Australia has determined that where the proposal makes good or replaces any lost facilities (shops or supermarket facilities), the threat of competition cannot be considered as town planning grounds in determining an application (refer to Grounds of Refusal section of this report).

Issues	Comments
Road network incapable of accommodating the proposal	The concurrence agency (DTMR) for the State controlled road (Maroochydore Road) has approved the proposal with conditions. Council's traffic consultant has confirmed that the road network can be upgraded to accommodate the proposal (Refer to Traffic Section of this report).
Would result in increased traffic and congestion	Refer to above. Council's traffic consultant advises that the additional through lanes on Jones Road and Main Road would facilitate improved traffic movement.
Unacceptable environmental impacts	Mapped vegetation within Martins creek would be retained, rehabilitated and protected. In addition, a 25m buffer to the creek would separate the development from the environmental values of the watercourse.
Building height	The supermarket has been redesigned to be 8.5m above the finished fill level of the site consistent with the previous showroom approval.
Too many Woolworths	Not a planning argument.
Stormwater worsening and water quality concerns	Council's hydrologist confirms that the development would be flood immune with no off site stormwater worsening. The concurrence agency requires stormwater non-worsening to Maroochydore Road (Refer to Code Sections).
Building design and landscaping are deficient	The back of the supermarket would be screened from Maroochydore Road by dense screening landscaping. The current showroom approval has a similar built form outcome (showroom) in the same location in addition to 2 other major buildings on the site.
Cultural heritage values	If there are Aboriginal cultural heritage values on the site, they would be located within the Martins Creek area, which would be retained, protected and buffered from the development site, which has been cleared, filled and levelled.

CONCLUSION

The proposed development generally complies with the requirements of the superseded planning scheme and does not raise any significant issues that cannot be addressed by reasonable and relevant conditions. There is an economic need for a full line supermarket in the area and there are sufficient grounds to approve the development despite any perceived conflict with the planning scheme. The application is, therefore, recommended for approval with reasonable and relevant conditions.

8.2 INFRASTRUCTURE SERVICES

8.2.1 SMART CITY FRAMEWORK & SMART CITY IMPLEMENTATION PROGRAM

File No:	Council meetings
Author:	Coordinator Smart City Framework Infrastructure Services Department
Appendices:	App A - Smart City Framework (complete).....5/122 App B - Smart City Implementation Program.....93/122
Attachments:	Att 1 - SCIP High Level 3 Yr Program99

PURPOSE

To present the Smart City Framework and Smart City Implementation Program to Council for consideration and adoption.

EXECUTIVE SUMMARY

The Smart City Framework was officially launched in September 2015. Following the appointment of a Smart City Coordinator, substantial progress has been made to bring the Smart City Framework to life for the benefit of the community and Council. The Smart City Implementation Program is far reaching – from substantial investment in the solar farm at Valdora, and the procurement of Australia’s first Automatic Waste Collection System in Maroochydore, to successfully achieving a telecommunications carrier licence. In addition to these demonstrable deliverables to the Smart City agenda, considerable work and effort has gone into the planning, testing and trialling of the Solution Systems. This has been captured within the Smart City Implementation Plan (refer to Appendix B) which is presented for Council’s support and adoption along with the Smart City Framework.

The Smart City Implementation Plan lays out a structure, program of works and deliverables for the implementation of the Smart City Framework into our Council projects, our systems and processes and to give the entire organisation the visibility of this strategic program.

The Smart City Implementation Plan outlines the program of activities over the next three years. Highlights include:

- Delivery of the solar farm by June 2017
- Bulcock Street Streetscape completion by early 2017 - the first Streetscape incorporating smart lights, waste monitoring, parking, signage and water solutions
- Development of our Living Lab ‘tested’ for Solution Systems
- Smart solutions designed into such projects as Kawana Stadium mounds, Palmwoods Streetscape
- LED controllable lighting for new sporting and road projects, and new developments
- Mooloolaba foreshore project
- Development of key regional and natural Smart City partnerships
- Capital Works Program projects selected and identified for future Smart City solutions
- Automatic Waste Collection System installed and approved
- Public Wi-Fi rolled out to many hot spots across the region
- Digitisation and monitoring of existing assets expanded (e.g. waste bins; parking sensors) and
- Smart Region Management Platform tested and implemented.

A clear structure within and across the organisation is required to ensure an efficient, effective and timely delivery of the Smart City Implementation Plan.

This is outlined in more detail in the Governance and Structure section. The structure can be summarised into the following three areas:

1. **Smart Economic Development** – developing the Smart City strategy, developing agreed business cases, undertaking the promotion and externally socialising of Smart City and targeting funding opportunities, as well as identifying any conventional opportunities for Smart City. The Carrier business as a commercial operation will be run by Economic Development.
2. **Information Communication Technology Services** - Testing and Trialling - all Smart City solutions will have to have been through a business case test and trial process before being implemented. Solution Systems will be fully assessed via the Living Lab prior to any roll out of implementation unless they already meet all Smart City principles. This includes two aspects – solution passing and system compatibility.
3. **Smart City Technical and Implementation** – Working across and with all parts of Council to develop technical specifications for identified and approved solutions, policy and processes as required. In addition, this part of the team will work with all business teams to ensure successful and efficient implementations take place.

The team will report progress through to the Smart City Project Coordination Group.

This report seeks Council endorsement of the previously released Smart City Framework, presented Smart City Implementation and the funding requests for additional Smart City technical and delivery focused resources.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Smart City Framework & Smart City Implementation Program”
- (b) endorse the Smart City Framework (Appendix A)
- (c) adopt the Smart City Implementation Program to guide the implementation by the whole of Council (Appendix B), subject to annual budget submissions
- (d) request that the Chief Executive Officer prepare a Technical Specification for Smart Foundation Systems to apply to all new Council infrastructure and major new developments and further investigate its potential incorporation into the planning scheme
- (e) approve the Information Communication Technology Services Architect 12 month contract position as part of the Smart City Implementation Program subject to funding approval in Budget Review 2, to ensure Smart City Implementation Program and projects adhere to the Smart City principles and deliver high value results
- (f) request the Chief Executive Officer prepare a report card showing the performance of the Smart City program as part of an annual report to council, including changes or updates to the 3 year Smart City Implementation Program and
- (g) note that no further resources will be allocated until there is a positive financial business case, to the Smart City Framework and the Smart City Implementation Program and Council finance systems will be analysed and developed to capture total costs in this program.

FINANCE AND RESOURCING

The Smart City Implementation Program models the costs in capital and operational terms, together with its financial and non-financial benefits.

Following are the key considerations and assumptions that underpin the three-year budget:

- Organisational revenue and benefits will be captured on a register during the three year program and will have the potential to achieve a significantly reduced net cost of the program establishment.
- The Capital Works budget for the three years is \$1,659,000 subject to annual budget approvals. The individual project budgets and current status can be seen below. The budget includes a number of key projects required to initiate the Smart City program. These generally will not be reoccurring activities. A number of the project specifically relate to the Carrier licence business and will serve to identify assets for potential leading to other carriers and or protect the ones we have.
- The funding identified for the Smart City implementation relates to the full three-year transition phase. Implementation of the Solution Systems will be undertaken by the responsible branch/business unit. They will identify the source of funding (including costs, savings and revenue). Initial establishment costs may be incurred, however for a Solution to be implemented it must have a positive net financial benefit.
- The three year program includes financial years 2016/17 to 2018/19. Budgeted amounts for FY16/17 and BR1 have already been approved by Council. Where there is a corresponding figure relating to that amount in FY 17/18 and FY18/19, this information has already be confirmed by council as part of forwards budget commitments.
- No further resources will be requested for the Smart City Implementation Program until there is a positive financial business case. To reflect the range of contributing factors to the Smart City business case, Council finance systems will be analysed and developed to capture total benefits, savings, revenue and costs.
- Across council there are a number of projects that have been developed and implemented in their own right. The budget and revenue is already being allocated elsewhere e.g. solar farm revenue is not part of the Smart City budget.

Overview of Smart City Implementation Program Capital Works FY16/17 to FY18/19

	FY16/17	FY16/17 BR1	FY16/17 BR2	FY17/18	FY18/19	Comments
Smart City Solution Systems						
Development of Smart Solution Portfolio for the region including Maroochydore Central Business District		150,000				
Fibre active network major urban and key Council Locations		30,000		25,000	20,000	Fibre build - design and build
Living Lab	175,000			175,000	175,000	Project funded by SKSC income from partnerships with vendors seeking independent assessment
Smart Region Management Platform	200,000			140,000	140,000	Project funded by SKSC

Audit of existing network, identification of strategic nodes and corridors		45,000		12,000	12,000	To complete the Carrier business plan and identify revenue potential
Total Solution Systems	375,000	225,000	-	352,000	347,000	
Projects						
Bulcock St Streetscaping - Australia's first Smart Street Testing and Demonstration Facility		120,000	-	-	-	Critical timing not currently in budget
Stockland Aura (Caloundra South)			15,000	105,000		Stockland matching with Pit & Pipe already constructed
Invest Palmview				120,000		As per Stockland above
Total Projects	-	120,000	15,000	225,000	-	
Total - All	375,000	345,000	15,000	577,000	347,000	

The Operational Works budget for this transitional phase is \$1,935,200 subject to annual budget approval. The budget shows the components funded as part of the original budget process, together with what was funded in BR1 and the proposed BR2 request figures. Forward budget requests will be supported by evidence of the program progress including new revenue and/or savings achieved.

Each section reflects the objectives outlined in the Smart City Implementation Plan and satisfy the core objectives of the Smart City Framework.

Overview of Smart City Implementation Program Operational costs FY16/17 to FY18/19

Overview of Smart Centre Implementation Plan Operational costs FY16/17 to FY18/19	FY16/17	FY16/17 BR1	FY16/17 BR2	FY17/18	FY18/19	Comments
Leadership		-	-	-	-	
Smart Cities Communications Plan		15,000	20,000	15,000	15,000	
Total - Leadership		15,000	20,000	15,000	15,000	
Governance						
Smart Centre lease - Bulcock Street Caloundra		65,000		40,000		
Total - Governance	-	65,000	-	40,000	-	
Smart City Solution Systems						
Smart Technical Specification, Standards and Pricing Guide and project support			60,000	15,000	15,000	For designers and increase pricing accuracy
Wireless connectivity evaluation - microwave, 3G Long Term Evolution and Low Energy Wide Area Networks				30,000		Use of these two options could reduce our current network costs (Smart WiFi)
Living Lab	175,000			175,000	175,000	Project funded by Strategic Knowledge Steering Committee income from partnerships with vendors seeking

Overview of Smart Centre Implementation Plan Operational costs FY16/17 to FY18/19	FY16/17	FY16/17 BR1	FY16/17 BR2	FY17/18	FY18/19	
						independent assessment
Smart Region Management Platform	200,000	-		60,000	60,000	Project funded by SKSC
Council Carrier Licence administration costs	36,000					
Smart Carrier operation options and solutions assessment				30,000		Determines the model for operation and maintenance regime
Total Solution Systems	411,000	-	60,000	310,000	250,000	
Smart City Team resourcing						
Smart Implementation Technical Officer		68,800		98,500	98,500	Required to deliver full range of projects
Smart City Systems Architect			43,000	98,500	98,500	Required to deliver full range of projects
Smart Centre Officer		58,400		85,000	85,000	Required to deliver full range of projects
Total Team Resourcing	-	127,200	43,000	282,000	282,000	
Total - All	411,000	207,200	123,000	647,000	547,000	

Additional revenue, savings and capital works reduced investment

There are significant potential revenue, savings and capital works reduced investments to be derived from the Smart City program. As council is at the initial phase of implementation, determining the likely levels of savings and benefits is highly subjective. The Smart City Steering Group will create a document to capture, evaluate and record the accumulative dollar values. The proposed Smart City annual report card will include the aggregated benefits. Following are examples of possible savings and benefits:

- Operational savings through more effective service delivery and attending to other services based on known asset performance (not just set routines) – e.g. public waste bin sensors reducing required pickups and delivering operational savings
- Council Carrier Licence revenue and savings from duct and fibre leases, and protecting council assets from unwanted construction by other telecommunications carrier services
- Revenue from unique business intelligence data created through the Smart WiFi and other Smart City sensor networks
- Grant opportunities - Advance Queensland (Innovation Hubs) and Federal Smart Cities and Suburbs Program. Both programs will use existing Smart City Implementation Plan spend.

Additional costs not yet budgeted

One area where Smart City infrastructure will require increased capital funding, (not included in the current budget) is the Core Foundation Systems in the SunCentral development.

Core Foundation Systems include the Smart City:

- Communication network – ducting, pits and optic fibre with additional capacity for revenue generating sub leasing.
- Electrical network – ducting, pits and power supply 24/7 suitable for now and future needs, including upgrades.
- Smart poles – spaced to allow configuration of lighting to meet the needs of the city centre as it grows and with capability to add future Solution Systems.
- Above ground wireless connectivity – for free public WiFi and business intelligence – with the capacity to generate revenue, savings or investment.

These additional costs have been estimated to be as much as \$1.5 million for SunCentral Maroochydore, however are essential if we are to deliver a fully activated smart city. The final design is being resolved currently and will be subject to a separate submission to Council.

Many of the components and systems have been already trialled or embedded in the Living Lab / Bulcock Street Project, hence costs and design elements are being refined further to apply to a Central Business District and region wide platform.

Human Resources

The proposed Smart City Implementation Team Structure will see the formation of a dedicated team to serve as a steering group for the day to day Smart City implementation. This group will report on progress to a Smart City Project Control Group. The steering group will be led by the Smart City Coordinator with Economic Development and Information Communication Technology Services actively contributing to the delivery.

To support the Smart City Team Structure, additional human resources (three-year contracts) are required to deliver the upsurge in project activity to transition the organisation from new to business as usual.

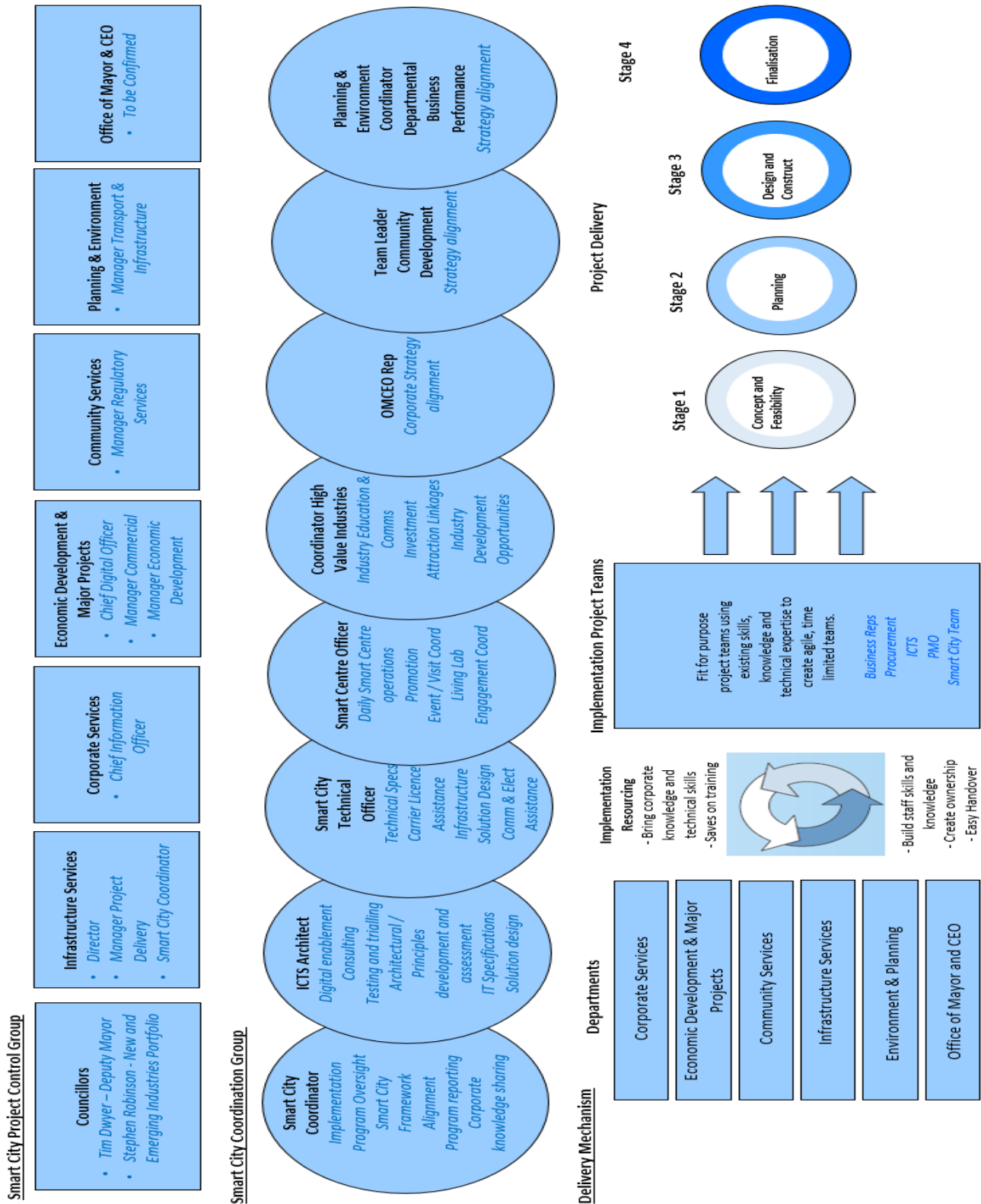
The structure currently shows a Smart City Coordinator, a Smart Centre Officer and Smart City Technical Officer.

To complete the structure and on endorsement of the Smart City Implementation Plan an additional 12 month contract position is required for a Smart City Systems Architect.

This position was not requested as part of BR1 as the Smart City Implementation Plan and Team Structure had not been completed at that time. This position will, be based in ICTS but be aligned with the Smart City Team and located at Caloundra.

An additional Smart City Project Officer position was originally proposed. The project workload will be spread within the current team. An evaluation will occur between now and the March 2017 budget meetings with an additional position being requested as part of the annual budget if warranted.

Smart City Implementation Program Team Structure



CORPORATE PLAN

Corporate Plan Goal: *A new economy*

Outcome: 1.2 - New capital investment in the region

Operational Activity: 1.2.2.2 - Implement smart city principles across the Maroochydore Priority Development Area and the Sunshine Coast Enterprise Corridor to build connectivity, improve accessibility to information and services and build the value proposition of the region

CONSULTATION

Portfolio Councillor Consultation

Mayor Mark Jamieson

Cr Tim Dwyer – Deputy Mayor

Cr Stephen Robinson – Economic Development and Innovation Portfolio was consulted regularly through the development of the Smart City Implementation Program

Internal Consultation

- Information Communication Technology Services
- Major Urban Developments
- Communication
- Delivery - Project Delivery, Corporate Strategy and Delivery, Maintenance Delivery, Construction Delivery
- Legal Services
- Economic Development, including Coordinator of High Value Industries
- Environment and Sustainability Policy
- Commercial
- Transport and Infrastructure Policy
- Transport Infrastructure Management
- Parks and Gardens
- Community Response

External Consultation

- High Value Industries - Knowledge & Professional Services Taskforce
- University of the Sunshine Coast
- SunCentral Maroochydore
- Spark Bureau – Zach Johnson
- Stockland
- Pelican Waters
- Unitywater
- Energex
- Telstra
- CSIRO (Data 61)
- Australian Smart Communities Association

Community Engagement

- The Smart Centre and Living Lab (opened to the public in May 2016) provides a physical location where residents, visitors, business and potential investors can experience the smart solutions currently being tested. With 8-12 public groups visiting daily, and generally positive feedback has been received about the Smart City Framework and Smart City Implementation Plan.

- The launch of the Smart City Framework (September 2015) involved a mini tradeshow display of Smart City Framework and Council initiatives with over 120 external representatives present.
- In November 2015 and then 2016 the Information Communication Technology Services' Hackfest engaged with Spark Bureau, Silicon Coast and others to:
 - create publicly available apps using open data
 - Increased awareness in the community about the Smart City Framework.
- The Smart City Framework pages on Council's website provide the opportunity for visitor feedback.

PROPOSAL

The Smart City Framework was initially developed to provide Maroochydore Central Business District with a 21st Century point of difference – to be a Smart City. The final Framework, publicly launched in September 2015, recognised the benefits of deployment at scale - across the Enterprise Corridor and the wider region.

The Smart City Framework identified (in 2014 terms) the value of the global Smart City benefits - in the public sector, was estimated at US\$4.6 trillion and AUD\$755 million opportunity for the Sunshine Coast.

Following a presentation to Council via a Strategic Discussion Forum, the Smart City Framework (Appendix A) was ultimately not presented to Council or formally adopted. Instead an additional activity was added to the Corporate Plan guiding Council to implement the Smart City principles via the Corporate Plan.

Progress

The majority of initial activities to date have been on critical Foundation Systems.

Significant progress has been made with implementation of all seven core Foundation Systems over the last 12 months:

- The first whole of region Solution System, Smart WiFi, was activated in March 2016 and has continued to expand. This system replaces the three-year trial WiFi and includes the valuable business intelligence capability to drive savings and potential revenue streams.
- The Smart Centre (including the Living Lab) is functioning with the first trials already delivering savings and community benefits.
- The Smart Operating System (three being tested) is delivering the integrations that elevate the Smart City Framework to a higher standard than a silo based approach.
- The Smart Citizen App (Sunshine Coast Council App) is now available in Android and Apple and importantly also includes parking space availability in real time.
- Communications network (underground and wireless), electrical and smart poles have been developed and designed for SunCentral Maroochydore to provide for the above ground solutions to be added when ready. The optic fibre network still needs to be completed.
- The Bulcock Street Streetscaping project has been modified to include the Foundation Systems to become Australia's first Smart City Urban Streetscape Demonstration and Testing Facility – with completion expected in late 2016/early 2017.
- Council now has a Telecommunication Carrier Licence which is delivering the negotiations towards the first revenue streams and private network management for the Smart City Implementation Program.

Smart City Implementation Program

The three-year Smart City Implementation Plan has been prepared for Council's consideration and adoption (Appendix B).

The Smart City Implementation Plan will achieve the whole of organisation outcomes by drawing on five key activity areas:

1. Leadership
2. Governance
2. Develop organisational capacity and capability
3. Engagement with stakeholders and partners
4. Smart City Solution Systems
5. Smart City Projects.

1. Leadership

Globally, successful Smart City initiatives are driven by Mayors and the city's or the region's political leadership. These programs are usually aligned with the economic vitality and long term sustainability of the city and its community. The Smart City Framework highlights the need for a strong organisational and political leadership to drive the changes required to achieve the maximum benefits.

The Sunshine Coast has been recognised for our leadership in the development of our Smart City program as an international Smart 21 city for 2017. This award comes from the world wide Intelligent Community Forum and short lists the Sunshine Coast to be in the 21 smart cities from over 400. The Smart 21 2017 is the third time the Sunshine Coast has received this recognition out of the last 4 years and will assist the region in recognition and reputation. This will form part of our investment attraction collateral.

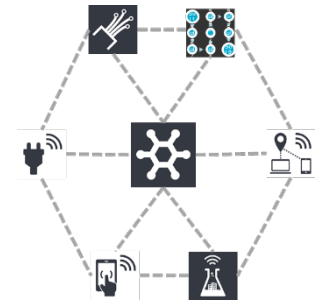


The four key hallmarks of the Sunshine Coast Smart City Program are:

A fully integrated system

Using a systems based approach avoids the creation of siloed solutions and serves as the catalyst to deliver outcomes that combine multiple systems to achieve higher value results. For example, a silo system would be an irrigation system that uses soil moisture to activate it. Through a networked system, it would rely on the bureau of meteorology to determine forecast rain and other elements such as events to know to irrigate before or not during an event. The Sunshine Coast Smart City integrated system includes seven core elements:

- Smart Region Management Platform at its core
- A Communications Network (optic fibre and wireless)
- Living Lab to test solutions at small scale before wider deployment
- A Smart Centre to showcase the Smart City and Living Lab trials
- A Council Smart App for community access (SCC App)
- Electrical services for the Smart City
- Supporting the wider 15 Smart City Solution Systems



User/People Focused

Our Smart City Solutions Systems start with the individual user first then build a system focused to deliver user orientated outcomes. There are many different user perspective to consider:

- The general public
- Community Groups
- Business & Industry (including chambers of commerce)
- Local Innovation system – app developers and local entrepreneurial groups growing employment in a digital age
- Council and contractor teams delivering services for the region
- Strategic planning and policy

Performance Focused

To qualify for wide scale implementation, new solutions will need to meet performance criteria such as:

- Improved operational costs – e.g. waste bin sensors and environmental water sensors delivering real-time information
- Informed capital works design driving reallocation of resources to priority areas – e.g. number of BBQs or path routes and sizing
- Enhanced community benefits through the delivery of smart solutions – e.g. free public WiFi and parking space availability
- Revenue generating opportunities – carrier licence provides revenue potential through duct and fibre lease with other carriers

Sunshine Coast Focused

Community perception of “smart” implies that something which is not smart is dumb. The Smart City Implementation Plan addresses this by defining what we do as working towards creating a smarter Sunshine Coast. The Smart City Implementation Plan builds on this by seeking to enhance the region’s reputation as a smarter location for investment and providing a region wide smart system rather than just a local government focus.

Moving towards a region wide program, the Smart City Implementation Plan identifies the need to create a region wide partnership to deliver a smarter Sunshine Coast through a public, private, people based partnership (P4) model:

- Governance through the Futures Board or similar whole of region entity
- Driving investment in the region by existing and new investors
- Service a way to connect, community, business, innovations system, Research and Development groups, vendors together with Council and other levels of government

- Coordinating the smarter region program initially through council's website and later through approval through a single region platform.

This approach has the potential to create a single location for region wide Smart City projects and activities to be hosted, plus create a virtual partnership connection to the public, private sector, community groups to benefit the whole region.

Foundation systems for all new developments

The most cost effective way to create a robust region wide Smart City is to ensure the foundation infrastructure is provided up front during the civil works phase of the original development. The Smart City team have been approached by Stockland and Pelican Waters development teams with a view to including the new foundation infrastructure in their respective developments. These are currently in the civil works phase, and they are prepared to work with Council, to enable some Smart City Solutions to be provided.

In the absence of any statutory power to require Smart City foundation infrastructure in new developments, the Smart City Implementation Program recommends that an overarching head of power within the planning scheme such as a planning scheme policy or design manual be investigated and, if found to be reasonable, be incorporated into the planning scheme over time. In the meantime, as a means to move forward and provide certainty to the likes of Stockland and Pelican Waters, individual agreements are considered the most appropriate mechanism to ensure all parties are aware of their obligations. Individual agreements, once negotiated will provide developers with certainty and the confidence to place the foundation infrastructure in their developments during the civil works phase.

Smart City Solution Systems technical documentation

To support the implementation of the Smart City Implementation Plan, a Solution Systems technical document needs to be developed. It would provide a consistent set of technical specifications organisation wide, identification of relevant standards and where available a pricing guide for budgeting purposes. This documentation will be prepared in consultation with relevant Council areas and is intended to be integrated into the organisation's normal operational systems.

2. Governance

The proposed Team Structure (see below) will see the formation of a dedicated team to serve as a coordination group for the day to day implementation. This group will report on progress to a Smart City Project Control Group. The Smart City Coordination Group will be led by the Smart City Coordinator with Economic Development and ICTS actively contributing to the Smart City Implementation Program delivery. Modelled on the successful SCC Gateway process, the project teams will use the Project Management Office to drive and deliver specific projects resourced across the organisation.

The Smart City Governance Structure is comprised of 3 key components:

- Smart City Project Control Group
- Smart City Coordination Group, and
- Individual Smart City Project teams as required

The relationship of each of these groups to the wider organisation is illustrated by the diagram below. The purpose of each group and membership is as follows:

Smart City Project Control Group

The purpose of the Smart City Project Control Group is to provide strategic oversight and direction to the Smart City Implementation Plan and to oversee and monitor performance of the approved Smart City work streams.

The members of the Smart City Project Control Group are:

- Councillor Tim Dwyer (Deputy Mayor)
- Councillor Stephen Robinson (New and Emerging Industries Portfolio Councillor)
- Andrew Ryan, Director Infrastructure Services (Smart City Implementation Plan Sponsor) Chair
- Tom Jamieson, Manager Project Delivery and Smart City Frameworks
- Economic Development & Major Projects Reps
 - Paul Martins, Manager Economic Development
 - Geoff Close, Manager Commercial
 - Chief Digital Officer
- Corporate Services - Brian Beswick, CIO
- Planning & Environment - Nick Cooney – Manager Transport & Infrastructure Policy
- Community Development - Sheryl Krome – Manager Regulatory Services
- Office of Mayor & CEO representative
- Michael Whereat, Coordinator Smart City Framework

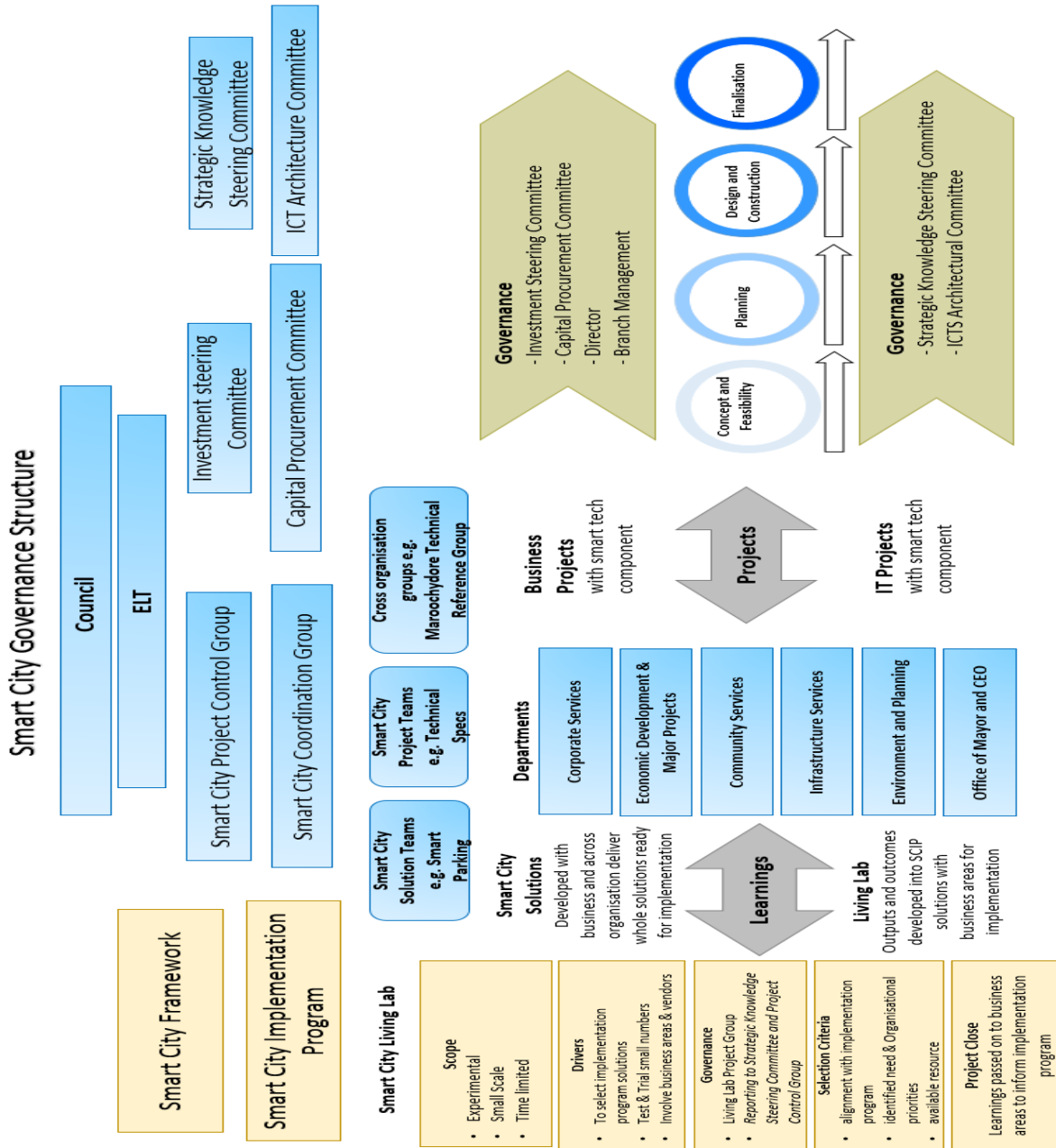
Smart City Coordination Group

The purpose of the Smart City Coordination Group is to manage the day to day implementation of the Smart City Program and report to the Project Control Group Monthly.

The members of the Smart City Coordination Group are:

- Michael Whereat, Coordinator Smart City Framework
- Smart City Technical Officer
- Jacqui Gray, Smart Centre Officer
- Neil Stoodley (Acting) ICTS Smart City Systems Architect
- Anne Lawrence, Coordinator High Value Industries
- Office of Mayor & CEO rep (TBC)
- Luke Flanagan, Planning & Environment
- Stephanie Hambrecht, Community Development

Smart City Governance Structure



Smart City Implementation Teams

The purpose of the Smart City Implementation Teams will be to manage each individual project that forms part of the smart city program as determined by the Smart City Project Control Group and Smart City Steering Group.

The teams will be developed as needed with resources allocated from relevant branches and business units through agreement with the Directors and Managers of the specific branches.

In addition to the Smart City Governance Structure, the roles of relevant individuals and teams has been developed to provide further clarity around role and function. A diagram illustrating this is contained in the Finance section.

Smart WiFi Policy

Following the switch to the Smart WiFi network and its subsequent rapid expansion from 20 locations to 34 locations (as at mid October 2016), there has been an increased expectation

that the Smart WiFi will be deployed in many more locations. A few locations have new sites proposed as part of the current capital works program – e.g. Bulcock Street Caloundra. Where departments and divisional Councillors seek new sites to be added, this will have to fit within some key criteria including:

- The location provides multiple organisational benefits
- Budget is found by the departments and divisional councillors for the new sites
- Sufficient time is provided for the planning and installation of the network
- The new network delivers a Smart WiFi outcome (i.e. ability to provide public WiFi, Internet of Things connectivity and location analytics)

A Smart WiFi policy describing the elements in details will be drafted over the coming months.

Performance Metrics and Annual Report Card

A system of performance metrics will be developed to inform an annual report card system. During the development phase a set of one, three and five year targets will be identified.

The performance metrics will review the progress of the Smart City Implementation Plan 3 year implementation program against the schedule and individually measure the benefits of the Smart City Implementation Plan projects.

The following Smart WiFi performance metric will be used as a model for the development of other active Smart City Implementation Plan projects. Smart WiFi was the first complete solution system switched on following the adoption of the Smart City Framework. The Smart WiFi network contains three discrete elements:

- Sunshine Coast Free Public WiFi
- Internet of Things devices
- Data analytics system

The typical performance metrics for Smart WiFi will be available daily but for the purposes of reporting, be measured on a quarterly basis:

Sunshine Coast Free Public WiFi

- Number of WiFi Access points
- Number of locations services
- Number of weekly users
- Data usage per week

Internet of Things devices

- Number of Smart City IoT devices connected permanently
- Number of Smart City IoT devices connected for short periods - i.e. Caloundra Music Festival)

Data analytics system

- Number of Smart phones sensed per week
- Number of rules engines influenced by the Smart WiFi network
- Number of Smart City Implementation Plan projects influenced by Smart WiFi
- Specific community benefits achieved, operational savings, capital project design influenced by Smart WiFi
- Specific revenue achieved through the Smart WiFi network

Each of the areas contained in the performance metrics will begin with an audit of the existing benefited area and identify measures that demonstrate the extent of change that has occurred over the 12 months. Where relevant benchmarking will be done with comparable locations nationally. Qualitative and quantitative measures will be used to highlight different aspects of the program.

A report card system will be developed to demonstrate how the Sunshine Coast is tracking towards becoming a smarter region. The report card will use the performance metrics

highlighted above and following adoption by Council, be published in a full report and single page format. The report card will be completed following the end of each financial year.

A budget for the performance metrics and annual report card will be included to the FY16/17 BR2 budget process to fully develop the initial performance metrics. Another budget allocation will be added to the FY17/18 budget to prepare the annual report card and develop the adopted document to a publishable standard.

Any changes or revisions to the Smart City Implementation Program will also be presented to Council at the same time.

3. Develop organisational capacity and capability

Smart City concepts are new and unfamiliar territory for local government (other industries have been using smart technologies and systems efficiency programming for some time). Council will need to develop and build organisational capacity and capability to ensure departments are aware of and understand the opportunities available for implementing Smart City solutions. This area focuses on:

- Training and developing staff capabilities
- Supporting departments to identify and implement Smart City projects and solutions.

In order to deliver an organisational capacity and capability development program, the Smart City Implementation Team will:

- Attend individual branch and group meetings to socialise the Smart City Program and actively seek the organisation's collective involvement in the transition to a smarter Sunshine Coast
- Assist each branch/business unit with their Smart City Implementation Plan implementation
- Encourage groups and individuals to visit the Smart Centre (Shop 3, 63 Bulcock Street Caloundra) and tour the Smart Centre and Living Lab
- Participate in organisation events such as Ignite to provide an interactive learning environment
- Develop and run 3-4 workshops per year to develop awareness and skill team members to be able to identify smart solutions within their own work areas or across the organisation.

4. Engagement with stakeholders and partners

The Smart City concept is far more than a series of technologies used to improve the public's user experience. Council will need to actively engage with the region and further afield to fully activate these benefits. The key outcomes from engagement are:

- To provide a platform for all Smarter Sunshine Coast activities to be collectively located
- Activation of key regional stakeholders (traditional and emerging)
- Participate in national and international forums to acquire knowledge and raise awareness and investment in our region.

A Smarter Sunshine Coast

Leading smart city regions achieve high value systems by the active involvement of both the public and private sectors. Amsterdam is a leading example of this approach internationally. Its site www.amsterdamsmartcity.com/ provides a platform for collaboration where initiatives involve a range of stakeholders, budgets and timeframes.

The proposed web presence will:

- Provide a single entry point for region wide inquiries and elevate it to the region's name, not a brand, to remove barriers
- Communicate the active and completed projects showcasing the rich diversity and strength of the region's innovation and Smart City Implementation Plans
- Manage visits to the region focusing on the Smart Centre, Living Lab and specific region wide facilities and partner project locations including tours (by invitation)
- Host a network of regional organisations, businesses and partners/stakeholders
- Map the physical location of projects and provide capacity for virtual tours through the use of apps and beacon technology
- Showcase products developed by the region and facilitate connections for app developers through the open data portal
- Have a governance structure in place to manage this partnership.

Regional partnerships

Council will achieve many of the externally focused outcomes of the Smart City Implementation Plan through its regional partnerships with:

- Regional Development Australia Sunshine Coast
- University of the Sunshine Coast
- Combined Chambers of Commerce
- Industry sector associations or not for profit companies (Spark Bureau, Innovation Centre and Silicon Coast).

National partnerships

Council will maintain existing partnerships with national organisations (such as the Australian Smart Communities Association) and identify other strategic alliances/partnerships to build our regional profile.

International partnerships

Globally, Smart Cities are collaborating to learn from each other, develop solutions and identify innovative funding mechanisms. The Global Smart City and Community Coalition (GS3C - www.gsc3.city) is a not for profit organisation that provides an international platform for civic collaboration by sharing challenges, best practices and verified solutions. Their international membership includes (as examples): Chicago, Genoa, Amsterdam, Austin, Bandung, Charlotte and Rotterdam.

Together with the Australian Smart Communities Assn, GS3C has formed a local chapter of the international group. This local Australian chapter has five Australian cities and organisations members now. They are:

- ACT Government
- Australian Smart Communities Association (ASCA),
- City of Ipswich,
- Greater Sydney Committee
- Lake Macquarie City Council.

Adelaide City Council and the City of Newcastle are progressing their memberships in anticipation of a signing ceremony in February 2017.

Through this group, the Sunshine Coast through its Smart Centre and Living Lab will be able to achieve international recognition and contribute to our reputation as an international leader as a smart region.

5. Smart City Solution Systems

Benefits of implementation at scale can be achieved by expanding the Smart City Implementation Plan to include the wider Sunshine Coast region. Smart outcomes can be delivered sooner and with higher value results by incorporating the delivery of these solutions within existing capital works Smart City Implementation Plans and organisation-wide operations. Refer to Attachment 1 for the full three year program.

The Smart City Framework identified 15 action areas ranging from Smart WiFi to Smart Parking and Smart Health. As the initial program of works has been developed and refined, it is clear that there will be many areas of focus over time. Instead, the solution systems have been grouped under six themes:

- Foundation systems
- Smart Region Management Platform
- Transport
- Energy, water and waste
- Built and natural environment
- Smart citizens and living

Foundation systems

The Smart City foundation systems include:

- Communications network connectivity (including fixed underground and wireless and WiFi) supported by Council's Telecommunications Carrier licence
- Electrical systems (normal supply) designed to support smart connected devices
- Smart poles and other pieces of (connected) urban furniture.

Smart Region Management Platform

The Smart Region Management Platform provides the central processing and rules engine to connect all of the independent solution systems. This is the integration piece that is the hallmark of the Sunshine Coast Smart City Implementation Plan. A key outcome of using an integrated operating system is the ability to use data analytics techniques to generate the high value business intelligence derived from data analytics.

Transport

Transport fits within the wider mobility theme. Transport is also an area where the state government has the lead role and responsibility for the policy environment within the broader state wide context. Initial work within Council will focus on aspects of transport that we are able to directly influence. The initial sub theme categories are:

- Public transport – specifically bus stop smart services
- Transport infrastructure planning
- Parking
- Cycling & walking.

Parking and transport Smart City Solutions have both been identified as priority solution system areas to be developed in FY16/17.

Energy, water and waste

Council has innovative and smart projects in this theme already underway:

- First Automated Waste Collection System in Australia
- Solar farm at Valdora
- Public street lighting project.

Three waste and water solutions are currently under trial in the Smart Centre and Living Lab:

- Public Waste Bin Sensor Project – five sensors are already delivering significant operational savings with more to come as this is extended across the approx. 3,000 bins in the network
- Digital water meters (designed by a Sunshine Coast company) are now under trial in five locations
- Environmental water sensors (generating real time results) are informing additional operational savings in the Pelican Waters canal system. With application across the Sunshine Coast, significant operational savings are achievable.

Smart citizens and living

This theme responds to the community aspirations for high quality community spaces and our Sunshine Coast environment. It includes the following initial sub categories:

- Smart apps
- Tourism and major events
- Education and health
- Smart Centres and Living Labs.

Built and natural environment

This theme captures the balance of areas not included above. Private developments are increasingly including smart solutions, including:

- App based power control/venue management for markets/community space
- Building information modelling - to manage day to day operations through maintenance and other full life cycle considerations
- Digital vision and Closed Circuit Television is transforming how traditional Closed Circuit Television has operated, providing far more layers of intelligence and integration without the need for constant human monitoring. e.g. facial recognition cameras
- Digital signage incorporates way finding, public information and integrates tailored advertising of local venues or uses commercial arrangements
- Sound sensors pick up the myriad of technical solutions that can assist with sensing and triggering automated responses and information recording.

6. Smart City projects

Council capital works projects represent the single greatest benefit realisation area from the Smart City Implementation Plan. By designing smart technologies into capital works the number of locations with smarter solutions will increase across the whole council area.

During the 2016/17 financial year, the Smart City Implementation Team will continue to work across a range of projects including:

- Development of the Smart Solutions Portfolio
- Palmwoods Town Centre Urban Streetscaping
- Bulcock Street Streetscape as the Smart Street Demonstration and Testing Facility
- Mooloolaba Foreshore project

- Working with Capital Works teams at the early stages for many more projects.

Development of the Smart Solution Portfolio

This project will identify the Solution Systems for the Sunshine Coast using the Maroochydore CBD as the initial focus and develop a hierarchy for the remainder of the region, including:

- All 15 Solution System areas will be reviewed and early results from the Living Lab will help to inform the portfolio of solutions to be delivered. For example:
 - The Central Business District multi deck car parks will need to have a range of sensors generating information in real time to guide users to the nearest park to their intended destination
 - The use of number plate recognition (as per Brisbane airport parking) and other systems will allow users to enter quickly and have allocated parking reserved for them whether they are a regular or casual visitor.

The Palmwoods Town Centre project will provide revitalisation to a key part of the town centre in 2017. A number of specific Solution Systems are proposed, including

- Foundation systems – communications and smart electrical systems together with smart poles, Smart WiFi (public WiFi plus Business Intelligence services)
- Waste bin sensors, street lighting and artistic/park lighting using Light Emitting Diode (LED)
- Integration of public art – with capability of using augmented reality and/or 3D projections
- Parking space availability through sensors and the SCC App
- Potential for smart furniture – including Universal Serial Bus (USB) charging
- Potential for smart heritage or sound trail solutions via beacons – as per the Maroochy Bushland Botanic Gardens.

In late 2016 / early 2017, the Bulcock Street Streetscape will be completed and achieve an Australian first – the formation of a 250m Smart Street Demonstration and Testing Facility with the following included:

- As for Palmwoods Town Centre above
- Public digital speakers to enhance market days
- Light Emitting Diode (LED) street lighting aligned with evening LED lighting experiences
- Digital water meters
- Potentially auto bollards and digital displays for market days.

The Mooloolaba Foreshore project represents an excellent opportunity to integrate Smart City Solutions Systems outlined above plus additional innovations adapted to this location and the range of services and activities occurring there:

- Examples as for Bulcock Street above
- Digital signage and bollards to manage pedestrian traffic areas at different times
- Tourism and major events (New Year's Eve, marathons etc.)
- Coastal uses – water play and swim zones
- Cultural and artistic events with high energy visual and audio environment capability.

Legal

There are no legal implications relevant to this report.

Policy

Following adoption by Council, the Smart City Implementation Program will become a Council policy.

Policy exclusion zones for test and trial areas

Council has a number of local laws and policies in place to manage the implementation of permanent solutions, i.e. Closed Circuit Television (CCTV). Deployments require a formal report to Council seeking approval. To facilitate the efficient evaluation of new technologies (prior to commitment to use as permanent solutions) policy exclusion zones should be created. Typical evaluations in the Living Lab will be between 3-6 months with occasional deployment lasting 12 months (to provide a full year cycle evaluation).

Identification of these testing and trial areas as policy exclusion zones will facilitate the implementation by reducing establishment timeframes and reduce the cost of evaluation.

Risk

There are no major risk issues with implementing the Smart City Implementation Program, however individual risks will exist relative to each of the implementation program projects. As such, each individual project will undertake its own risk management assessment and mitigation plan.

Previous Council Resolution

There is no previous council resolution relevant to this report

Related Documentation

There is no related documentation relevant to this report

Critical Dates

Maroochydore City Centre and other council capital works projects are now expected to have Smart Solution systems integrated from the ground up.

Implementation

The three-year Smart City Implementation Program (refer Appendix A) highlights the high level of activity and investment required to deliver the whole of organisation transition over the next three years.

A Communication Plan has been prepared to raise awareness of the Smart City Implementation Program and communicate our activities over the next three years.

8.3 COMMUNITY SERVICES**8.3.1 2016/2017 REGIONAL ARTS DEVELOPMENT FUND SEPTEMBER 2016 RECOMMENDATIONS**

File No:	Council Meeting - 8 December 2016
Author:	Team Leader Cultural Programs Community Services Department
Appendices:	App A - RADF Major Arts Grants Recommendations September 2016.....111
Attachments:	Att 1 - RADF Major Arts Grant Recommendations September 2016 - Additional InformationConf 5

PURPOSE

This report seeks Council consideration and endorsement of funding recommendations for the September 2016 funding period of the 2016/17 Regional Arts Development Fund program.

EXECUTIVE SUMMARY

The Regional Arts Development Fund (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 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.

Applications are submitted following an Expression of Interest (EOI) process. The program is open for EOI's all year round.

Assessment is by the RADF Committee which is made up of eight independent, external professional and arts industry representatives, is resourced and supported by a Council officer, and is chaired by the Portfolio Councillor for Transport, the Arts and Heritage.

At its assessment meeting on the 14 September 2016, the RADF Committee agreed that the 2016/17 RADF Program would comprise:

- Individual Development Grants – Up to \$750 for national and \$1,500 for international opportunities.
- Major Arts Grants – Up to \$10,000
- Small Arts Grants – Up to \$3,000

Applications for Small Arts Grants and Major Arts Grants must sit within one of four categories;

- project funding
- mentorship funding
- concept development
- seed funding (up to 3 years).

To facilitate a quick response to applications for funding requests up to \$3,000 the RADF Committee agreed that Individual Development Grants and Small Arts Grants funding recommendations be referred to the Director of Community Services for approval.

This advice is in line with Council's Community Grants Policy and the officer's financial delegation. The robust internal control mechanisms currently in place are consistent with the State Government's 'Guidelines for the administration of community grants', October 2009, and Local Government Regulation 2012.

The Major Arts Grant recommendations made by RADF will continue to be referred to Council Ordinary Meetings for endorsement.

Major Arts Grants are assessed in two rounds this financial year, September 2016 and March 2017. This report concerns the first Major Arts Grant assessment period of 2016/17, which ended 1 September 2016.

In this round, a total of 16 applications were received, requesting \$107,206. The RADF committee determined funding outcomes based on Arts Queensland RADF Guidelines, the assessment criteria and according to merit, benefit, skill and capacity demonstrated in each application.

The RADF committee recommends 12 applications for funding, totalling \$53,880 for Council's consideration and endorsement (Appendix A).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "2016/2017 Regional Arts Development Fund September 2016 Recommendations" and
- (b) endorse the Regional Arts Development Funding Recommendations September 2016 (Appendix A).

FINANCE AND RESOURCING

The Regional Arts Development Fund (RADF) budget is jointly funded by the Queensland Government (Arts Queensland) with a 40% contribution of \$110,000 and Council with a 60% contribution of \$165,000.

The RADF budget of \$275,000 will support Council managed Strategic Initiatives (\$108,000) and the RADF competitive arts grants program (\$167,000).

The 2016/17 RADF Program comprises of:

- Individual Development Grants – Up to \$750 for national and \$1,500 for international opportunities.
- Major Arts Grants – Up to \$10,000
- Small Arts Grants – Up to \$3,000

The 2016/17 competitive arts grants program budget will be allocated as shown in the table below.

RADF budget	Amount allocated
Major Arts Grants - including 2015/16 Commitments of \$5,000 Seed Funding	\$115,000
*Small Arts and Individual Development Grants	\$ 52,000
Total 2016/17 RADF budget	\$167,000

** Please note the RADF Committee recommendations for Small Arts and Individual Development Grants are approved under delegation by the Director Community Services and not the subject of this report.*

This report recommends funding of 12 out of the 16 applications received, totalling \$53,880.

Below is a summary of recommendations for the September 2016 RADF funding period.

Applications received	Funding requested	Applications recommended	Funding recommended	% Applications recommended
16	\$107,206	12	\$53,880	75%

In the 2015/16 financial year, Council endorsed multi-year funding through RADF's Seed Funding category which have implications for the 2016/17 and 2017/18 RADF budgets. This category provides up to \$10,000 in the first year, \$5,000 in the second year and \$2,500 in the third year.

There were no new multi-year applications received in the September funding period.

Budget commitments for the 2016/2017 RADF Major Arts funding program are summarised in the table below.

Budget Implications	2016/17	2017/18
Multi-year seed funding commitments from 2015/16	\$5,000	\$2,500
RADF Recommendations September 2016	\$53,880	
Total allocation	\$58,880	
Total Budget - RADF 2016/17 Major Arts Grants	\$115,000	
Balance 2016/17	\$56,120	

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
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

Portfolio Councillor Consultation

- Cr Baberowski - Portfolio Councillor for Transport, the Arts and Heritage

Internal Consultation

- Team Leader Cultural Programs, Community Services
- RADF Liaison Officer, Community Connections, Community Services
- Team Leader Community Connections, Community Services
- Management Accountant, Finance.

External Consultation

Applications are submitted following a flexible and efficient EOI process. This process is designed to save time for potential applicants, allowing those applicants with limited opportunity for 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.

To achieve this, Council's RADF Liaison Officer provided applicants with assistance for project development, preparation of application content and guidance throughout the application process.

External consultation was also undertaken with the RADF Committee, which consists of eight independent community members, who have been nominated and 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 sector representatives from industries such as Music, Visual Arts, Law and Community and Cultural Development.

Community Engagement

Surveys were conducted in mid-2016 with previous and current RADF recipients. Responses from the surveys were amongst the references used in determining the action to create the quick turnaround of Small Arts Grants as part of the RADF program.

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 the State Government (through Arts Queensland) and Council. The program is jointly funded on a 40:60 basis by 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.

RADF Major Arts Funding Categories	Description
Project funding	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
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 EOI 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 and grant applications.

The program is open for EOIs all year round and assessment of the Major Arts Grants takes place over two funding periods annually. This report covers the first assessment period for 2016/17, September 2016.

Council's external RADF Committee assesses funding applications for recommendation to Council. The committee is made up of eight independent, external professional and arts

industry representatives, is resourced and supported by a Council officer, and is chaired by the Portfolio Councillor for Transport, the Arts and Heritage.

Promotion and Support

Promotion of the RADF program included:

- Media releases distributed across the region
- Promotion through the Horizon Festival of Arts and Culture website, program and at festival events
- Information distribution via all internal Council communication tools including Spotlight, Councillor Columns, website, and the Community Development electronic newsletter and
- Information distributed via a range of email databases included Sunshine Coast Library Service (77,000), Community Connections (8000), Regional Gallery (8000), Scene (Sunshine Coast Events Network) (800) and Sunshine Coast Creative Alliance (500).

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

Applications

A total of 16 Major Arts Grants applications were received during the September round, requesting a total of \$107,206 in funding.

Assessment

Council officers pre-assessed each application to determine eligibility.

The RADF Committee read each application prior to meeting to discuss applications and recommend outcomes. The assessment meeting was attended by the RADF Committee and Council's RADF administrators and chaired by Portfolio Councillor. The Portfolio Councillor 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 was one conflict of interest declared in this funding period, and the above process was followed.

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 and
- supports individual professional development opportunities.

Recommendations

A total of 12 applications are recommended for funding totalling \$53,880.

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 arts and cultural industry across the Sunshine Coast Local Government Area.

The total value of the funded projects is \$242,842. This investment represents more than \$4.50 return on every dollar contributed by Council and the State Government in this grant round.

Below is a summary of recommendations for the September 2016 RADF funding period.

Applications received	Funding requested	Applications recommended	Funding recommended	% Applications recommended
16	\$107,206	12	\$53,880	75%

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	9
Seed funding	0	0
Concept development	3	3
Mentorships	1	0

Details of recommended funding outcomes are provided in Appendix A.

Confidential Attachment 1 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 Major Arts Grants assessment period will take place in March 2017.

Implementation

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

Funding will be distributed throughout December 2016 and January 2017, following receipt of invoice and signed conditions of agreement.

8.3.2 UNIVERSITY OF THE SUNSHINE COAST - EASTERN SPORTING PRECINCT FACILITY DEVELOPMENT PLAN

File No:	Council meetings
Authors:	Team Leader Sports Planning and Development Community Services Department Sport and Recreation Officer Community Services Department
Appendices:	App A - University of the Sunshine Coast - Eastern Sporting Precinct Facility Development Plan 121

PURPOSE

The purpose of this report is to present to council for its consideration and adoption the *University of the Sunshine Coast - Eastern Sporting Precinct Facility Development Plan* (the Plan) and to seek Council's endorsement to allocate divisional funding of \$137,000 to infrastructure improvements at the precinct to accommodate community sport.

EXECUTIVE SUMMARY

The Eastern Sporting Precinct (the Precinct) is located on University of the Sunshine Coast (USC) land and provides a range of local, district and regional level sporting and community facilities and services. The Precinct is an important facility that is well utilised by the Chancellor Park Soccer Club, Chancellor State College and the USC student body for training and competition purposes.

Due to the growth of soccer and associated tenure issues, Buderim Cricket Club (BCC) will lose access to the senior turf pitch at Ballinger Park Sports Complex post the 2016/ 2017 cricket season. Ballinger Park does not have the infrastructure to provide a home ground suitable of supporting first grade cricket, which is in the long term plans for both the Buderim Cricket Club and the Sunshine Coast Cricket Association. In addition, Ballinger Park Sports Complex has limited capacity to cater for the increasing demands of both football (soccer) and cricket in terms of supporting infrastructure and playing space, creating a need for an alternative facility to be sourced and developed for cricket in the Buderim locality.

The Sunshine Coast Council (SCC), the University of the Sunshine Coast (USC), Queensland Cricket and the Buderim Cricket Club (BCC) agreed to investigate the possibility of upgrading the Eastern Sporting Precinct at the university to include a five wicket turf block, whilst ensuring ongoing rectangular sport use is maintained and used by football codes in the winter season.

As the University of the Sunshine Coast – Eastern Sporting Precinct is land owned freehold by the University, a resolution of council is required to utilise Councillor Minor Emergent Capital Works funding for capital works infrastructure which is located on land neither owned nor managed by council and which is unable to be capitalised.

Given the proposed project to embellish the University site for cricket activities provides a whole-of-region benefit, council officers support council endorsement to allocate \$137,000 from the Division 6 Councillor Minor Emergent Capital Works funding in 2016/ 2017 towards sporting improvements at the University of the Sunshine Coast –Eastern Sporting Precinct.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “University of the Sunshine Coast - Eastern Sporting Precinct Facility Development Plan”
- (b) endorse the University of the Sunshine Coast - Eastern Sporting Precinct Facility Development Plan (Appendix A) and
- (c) endorse an allocation from Division 6 Councillor Minor Emergent Capital Works Funding of \$137,000 in 2016/2017 for infrastructure improvements at the University of the Sunshine Coast to facilitate improved community sporting outcomes.

FINANCE AND RESOURCING

This project sources contributions from several different stakeholders:

USC	Land component
Queensland Cricket	\$ 30,000
Buderim Cricket Club (Club and external grant sources)	\$ 17,000
Buderim Cricket Club (State Government grant funding)	\$100,000
<u>Division 6 Councillor Minor Emergent Capital Works funding</u>	<u>\$137,000</u>
TOTAL	\$284,000

The cost of implementing the immediate elements to satisfy senior cricket activities include the following as described in the Plan’s Quantity Survey:

Change rooms (x2)*	\$ 50,000
Canteen*	\$ 25,000
Ablutions (x2)*	\$ 49,000
Storage (20m ²)	\$ 10,000
Connection to services	\$ 10,000
Turf wickets (x5)	\$100,000
<u>Sight screens</u>	<u>\$ 40,000</u>
TOTAL	\$284,000

*Please note that these are temporary / demountable structures that will be appropriate until such time that funding for permanent infrastructure can be sourced.

The Plan provides indicative costings through a Quantity Survey for staged implementation of the project not critical to the delivery of senior grade cricket as indicated below:

Immediate (within 12 months)	\$ 284,000
Short Term (1 – 5 years)	\$ 746,000
Medium Term (6 – 10 years)	\$ 305,730
<u>Long Term (11 – 15 years)</u>	<u>\$1,493,000</u>
TOTAL	\$2,828,730

This project is an example of collaborative partnerships across government, education, governing sporting bodies and community organisations providing improved sporting facilities and opportunities for the broader community.

It is not envisaged that Council will be an ongoing funding contributor to this precinct beyond the initial investment recommended in this report.

The development of the Plan provides the University, user groups and council a sound base to lobby for external funding opportunities to implement recommended upgrades and improvements.

It also provides the University and relevant stakeholders with a strategic direction to implement improvements in a clear and focused way, and provides a foundation for grant applications and future facilities planning.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*
Outcome: 2.1 - Safe and healthy communities
Operational Activity: 2.1.3.1 - Implement prioritised projects from community facility master plans and facility development plans

CONSULTATION

Portfolio Councillor Consultation

- Councillor O'Pray – Portfolio Councillor for Tourism, Events and Sport

Internal Consultation

- Councillor Dickson – Division 6 (Divisional Councillor)
- Development Planner - Development Services
- Senior Capital Works Program Officer - Project Delivery

External Consultation

- University of the Sunshine Coast
- Sunshine Coast Cricket Association
- Buderim Cricket Club
- Queensland Cricket
- Matthew Flinders Cricket Club
- Chancellor Park Soccer Club
- Chancellor State College
- Buderim Wanderers Football Club.

Community Engagement

Otium Planning consultants implemented a targeted engagement strategy which ensured stakeholders were well informed throughout the course of the project and were given appropriate opportunities to provide meaningful input towards project outcomes. The draft University of the Sunshine Coast – Eastern Sporting Precinct Facility Development Plan (the draft Plan) was released for targeted stakeholder review and feedback August 2016. Feedback during this period was collated and informed the final version of the Plan.

PROPOSAL

Ballinger Park Sports Complex Overview

Buderim Cricket Club (BCC) is located at Ballinger Park Sports Complex – Buderim and will lose access to the senior turf pitch following the current 2016/ 2017 cricket season on which they have historically played, although never held tenure. The senior turf cricket wicket is situated within the Buderim Wanderers Football Club's (BWFC) leased area and was constructed, maintained and tenured by Matthew Flinders Anglican College. Due to improved sporting developments within their freehold property, Matthew Flinders Anglican College no longer require access to the turf wicket within the BWFC leased area and has consequently relinquished their sub-lease over the wicket and grounds at Ballinger Park Sports Complex.

Buderim Wanderers Football Club, as head lessee of the land and with no formal agreement for use by BCC, have planned to reconfigure their football fields to cater for their continually increasing membership and increase their capacity to enter new competitions at a higher level.

Buderim Cricket Club have access to three junior ovals, cricket practice nets and supporting infrastructure at Ballinger Park Sports Complex however, there is no suitable available land to accommodate an alternate turf wicket necessary to host senior games within the Complex. As indicated by Sunshine Coast Cricket Association (SCCA) member statistics, BCC increased its number of senior teams from three in 2014/ 2015 to four in 2015/ 2016, with SCCA identifying a key business objective for BCC to expand into first division within the short term, however without access to a turf wicket BCC cannot cater for senior cricket. The additional first division team will strengthen the regional competition which reports growth of an additional five senior teams in the 2015/ 2016 season and a strong junior base of 95 teams across the region.

Sunshine Coast Cricket also regularly hosts both national and state level events, including upcoming Big Bash League practice matches. This, in conjunction with the growth of women's cricket, has resulted in the need to develop suitable infrastructure to continue to cater for membership growth and event attraction in the region.

University of the Sunshine Coast - Eastern Sporting Precinct

The University of the Sunshine Coast (USC) consists of a network of comprehensive indoor and outdoor sporting facilities, ancillary supporting infrastructure, high performance sports science research and services in close proximity to existing and future residential communities.

The Eastern Sporting Precinct consists of one rectangular field and one large oval which are well utilised by the Chancellor Park Soccer Club, Chancellor State College and the USC student body for training and competition purposes.

Chancellor State College will maintain access to the Eastern Sporting Precinct and have advised the newly installed cricket nets within the school grounds can be made available to the cricket club for training purposes outside of school times, complementing the cricket oval development.

Proposal

In an effort to resolve the pending deficit in senior cricket facilities within the immediate catchment, Sunshine Coast Council (SCC), the University of the Sunshine Coast (USC), Queensland Cricket, Sunshine Coast Cricket Association (SCCA) and the Buderim Cricket Club (BCC) agreed to investigate the possibility of upgrading the Eastern Sporting Precinct at the University.

The Plan has identified several embellishments required to facilitate senior cricket at the University, these include the installation of a 5-block wicket with irrigation, sight screens, top dressing, fencing, amenities and clubrooms. It is proposed that these sporting embellishments will be developed in a way that ensures winter sporting codes have ongoing access to the Precinct and can operate without any adverse impacts.

To facilitate the recommendations within the Plan, BCC have submitted a grant application for a \$100,000 contribution by the State Government's *Get Playing Places and Spaces Funding Program* to install the required cricket embellishments such as the turf wicket block, irrigation and sight screens. To support this project, Queensland Cricket have also pledged \$30,000 towards cricket improvements to the Precinct.

To align to external grant opportunities and to provide security of tenure, BCC and USC have entered into a formal Use Agreement for an initial period of three years with review. To acknowledge this partnership, the senior cricket club based at the University will be known as the USC/ Buderim Cricket Club. Chancellor State College will maintain their access to the oval for soccer activities and have advised that their newly installed cricket nets across the

road from the oval will be made available to the cricket club for training purposes outside of school times, complementing the cricket oval development.

To comply with Queensland Cricket Facility Guidelines, the USC/ Buderim Cricket Club is required to provide built infrastructure such as amenities, change rooms, storage, umpires room, first aid, etc. The Plan recommends cost effective compliance with this immediately required infrastructure by installing re-locatable structures until such time that funding for permanent infrastructure can be sourced. Council officers have discussed this requirement with the Division 6 Councillor who offered a contribution from Councillor Minor Emergent Capital Works Funding of \$137,000 towards this part of the project, subject to council endorsement.

As identified in Council's Councillor Emergent Capital Works and Minor Operational Works – Utilisation Strategic Policy position endorsed 19 June 2014, council has determined that Councillor Emergent Capital Works and Minor Operational Works funds are to be allocated to capital works infrastructure and to the maintenance and operations of council infrastructure only which can be capitalised.

Given the proposed project to embellish the University site for cricket activities provides a whole-of-region benefit, council officers support council endorsement to allocate \$137,000 from the Division 6 Councillor Minor Emergent Capital Works funding in 2016/ 2017 towards sporting improvements at the University of the Sunshine Coast – Eastern Sporting Precinct.

Legal

A Use Agreement has been entered into between Buderim Cricket Club and University of the Sunshine Coast which articulates access, maintenance and all tenure conditions between these two parties. It is envisaged that should council contribute financially towards the development of infrastructure to support community use of University land, a Memorandum of Understanding (MoU) will be entered into between the two parties to ensure ongoing community access.

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 recommendations of the Plan.

Sunshine Coast Open Space Strategy 2011

The *Sunshine Coast Open Space Strategy 2011* supports ongoing dialogue between Sunshine Coast Council and the University of the Sunshine Coast to:

- continue to develop MoU with the University of the Sunshine Coast for shared use of facilities.

Sunshine Coast Sport and Active Recreation Plan 2011 - 2026

The adoption of the *Sunshine Coast Sport and Active Recreation Plan 2011-2026* provides recommendations including:

- negotiate with the University of the Sunshine Coast the development of a turf wicket within the university grounds to accommodate senior cricket.

Councillor Emergent Capital Works and Minor Operational Works - Utilisation

The above policy establishes the guidelines and procedures for determination and consideration of Councillor Emergent Capital Works. The following types of projects apply to this category of work:

- Direct Asset Acquisition – works that result in a physical asset that is acquired by council at completion, through direct council control.

Risk

Without implementation of the Plan, the Sunshine Coast will fail to maintain an adequate level of service for senior cricket in the Buderim and surrounding area, resulting in increasing pressure on existing club facilities and management already operating at capacity. Should Buderim Cricket Club be unable to provide senior cricket development opportunities, they are in danger of losing significant membership in the junior ranks, possibly resulting in the demise of this 113 year old club.

Sunshine Coast Cricket Association and Queensland Cricket are highly supportive of the Plan as it supports a continued healthy and vibrant senior club framework in which to cater for the current and future demands of local members and players.

Should implementation of the Plan fail, SCC will need to source additional land to cater for the demands of senior cricket in the Buderim and surrounding area.

Failing to provide an alternate senior cricket opportunity will also adversely impact on the Buderim Wanderers Football Club expansion plans.

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

That Council:

- (a) *receive and note the report titled “Sunshine Coast Open Space Strategy 2011”;*
- (b) *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;*
- (c) *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*
- (d) *thank the 47 submitters for their contribution to the preparation of the Sunshine Coast Open Space Strategy 2011.*

Sport and Active Recreation Plan – Ordinary Meeting 16 June 2016**Council Resolution (OM16/101)**

That Council:

- (a) *receive and note the report titled “University of the Sunshine Coast - Eastern Sporting Precinct Facility Development Plan” and*
- (b) *endorse the 2016 edition of the Sunshine Coast Sport and Active Recreation Plan 2011 – 2026 (Appendix A).*

Ballinger Park Sports Complex Master Plan 2012 – Ordinary Meeting 22 February 2012**Council Resolution (OM12/33)**

That Council:

- (a) *receive and note the report titled “Ballinger Park Sports Complex Master Plan 2012”*
- (b) *endorse the Ballinger Park Sports Complex Master Plan 2012 (Appendix A).*

Related Documentation

- Sunshine Coast Council Corporate Plan 2014-2019
- Sunshine Coast Open Space Strategy 2011

- Sunshine Coast Sport and Active Recreation Plan 2011-2026
- Sunshine Coast Wellbeing Charter (2010)
- Ballinger Park Sports Complex Master Plan 2012
- USC Strategic Plan 2016-2020
- USC Master Plan 2012-2016
- Cricket Australian Community Cricket Facility Guidelines and
- Sunshine Coast Cricket Association Business Plan.

Critical Dates

The current 2016/ 2017 cricket season will be the last season BCC can access the turf wicket on the Ballinger Park Sports Complex wicket, therefore wicket construction and associated embellishments at the University's Eastern Sporting Precinct must be complete by July 2017.

BCC will begin construction on the wicket at the earliest possible time to reduce construction impacts on the soccer season and to ensure readiness for the 2017/ 2018 cricket season.

Implementation

Implementation of the Plan will be subject to funding opportunities and regional priorities.

It is not envisaged that Council will be an ongoing funding contributor to this precinct beyond the initial investment recommended in this report.

Future allocations towards the implementation of the Plan will be considered through the University's Capital Improvement Program and funding sought by user groups through available grant opportunities.

8.4 CORPORATE SERVICES**8.4.1 PROPOSED AMENDMENT TO SUBORDINATE LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2011**

File No:	Statutory meeting	
Author:	Manager Corporate Governance Corporate Services Department	
Appendices:	App A - Amendment Subordinate Local Law (Animal Management) 2017161

PURPOSE

The purpose of this report is to seek Council's approval to commence the local law making process to make Amendment Subordinate Local Law No. 1 (Animal Management) 2017.

EXECUTIVE SUMMARY

The first Sunshine Coast Council suite of Local Laws and Subordinate Local Laws were adopted in December 2011.

Since the adoption of Sunshine Coast Council suite of local laws, a number of amendments have been presented to Council for consideration. These amendments ensure our local laws remain responsive and flexible to changes in our community and the environment.

At the Ordinary Meeting held on 10 November 2016, Council agreed to proceed with the local law making process to propose to make amendments to Subordinate Local Law No. 2 (Animal Management) 2011 to include within *Subordinate Local Law No. 2 (Animal Management) 2011* a new dog off-leash area at The Avenue Park, Peregrin Springs and the reconfiguration of the existing dog off-leash area at Petrie Park, Nambour.

A Council resolution proposing to make the amendment subordinate local law is necessary to proceed with the local law making process. Following this resolution, the draft amendment subordinate local law will be referred to the community for consultation.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Proposed amendment to Subordinate Local Law No. 2 (Animal Management) 2011"**
- (b) resolve to propose to make Amendment Subordinate Local Law No. 1 (Animal Management) 2017**
- (c) resolve to undertake extended community consultation during the months of December 2016 and January 2017 to accommodate the holiday period and**
- (d) has reviewed the proposed amendments in accordance with section 38 of the *Local Government Act 2009* and taking into consideration the identification guidelines mentioned in section 15 of the *Local Government Regulation 2012*, notes that the amendment subordinate local law does not contain any anti-competitive provisions as the amendments relate to the management of domestic animals and does not relate to commercial activity.**

FINANCE AND RESOURCING

The cost of drafting the amendment local law was \$1,950 and this has been funded through existing budget allocations within the Corporate Governance Branch.

Community consultation activities proposed for these amendments are estimated to cost approximately \$2,500. As some community consultation has occurred in relation to the proposed amendments already, a conservative consultation strategy is proposed which will be funded through the existing Corporate Governance budget.

CORPORATE PLAN

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

CONSULTATION

Portfolio Councillor Consultation

The Divisional Councillors for the relevant areas have been consulted and were actively involved in the development of the proposed amendments:

- Division 9 Councillor Steve Robinson
- Division 10 Councillor Greg Rogerson.

Internal Consultation

Internal consultation occurred with the following:

- Chief Legal Officer
- Manager Community Response
- Manager Corporate Governance
- Senior Technical Design Officer
- Coordinator Landscape Design Planning
- Coordinator Response Services.

External Consultation

External consultation will occur during the next phase of the local law making process and will occur with the community. State Interest Checks are not required for an amendment to a subordinate local law.

Community Engagement

Council may at its discretion determine the amount of public consultation it undertakes before adopting the local law by resolution. A consultation period of no less than 28 days is considered good governance when proposing to make a local law.

Timeframes for consultation should be realistic and timed to engage with as many people as possible while allowing stakeholders enough time to provide a considered response. Best practice in community consultation indicates that consultation during peak holiday periods is less than ideal as the consultation may miss a large number of stakeholders who are away during the peak holiday periods. However if this is unavoidable, a further amount of time for consultation during this period is strongly recommended.

Therefore it is recommended that consultation for the proposed amendments continue into January 2017 to accommodate the holiday period.

Community consultation forms part of our Council's statutory local law making process and our commitment to meaningful community engagement which is a principle of the *Local Government Act 2009*.

PROPOSAL

Draft Amendment Subordinate Local Law No. 1 (Animal Management) 2017

Following is a short summary of the proposed local law amendments to *Subordinate Local Law No. 2 (Animal Management) 2011* (refer to appendix A for further details of proposed changes).

The Avenue, Peregian Springs – New dog off-leash park

In mid-2015 Parks and Gardens Branch were tasked with assessing demand and investigating potential locations for a dedicated dog off-leash area at Peregian Springs in consultation with Division 9 Councillor Steve Robinson.

Extensive site investigations were undertaken to identify suitable locations for the development of a dog off-leash area within the local parks network.

Following investigations two potential sites were identified (Option 1 – within the Avenue Park (adjacent to the existing car park) and Option 2 – on Sunshine Coast Council and Unity Water land opposite The Avenue Park).

Community engagement was undertaken to gauge the community's support for the development of the dog off-leash area at Peregian Springs. The community's preference was to have the dog off-leash facility at Peregian Springs developed on the Sunshine Coast Council and Unity Water land opposite the Avenue Park (new map attached).

The fenced off-leash area has now been completed and available for community use. The final stage in the process is to include the dog off-leash area in Schedule 6 of *Subordinate Local Law No. 2 (Animal Management) 2011* and include a visual map representing the new area.

Petrie Park, Nambour – reconfiguration of existing dog off-leash park

Following requests from the community and Division 10 Councillor Greg Rogerson, Parks and Gardens were asked to review maintenance, use and future planning for the dog off-leash area at Petrie Park.

Under the existing *Subordinate Local Law No. 2 (Animal Management) 2011*, Petrie Park is a timed off-leash area. The review identified that the function of the dog exercise area needed to be improved to encourage dog park users away from exercising dogs on the hockey field.

Following consultation with Councillor Rogerson and the Nambour Blue Demons Hockey Club, it was decided to separate the areas within the park to allow for hockey functions and create a new dog off-leash area which is off-leash at all times.

Construction for the dog off-leash park has now been finalised and the final stage in the process is to amend the subordinate local law to include the dog off-leash area in Schedule 6 of *Subordinate Local Law No. 2 (Animal Management) 2011* and include a visual map representing the new area.

Table 2 – Proposed changes

Local Law	Proposed Change	Reason for change
Subordinate Local Law No. 2 (Animal Management) 2011	Include fenced dog off-leash area in The Avenue Park, Peregrin Springs	Request received from Councillor Steve Robinson (Division 9) in response to requests from the community.
Subordinate Local Law No. 2 (Animal Management) 2011	Amend the current timed dog off-leash area and include a dog off-leash area which is off-leash at all times	Safety issues identified by the users of the park instigated a review of the existing arrangement. Request for change received from Councillor Greg Rogerson (Division 10).

Local Law Making Process

Before the amendment subordinate local law can be made, a number of statutory and other requirements need to be fulfilled. Table 3 outlines these requirements below:

Table 3 – Local Law Making Process

Statutory Requirement	Action taken	Date	Status
Propose to make local law amendments	Report to council to propose to make Amendment Subordinate Local Law No. 1 (Animal Management) 2017	8 December 2016	Current
Community Consultation	Undertake Community Consultation (conservative / low level) including: <ul style="list-style-type: none"> • media releases • Council spotlight notifications in independent publications • notification in Sunshine Coast Daily public notices • Council spotlight radio notifications • notification through Council's social media • messaging on hold • posters in customer contact centres and libraries • static information displays in customer contact centres • notification through Council's news centre • information included on Council's website on 'Have your say' page. 	9 December 2016 – January 2017	Prepared
Council Website Updated	All relevant information and documentation placed on and available through Council's website on "Have your say" page.	December 2016	Drafted
Report to Council to make the amendment local laws	Report to be presented to Council to make the local laws	March 2017	To be completed

Gazette Notice Publication	Preparation of Government Gazette notice for publication in the Government.	March 2017	To be prepared
Consolidation of Local Laws	Preparation and adoption of the consolidated local laws.	April 2017	To be prepared

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*
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws and
- Proposed Amendment Subordinate Local Law No. 1 (Animal Management) 2017

Policy

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

Risk

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

- conducting effective community consultation
- ensuring effective implementation of the amendment local law
- utilising robust systems and processes to monitor the performance of the local laws.

Previous Council Resolution

Council considered a report titled "Approval to commence the Local Law Making Process" at the Ordinary Meeting held on 10 November 2016 where it was resolved to commence with the local law making process for the proposals contained within proposed Amendment Subordinate Local Law No. 1 (Animal Management) 2017, as attached.

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 important that Council gives consideration to this matter as soon as possible to allow for the local law making process to commence.

Implementation

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

- Community Consultation (December 2016/January 2017)
- Summary of Submissions (February 2017)
- Making of Local Law (March 2017)
- Notification to the Minister (March 2017)
- Gazette Notice (March 2016)
- Certification by the Chief Executive Officer, Sunshine Coast Council
- Preparation of the website notice on local law change
- Consolidation of Local Laws (April 2017).

8.4.2 OCTOBER 2016 FINANCIAL PERFORMANCE REPORT

File No:	Financial Reports
Author:	Coodinator Financial Services Corporate Services Department
Attachments:	Att 1 - October 2016 Financial Performance Report 173

PURPOSE

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

EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 31 October 2016 in terms of the operating result and delivery of the capital program.

The operating result at 31 October 2016 shows a positive variance of \$6.3 million compared to the forecast position.

Operating Performance**Table 1: Operating Result as at 31 October 2016**

October 2016	Current Budget \$000	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Operating Revenue	418,433	170,299	174,704	4,405	2.6
Operating Expenses	391,493	124,095	122,136	(1,959)	1.6
Operating Result	26,940	46,204	52,568	6,364	13.8

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

As at 31 October 2016, \$63 million (24%) of Council's \$263.7 million 2016/17 Capital Works Program was financially expended.

The core Council Capital Program is on track with an actual spend of \$37.9 million, in-line with the forecast.

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "October 2016 Financial Performance Report".

FINANCE AND RESOURCING

There are no finance and resourcing implications from this report.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: 5.2 - A financially sustainable organisation
Operational Activity: 5.2.2.1 - Ensure Council's finances are well managed and systems are in place to analyse performance, generate revenue and reduce costs

CONSULTATION

Portfolio Councillor Consultation

No consultation with the Portfolio Councillor is required for this report

Internal Consultation

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

The operating result at 31 October 2016 shows a positive variance of \$6.3 million compared to the forecast position.

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

Operating Revenue

Year to date revenues as at 31 October 2016 of \$174.7 million shows a positive variance of \$4.4 million.

Table 2: Substantial Revenue variances as at 31 October 2016

Operating Revenue Large Variances	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Net Rates and Utility Charges	126,109	127,777	1,668	1.3
Fees and Charges	23,149	24,469	1,320	5.7
Other Revenue	4,030	5,252	1,222	30.3

Net Rates and Utility Charges

The favourable variance of \$1.7 million, is mostly attributable to higher than anticipated growth. Property numbers grew by 1.3% between the January 2016 and June 2016 rate runs. The full year budgeted growth is 1.9%. Prepayments of rates is also having a marginal impact as it is difficult to estimate and will be balanced at the next rate run.

Fees and Charges

Fees and charges revenue of \$24.5 million, is \$1.3 million ahead of year to date budget. Significant variances include:

- \$717,000 relates to increased revenues at the Sunshine Coast Holiday Parks, overall Holiday Parks are favourable to budget \$698,000. Some of these funds may need to be directed to finalise capital projects at Budget Review 2.
- \$277,000 is attributable to development service revenue ahead of budget. Growth in the development area is mixed, with non-plumbing application volumes down 14% and lot approval up 5% on last year. A realignment of fees and charges is contributing to the slight revenue increase despite activity being in-line with the previous year.
- \$298,000 across the Community Response Branch.

Other Revenue

Other revenue has exceeded the year to date budget by \$1.2 million, this is made up of:

- Royalty payments for the sale of carbon credits and increase in the sale of recoverable materials at the Waste facilities of \$200,000.
- \$180,000 was generated in rebates associated with fleet operations and the sale of minor, non-capital equipment.
- Additional sponsorship revenue received in Community Relations Branch of \$150,000, which will be recognised with offsetting expenditure in Budget Review 2.

Operating Expenses

Year to date expenditure as at 31 October 2016 of \$122.1 million shows a positive variance of \$2.0 million.

Table 3: Substantial Expenditure variances as at 31 October 2016

Operating Expenditure Large Variances	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Employee Costs	40,078	40,904	826	2.1
Materials and Services	50,540	47,600	(2,940)	(5.8)
Finance Costs	3,304	4,008	704	21.3

Employee Costs

As at 31 October 2016 employee costs were above budget by \$826,000 or 2.1%. An analysis of vacant positions has shown that at the end of October 2016 there were 115 vacancies compared to the average over the previous eleven months of 134. This lower than average position over the past few months is reflected in lower than budgeted 3% vacancy savings.

Additionally, there were 92 non established positions as at the end of October 2016 compared to 68 in December 2015. These positions are predominantly project roles where the total cost of the project is often budgeted under materials and services.

Both these issues will be monitored closely over the coming months.

Materials and Services

As at 31 October 2016, materials and services costs were below budget by \$2.9 million. The variance is in line with the usual trend for the early part of the financial year, and is consistent across all departments.

\$1 million relates to Waste and Resource Management which is reviewing timing of activities to budgets currently.

The Quarry Business is below budget for materials by \$492,000 due to the reseal program commencing major works in October and the budget requires profile to reflect this.

Information Communication Technology Services have \$440,000 variance relating to the operating portion of capital projects, however some of this expense has been incurred in employee costs and the overall program is ahead of benchmark.

Finance Costs

As a result of the recent audit by Queensland Audit Office (QAO), finance costs relating to the Solar Farm Project are to be expensed. This will result in an increase of \$1.2 million for finance costs for the year. This change will be included in Budget Review 2.

Capital Revenue

Capital revenues are \$26.4 million favourable to the year to date current budget. Cash contributions are ahead of budget by \$3.3 million, which will be recognised at Budget Review 2 with offsetting expenditure.

Contributed assets are at 63.6% of the full year budget. This is in part due to additional resources in the asset accounting team expediting the constructed asset write-on process. However it is also an indication of another strong year of assets being contributed by developers, and will be analysed and adjusted as part of the Budget Review 2 process.

Table 4: Capital revenue variances as at 31 October 2016

Capital Revenue	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Capital Contributions - Cash	7,487	10,767	3,281	43.8
Contributed Assets	15,000	38,169	23,169	154.5

Capital Expenditure

As at 31 October 2016, \$63.0 million (23.9%) of Council's \$263.7 million 2016/17 Capital Works Program was financially expended.

The core Council Capital Program is progressing well with an actual spend of \$37.9 million, which is 2.9% in line with forecast.

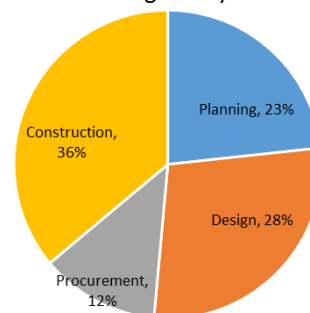
Table 5: Capital expenditure variances by program as at 31 October 2016

Capital Works Program	Forecast Budget \$000	YTD Forecast Budget \$000	YTD Actual \$000	YTD Variance	% Variance on YTD budget
Aerodromes	372	11	26	14	127.4
Buildings and Facilities	10,072	3,561	3,717	156	4.4
Coast and Canals	1,375	409	302	(107)	(26.1)
Divisional Allocations	4,088	120	522	402	334.3
Environmental Assets	4,628	1,154	1,450	296	25.6
Fleet	3,000	45	63	18	41.1
Holiday Parks	2,279	1,139	1,026	(112)	(9.9)
Information Technology	3,007	997	735	(263)	(26.3)
Parks and Gardens	14,304	5,997	5,645	(353)	(5.9)
Quarries	674	-	119	119	-
Stormwater	4,927	843	949	106	12.5
Strategic Land and Commercial Properties	7,867	3,597	6,495	2,897	80.5
Sunshine Coast Airport	5,746	1,456	2,197	741	50.9
Transportation	56,553	14,700	11,742	(2,958)	(20.1)
Waste	12,680	3,905	2,944	(962)	(24.6)
Total SCC Core Capital Program	131,571	37,936	37,931	(5)	(0.0)
Corporate Major Projects	21,646	23	35	12	53.7
Maroochydore City Centre - Council delivery	52,808	5,223	5,237	14	0.3
Maroochydore City Centre - SunCentral delivery	32,408	21,739	19,536	(2,203)	(10.1)
Solar Farm	25,223	66	255	189	286.2
Sunshine Coast Airport Runway	-	-	-	-	-
Total Other Capital Program	132,084	27,050	25,062	(1,988)	(7.3)
TOTAL	263,655	64,986	62,993	(1,993)	(3.1)

Table 6: Projects by status

Project summary by Job status (SCC Base only)	Number of Capital Jobs	%	Current Budget \$000	%
Not Started	114	11.2%	4,177	3.2%
Works in Progress	665	65.1%	115,616	87.9%
Complete	214	20.9%	9,123	6.9%
On Hold	29	2.8%	2,655	2.0%
Total	1,022		131,571	

Work In Progress by Phase

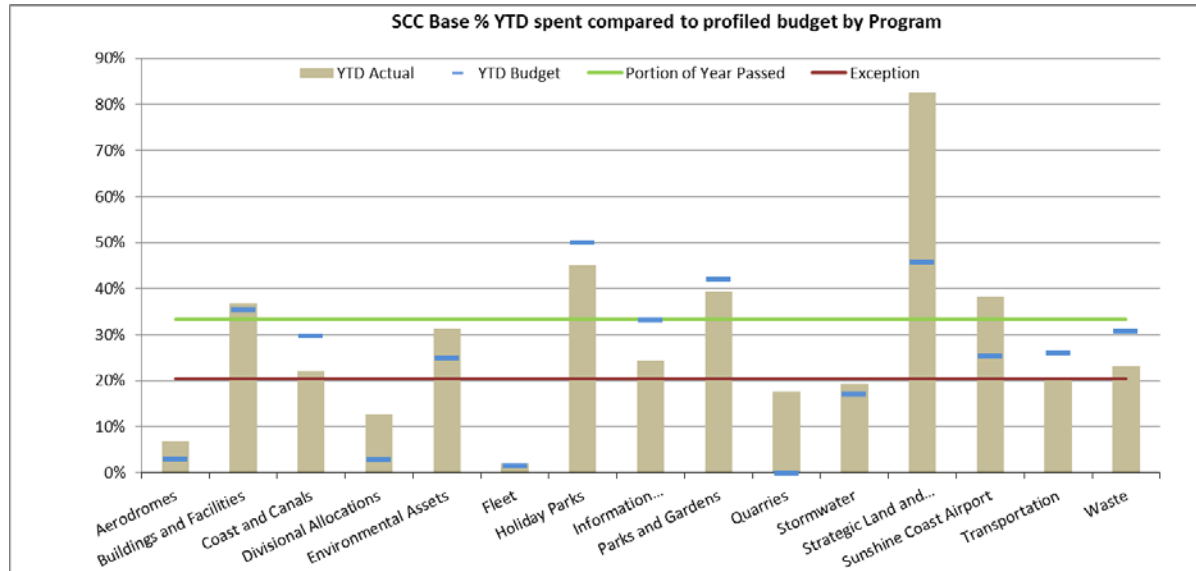


The targeted capital completion rate for 2016/17 is 81.3%. This is due to a number of multi-year projects and whole of region accounts.

At the end of October 214 jobs were in a completed status, which is a good indication that the 2015/16 projects which were carried over in Budget Review 1 have been completed.

Additionally 665 jobs are in a work in progress status, and the additional graph indicates which phase the WIP jobs are up to.

Table 7: Capital Exceptions Graph



Aerodromes

The aerodromes program is scheduled for works to occur in the second half of the year. Expenditure to date relates to the finalisation of projects that commenced last financial year.

Fleet

Whilst two minor fleet purchases were made in October the first major purchase is scheduled for January 2017. There are a large number of smaller plant acquisitions planned for the second half of the financial year, which will include trucks, mowers, graders and boats.

Quarries

Expenditure to date reflects the completion of projects commenced in 2015/16. Planning for quarry development works at Dulong and Image Flat have been finalised and funds allocated to resource modelling plans and drilling at both sites as well as the implementation of a new weighbridge system. Majority of works are scheduled for the latter half of the year.

Transportation

The transportation program has met the exception line for October which is a reflection of works continuing and significant headway made in the reseal and rehabilitation program during the month. The YTD expenditure at the end of October was below budget by \$2.4m however this is expected to be resolved in November with contracts in place and the program underway.

Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 October 2016 Council had \$339.9 million cash (excluding Trust Fund) with an average interest rate of 2.88%, being 1.13% above benchmark. This is compared to the same period last year with \$324.0 million cash (excluding Trust Fund) where the average interest rate was 2.93%, being 0.66% 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.

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 2016/17 Investment Policy.

Risk

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

Previous Council Resolution**Special Meeting Budget 16 June 2016, Council adopted the 2016/2017 budget - Council Resolution (SM16/16)**

That Council:

- (a) *receive and note the report titled "Adoption of the 2016/2017 Budget and Forward Estimates for the 2017/2018 to 2025/2026 Financial Years"*
- (b) *adopt the 2016/2017 Budget Schedules (Appendix A) including Forward Estimates and*
- (c) *adopt the 2016/2017 Capital Works Program, endorse the indicative four-year program for the period 2017/2018 to 2020/2021, and note the five-year program for the period 2021/2022 to 2025/2026 (Appendix B).*

Ordinary Meeting Budget 15 September 2016, Council adopted the Budget Review 1 2016/2017 (OM16/163)

That Council:

- (a) *receive and note the report titled "Budget Review 1 2016/17 "* and
- (b) *adopt the amended 2016/17 Budget Financial Statements to include the identified operating and capital budget adjustments (Appendix A).*

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.

8.4.3 BUDGET REVIEW 2 2016/17

File No: **Reviews**

Author: **Senior Management Accountant
Corporate Services Department**

To be provided.

8.5 PLANNING AND ENVIRONMENT**8.5.1 AMENDMENT TO REGISTER OF COST - RECOVERY FEES AND COMMERCIAL CHARGES 2016/17****File No:** D2016/992361**Authors:** Manager Development Services
Planning and Environment Department
Coordinator Department Business Performance
Planning and Environment Department**Appendices:** App A - Planning Assessment and Engineering Assessment ..189**Attachments:** Att 1 - SEQ Benchmarking: Access Easement Fee211

PURPOSE

The purpose of this document is to amend the 2016/17 Register of Cost-Recovery Fees and Commercial Charges for Development Services - Planning Assessment and Engineering Assessment (Appendix A). There are no new fees being proposed, only operational amendments to the existing fees and charges schedule.

This follows extensive analysis of the current schedules and the impacts of the new charging methodology implemented from 1 July 2016. The objective is to maintain fees and charges based on full cost recovery principles that maintain statutory compliance and are reasonable when compared to other South East Queensland (SEQ) Councils.

EXECUTIVE SUMMARY

During 2015/16 an extensive review of the Development Services - Planning Assessment and Engineering Assessment Fee Schedule was completed. The review considered the following:

- the operation of the *Sunshine Coast Planning Scheme 2014*, particularly:
 - that no more applications will be received under the superseded planning schemes
 - that there has generally been a reduction in assessment levels, for example some applications moved from impact to code assessment with others moving from code assessment to self-assessable
- simplifying the schedule of charges to facilitate the expansion of online business opportunities
- preparing for the proposed changes under the Planning Reform Queensland
- benchmarking against other South East Queensland Councils
- development incentives to stimulate economic activity on the Sunshine Coast.

The result was a much simplified charging mechanism that applied the following principles:

- a standard base plus increment calculation method, removing the complexities of the matrix approach previously applied
- a standard 1.5 multiplier on top of the code assessment fee to calculate the relevant impact assessable fee (this previously ranged from 1.2 to 2.0 depending on the application)
- development of an online fee estimate calculator that provides for quick and consistent fee calculations, both internally and externally, this was released on 1 July 2016.

The Development Services Register of Cost Recovery Fees and Commercial Charges was adopted by council on 19 May 2016. Council was advised at this time that with such significant change in the charging methodology a health check would be completed. This was actioned for the first quarter of 2016/17, and considered:

- a revenue comparison between the previous 2015/16 fees and that charged under the current 2016/17 schedule to analyse any significant variations
- discussions with relevant planning officers to determine any feedback provided from the industry
- discussions with the Development Information Officers (counters) to obtain feedback they have received from industry.

The feedback from this process has been largely positive, but there are a minor number of improvements to the existing fees and charges that this report seeks to implement. The proposed changes are:

- re-instating charging caps on current fees that result in setting maximum fees for relevant applications
- amending the vegetation clearing fee to avoid deterring applicants
- amending the priority development area (PDA) development inspections fee per lot
- amending the easement application fees to more accurately reflect associated workload.

These are all existing fees and charges and the operational amendments are recommended to maintain full cost recovery principles and to set fair and reasonable fees and charges that align with SEQ benchmarking.

These amendments are not expected to significantly impact the Development Services revenue forecast, which has been maintained at \$14.1 million.

OFFICER RECOMMENDATION

That Council:

- (a) receive the report titled “Amendment To Register Of Cost-Recovery Fees And Commercial Charges 2016/17”**
- (b) adopt the fees detailed in the Register of Cost-Recovery Fees and Commercial Charges for Development Services 2016/17 (Appendix A)**
- (c) resolve that, in relation to those cost-recovery fees to which Section 97 of the *Local Government Act 2009 (QLD)* apply:**
 - (i) the applicant is the person liable to pay these fees and**
 - (ii) the fee must be paid at or before the time the application is lodged and**
- (d) delegate to the Chief Executive Officer the power to amend commercial charges to which Section 262(3)(c) of the *Local Government Act 2009 (QLD)* apply.**

FINANCE AND RESOURCING

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

- potential revenue impacts of the *Sunshine Coast Planning Scheme 2014*, including:

- lower fees due to reduced levels of assessment, for example some applications moved from impact to code assessment with others moving from code assessment to self-assessable.
- confidence and growth in the local development market – impacted by the broader business environment and relevant policy. It is expected that development volumes will continue to be positive through 2016/17 with some adjustment for activity brought forward through the superseded planning scheme application process.
- development applications generally include a base fee plus a unit charge, therefore the size of an application is an important (and largely unknown) factor in forecasting revenue. The new charging methodology aims to smooth the financial impact over a use group while delivering a simpler basis for future calculation.
- implications of the planning reform and potential changes to the planning and plumbing legislation over the next 12 months.

Based on an analysis of these factors the 2016/17 Development Services revenue is forecast to be in the vicinity of \$14.1 million.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.1 - Customer focused services

Operational Activity: 4.1.3 - Continue to deliver Council's development assessment services in a manner that supports Council's economic, community and environmental goals and is consistent with statutory obligations

CONSULTATION

Internal Consultation

The Planning and Environment Department was consulted in order to develop the 2016/17 fees and charges:

- Manager, Major Urban Developments
- Coordinator Planning Assessment
- Coordinator Engineering and Environment Assessment.

Corporate Services was consulted in relation to the revenue forecast:

- Senior Management Accountant
- Management Accountant

External Consultation

- Benchmarking with other South East Queensland Councils.

Community Engagement

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

PROPOSAL

Operational Changes – fee amendments

This section highlights proposed amendments to the current fees and charges following investigation and analysis. These are all changes to existing fees and there are no new fees being proposed.

Large Applications – Maximum Charges on existing fees (cost recovery caps)

The cost plus increment charging methodology results in the fee increasing as the size of the application increases. This reflects the associated workload and cost-recovery, however, there is a point when the assessment costs plateau and no additional costs are incurred by council.

For this reason, a number of applications have caps applied at which point the fee remains the same irrelevant of increases in application size beyond this point. This essentially results in setting a maximum fee for an application. These caps only apply to very large applications, therefore the volume of applications impacted are low.

The following table recommends the inclusion of caps to existing fees to ensure that cost-recovery principles are consistently maintained for larger applications.

Table 1 – Existing Fees: add increment caps

Uses	Size	Maximum Fee
Adult store	3000m ²	\$ 30,000
Agricultural supplies store	3000m ²	\$ 18,500
Function facility	2000m ²	\$ 13,750
Garden centre	2000m ²	\$ 13,500
Hardware and trade supplies	3000m ²	\$ 18,500
High impact industry	6000m ²	\$ 35,250
Hotel	2000m ²	\$ 24,250
Indoor sport and recreation	3000m ²	\$ 32,900
Low impact industry	3000m ²	\$ 18,750
Marine industry	3000m ²	\$ 19,250
Medium impact industry	6000m ²	\$ 34,250
Office	3000m ²	\$ 33,500
Outdoor sales	2000m ²	\$ 12,750
Research and technology industry	3000m ²	\$ 20,250
Residential care facility	100 units	\$ 15,000
Rural industry	3000m ²	\$ 17,500
Service industry	3000m ²	\$ 18,750
Shop	3000m ²	\$ 33,750
Showroom	3000m ²	\$ 18,750
Special industry	3000m ²	\$ 18,750
Warehouse	3000m ²	\$ 18,750

Operational Works applications for Vegetation Clearing

The Sunshine Coast Planning Scheme 2014 requires all vegetation mapped in the Biodiversity, Waterway and Wetlands Overlay to be protected unless it is exempt from protection.

Council has previously performed the role of assessing and inspecting applications for tree removal free of charge. This has involved considerable labour costs with an average of 297 applications per year since 2012.

The following fee was introduced with the intent to recover the costs of the application process in line with benchmarking across South East Queensland.

Vegetation clearing (property area)

1001 – 5000m ²	\$400
Over 5001m ²	\$1,775

Since this fee was introduced on 1 July 2016 the number of applications have decreased significantly and compliance activity has increased as people choose to avoid the fee through unlawful clearing. The result is a shift in workload from the assessment unit to the compliance unit and an associated perception of greater “red tape”.

It is proposed to make an operational adjustment to this fee to avoid deterring people from lodging applications and avoid unlawful vegetation clearing. Maintaining a fee for service also enables the attachment of appropriate conditions.

It is recommended that the following fee be introduced and that a fee waiver be applied to all those applications made from 1 July 2016 up until the endorsement of this recommendation to avoid applicants who have already applied being disadvantaged.

Vegetation clearing (area to be cleared – measured to the outer drip line)

Less than 50m ²	\$75.00
Over 50m ²	\$150.00

Priority Development Area (PDA) Development Inspections and Review

In June 2014, council officers met with Economic Development Queensland to review the process of assets being handed over to council from developers in PDA's. A fee for \$209.25 per lot was introduced and has increased by Consumer Price Index (CPI) to its current fee of \$225 per lot.

The handover process has been implemented well with council consistently being invited to attend development inspections. This collaborative approach has resulted in the handover of quality assets in a timely manner and resulted in a more streamlined and cost effective process.

It is recommended that fee be amended to \$130 per lot to reflect current cost-recovery.

Easement Applications

The current 2016/17 Planning Assessment and Engineering Assessment fee schedule sets the application fee for an easement at \$3,745. This maintained the 2015/16 fee and applied an additional 1.7% budget price parameter reflective of CPI.

The workload associated with the assessment of an access easement has been reviewed and is similar to that required to complete a boundary re-alignment involving a minor adjustment. The latter currently has a fee of \$1,400, significantly less than an access easement.

Benchmarking of easement fees across a number of SEQ council's confirms that Sunshine Coast Council is currently charging significantly more than the SEQ average as highlighted in **Attachment 1**.

Based on this analysis it is recommended to amend the fee for easement applications from \$3,745 to \$1,400.

Legal

Local Government Act 2009 (QLD)

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

Local Government Regulation 2012.

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

Policy

Fees and charges are adopted by council each financial year and can be amended during the year subject to the authority outlined in the *Local Government Act 2009 (QLD)*.

Risk

Implication of the planning reform and potential changes to the *Sustainable Planning Act 2009*.

Previous Council Resolution

Council adopted the 2016/17 Register of Cost-Recovery Fees and Commercial Charges for Development Services at the Ordinary Meeting “*Previous recommendations*” held on 19 May 2016.

That Council:

- receive the report titled “Register of Cost-recovery Fees and Commercial Charges for Development Services 2016/17”*
- adopt the fees detailed in the Register of Cost-Recovery Fees and Commercial Charges for Development Services 2016/17 (Appendix A & B)*
- resolve that, in relation to those cost-recovery fees to which Section 97 of the Local Government Act 2009 apply:*
 - the applicant is the person liable to pay these fees; and*
 - the fee must be paid at or before the time the application is lodged; and*
- delegate to the Chief Executive Officer the power to amend commercial charges to which section 262(3)(c) of the Local Government Act 2009 apply.*

Related Documentation

Local Government Act 2009 (QLD)
Local Government Regulation 2012

Critical Dates

Council has an existing fee schedule that continues to operate subject to council's approval of the recommended amendments.

Implementation

Once adopted, the amended 2016/17 Register of Cost-Recovery Fees and Commercial Charges for Development Services will become operational for new applications and services from 9 December 2016. Vegetation clearing fees received from 1 July 2016 to 8 December 2016 are intended to be adjusted in line with the revised fee outlined in this report.

The amended fees and charges will be published on council's website on 9 December 2016.

8.6 ECONOMIC DEVELOPMENT AND MAJOR PROJECTS

Nil

8.7 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 PLANNING AND ENVIRONMENT****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED
AMENDMENTS TO THE SUNSHINE COAST PLANNING SCHEME 2014**

File No: Statutory Meetings
Author: Coordinator Planning Scheme and Projects
Planning and Environment 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.

**11.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MASTER DRAINAGE
STUDIES**

File No: Flooding & Stormwater
Author: Coordinator Flooding and Stormwater
Planning and Environment 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.

**11.1.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED
AMENDMENT TO THE SUNSHINE COAST PLANNING SCHEME 2014 -
OPTIONS FOR PROGRESSION**

File No: Council meetings
Author: Coordinator Planning Scheme and Projects
Planning and Environment 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.

**11.1.4 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL -
LITTLE MOUNTAIN**

File No: APL16/0022; MCU15/0291; LEG00853
Authors: Principal Planner Appeals Management
Planning and Environment Department
Solicitor
Office of the Mayor and Chief Executive Officer

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

11.2 CORPORATE SERVICES**11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ACQUISITION OF LAND
- 76 PRIMARY SCHOOL COURT MAROOCHYDORE LOT 173 ON RP
45928**

File No: F2015/14868
Author: Senior Property Officer
Corporate Services Department

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

11.3 COMMUNITY SERVICES**11.3.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST
FALCONS - SPONSORSHIP REQUEST**

File No: Council meetings
Author: Manager Community Facilities & Planning
Community 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. (The report provides information regarding financial management of a community sporting club and disclosure to the public would be to the detriment of those who have been involved with the club, mostly in volunteer capacity, during this time.)

**11.3.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - QUEENS BATON
RELAY 2018**

File No: 001
Author: Director
Community 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.

11.4 INFRASTRUCTURE SERVICES

Nil

11.5 ECONOMIC DEVELOPMENT AND MAJOR PROJECTS**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAJOR AND REGIONAL EVENTS PROPOSAL**

File No: Council Meeting
Author: Senior Major Events Liaison Officer
Economic Development and Major Projects 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.

11.5.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST AIRPORT - LEASE SITES

File No: Council Meetings
Author: Supervisor Commercial Property
Economic Development and Major Projects 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.

11.5.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PUBLIC LIGHTING PROJECT

File No: F2015/19663
Author: Coordinator Commercial Analysis
Economic Development and Major Projects 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.

11.5.4 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - BRISBANE ROAD CAR PARK

File No: Council Statutory Meeting 8 December 2016
Author: Director
Economic Development and Major Projects Department

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

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 25 January 2017 in the Council Chambers, 1 Omrah Avenue, Caloundra.

13 MEETING CLOSURE