

Agenda

Ordinary Meeting

Thursday, 12 October 2017

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 Ordinary Meeting held on 12 October 2017 and the Special Meeting (Sunshine Coast Regional Council – Organisation Structure) held on 19 September 2017 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 FOR PRELIMINARY APPROVAL FOR BUILDING WORKS (EXTENSION TO DUAL OCCUPANCY EXCEEDING MAXIMUM BUILDING HEIGHT) AT 6 POINT CARTWRIGHT DRIVE, BUDDINA**

File No: PBA17/0007

Author/Presenter: Manager Development Services
Planning and Environment Department

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SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	DC Bignell
Proposal	Preliminary Approval for Building Works Assessable against the Planning Scheme (Extensions to Dual Occupancy Exceeding Maximum Building Height)
Properly Made Date:	13/02/2017
Information Request Date:	13/03/2017
Information Response Received Date:	20/03/2017
Decision Due Date	23/06/2017
Number of Submissions	3 (All in favour of the proposal)
PROPERTY DETAILS	
Division:	4 – Councillor J Connolly
Property Address:	6 Point Cartwright Drive BUDDINA QLD 4575
RP Description:	Lot 1 & Lot 2 BUP 679
Land Area:	506m ²
Existing Use of Land:	Duplex
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (15 August 2016)
SEQRP Designation:	Urban Footprint

Planning Area / Locality:	Kawana Waters Local Plan Area
Planning Precinct / Zone:	Low Density Residential Zone
Assessment Type:	Impact Assessment
Planning Scheme:	Sunshine Coast Planning Scheme (15 August 2016)

PURPOSE

The purpose of this report is to seek council's determination of an application for Preliminary Approval for Building Works Assessable against the Planning Scheme (Extensions to Dual Occupancy Exceeding Maximum Building Height) at 6 Point Cartwright Drive, Buddina.

EXECUTIVE SUMMARY

The application seeks Preliminary Approval for Building Works, to undertake extensions to an existing (2-storey) duplex that would result in a total built form exceeding the nominated 8.5m height limit of the Sunshine Coast Planning Scheme 2014. It would include both extensions and internal modifications, resulting in a total height of 9.61m.

Typically, extensions to existing duplexes only require Building Works approval from a private certifier. However, in this case, the proposed works result in a duplex that would exceed the maximum height specified in the Height of buildings and structures overlay code. Therefore, impact assessment against the Planning Scheme is triggered. The application was publicly notified for a period of 15 business days and 3 properly made submissions were received during this time, all in support for the proposal.

The non-compliance with the 8.5m maximum height limit results in a conflict with the Strategic Framework, as well as the Height of buildings and structures overlay code. These are significant conflicts which cannot be dismissed lightly. However, they can be overcome if there are sufficient grounds to approve the development despite the conflict and in this instance it is considered that:

- the 1.1m additional height of the building will not block views or have unacceptable overshadowing or privacy impacts
- the development would be consistent with the building character, scale and appearance in the context of the surrounding area, including the two adjoining neighbours with frontage to Point Cartwright Drive and
- the recent proposed Planning Scheme amendment requiring development to demonstrate an overriding community benefit where seeking to exceed the specified height limits is yet to take effect.

Accordingly, the application is recommended for approval despite its conflict with the Planning Scheme.

OFFICER RECOMMENDATION

That Council:

- (a) **approve with Conditions Application No. PBA17/0007 and grant a Preliminary Approval for Building Works assessable against the Planning Scheme (Extensions to Dual Occupancy Exceeding Maximum Building Height) situated at 6 Point Cartwright Drive, Buddina QLD 4575, in accordance with Appendix A and**
- (b) **find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:**
 - (i) **the additional building height has a negligible impact on the neighbouring properties**

- (ii) the additional building height has no adverse impact on the street character in this section of Point Cartwright Drive, given the type and scale of structures that are already established and
- (iii) the additional building height will not create an undesirable precedent because of the circumstances of the site and surrounding buildings and the status of the recently proposed Planning Scheme amendment to strengthen building height controls which is yet to take effect.

FINANCE AND RESOURCING

If council were to approve this development, no further infrastructure charges would be payable for trunk infrastructure.

CORPORATE PLAN

Corporate Plan Goal:	<i>Service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Service:	S22 - Development services - planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals

CONSULTATION

Internal Consultation

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

- Development Engineer, Engineering and Environment Assessment Unit; and
- Urban Designer, Planning Assessment Unit.

External Consultation

The application was not referred to any Integrated Development Assessment System (IDAS) referral agencies.

Public Notification

The application was publicly notified for 15 business days in accordance with the requirements of the *Sustainable Planning Act 2009*. Three (3) properly made submissions were received in support for the proposal.

PROPOSAL

The application requests a Preliminary Approval for Building Works Assessable against the Planning Scheme (Extensions to Dual Occupancy Exceeding Maximum Building Height) at 6 Point Cartwright Drive, Buddina. The application seeks to increase the height of an existing 2 storey duplex to 3 storeys and 9.61m above natural ground. The proposed works also include changes to the exterior of the building including a skillion roof, rendered brick work, new cladding and glass balustrades.

The proposal is depicted in the Proposed Approved Plans in Attachment 4, with the 8.5m height limit of the planning scheme also shown.

ASSESSMENT

The Height of buildings and structures overlay code does not have any nominated acceptable outcomes. The related performance outcome broadly identifies that the height of a building or structure does not exceed the maximum height identified on the associated mapping (8.5 metres). In this instance, the building exceeds the 8.5 metres identified in the mapping.

Given this inconsistency, an assessment is required against the performance and overall outcomes of the Code. This identifies that:

- (1) *The purpose of the Height of buildings and structures overlay code is to protect the distinctive character and amenity of the Sunshine Coast as a place with a predominantly low to medium-rise built form.*
- (2) *The purpose of the Height of buildings and structures overlay code will be achieved through the following overall outcomes:-*
 - (a) *development contributes to the retention of the preferred built form character for the Sunshine Coast, and the local plan area in which it occurs;*
 - (b) *the height of buildings and structures is consistent with the reasonable expectations of the local community; and*
 - (c) *development does not result in a significant loss of amenity for surrounding development, having regard to:-*
 - (i) *the extent and duration of any overshadowing;*
 - (ii) *privacy and overlooking impacts;*
 - (iii) *impacts upon views;*
 - (iv) *building character and appearance; and*
 - (v) *building massing and scale relative to its surroundings.*

The above statements are supported by the Strategic Framework, which identifies the character and community identity attributes preferred across the Sunshine Coast. Specifically, Element 2 provides that the *height of buildings and other structures recognises the distinctive character and amenity of the Sunshine Coast as a place with a predominantly low-medium rise built form which is intentionally distinct from other places in metropolitan South East Queensland.*

The performance outcomes of the Dual occupancy code add that buildings are to be consistent with the preferred character of a local area and does not adversely impact on the amenity of neighbouring premises.

In consideration of the above matters, the following broad outcomes are applicable:

- Development contributes to the retention of preferred built form for the Sunshine Coast and local plan area;
- Seeking predominantly low-medium rise development;
- Development does not adversely impact on the amenity of the surrounding development considering
 - Overshadowing
 - Privacy
 - Protection of view lines
 - Building character and appearance in the context of the neighbouring area
 - Building massing and scale in the context of the neighbouring area

In relation to the above, the applicant has submitted an Existing Built Form – Building Height diagram in Attachment 5 which demonstrates the existing built form nature of the immediate area in terms of building height (storeys). It identifies that there are five buildings within 90m of the subject site which have a 3 storey built form, two of which adjoin the subject site. Each of these five structures are of a height greater than 8.5m, but were approved under previous planning schemes.

The development proposes a height that is not consistent with the Height of buildings and structures overlay code. However, when considered in the context of the local area, it can be viewed as an appropriate form of low-medium rise development within the Buddina local area. The development would also be consistent with the existing streetscape character of Point Cartwright Drive, given the number of established buildings which are already above the prescribed 8.5m height limit of the planning scheme.

The applicant has provided Overshadowing Diagrams in Attachment 6 demonstrating that the potential impact of the proposed 9.61m high building in comparison to a compliant 8.5 metre high building.

The main overshadowing impact is identified as being those days in June before 9am and after 3pm. Given the existing dwelling on the subject site is 2 storeys high, there is already some overshadowing impact to the neighbouring properties to the east and west at these times. The adjoining single house to the north is not considered to be impacted. The overshadowing diagrams provided by the applicant demonstrate that any further impact created by the additional building height would be minimal. The neighbouring buildings would still have access to an acceptable amount of sunlight during the middle part of the day during the winter period. Thus, it is considered that overshadowing impacts to the adjoining properties is not so significant that it would compromise the related performance outcomes.

Privacy and amenity impacts to adjoining premises are no worse than the current situation and can be addressed through relevant conditions.

It is important to note that as part of the Round 2 Planning Scheme Amendment Program, Council proposed an amendment to strengthen the building height provisions requiring overriding community benefit to be demonstrated where exceeding any specified height limit. Although this amendment has been publicly notified, it is yet to take effect and it is considered that supporting this proposed building height increase will not compromise the proposed Planning Scheme amendment due to the small scale of the development and the relatively minor 1.1m encroachment over the building height.

The assessment of the application has determined that the proposal will comply with all the relevant assessment benchmarks and can be conditioned to comply.

Related Documentation

A copy of the Officer's full assessment report can be provided upon request.

CONCLUSION

The proposed development conflicts with the maximum height limits prescribed within the Sunshine Coast Planning Scheme. However, in this instance, there would be no significant impacts created by the proposed development in terms of overshadowing or privacy. In addition, the development would be consistent with the building character, scale and appearance in the context of the neighbouring area, including the two adjoining neighbours with frontage to Point Cartwright Drive.

8.1.2 SUNSHINE COAST COUNCIL - PARKING MANAGEMENT

File No:	Council meetings
Author:	Coordinator Transport Strategy and Policy Planning and Environment Department
Appendices:	App A - Sunshine Coast Council Parking Management Plan 5/106 App B - Local Area Parking Plans.....53/106

PURPOSE

The purpose of the report is to seek adoption of the final draft Sunshine Coast Council Parking Management Plan (Parking Management Plan) (Appendix A) and the associated 37 Local Area Parking Plans (Appendix B).

EXECUTIVE SUMMARY

The Sunshine Coast is experiencing significant growth and in line with the recently released South East Queensland Regional Plan, is set to have around 500,000 residents by 2041. This will bring with it many challenges to our transport network and associated systems such as parking supply and management.

Council is preparing to address current and future parking needs of the Sunshine Coast Council region in a sustainable and proactive manner. The *Sunshine Coast Sustainable Transport Strategy 2011-2031* sets the broad policy directions when developing a Parking Management Plan. The final draft documents recognise the challenges of growth and this report progresses the documents to adoption.

Developing the final draft documents has involved hosting a total of nine workshops with Council, associated briefings and meetings held with councillors to discuss the current parking situation and requirements to accommodate future needs. This demonstrated the complexity of the issue and resulted in the development of the Draft Parking Management Plan and 37 Draft Local Area Parking Plans which were endorsed (OM17/47) for the purpose of public consultation.

A comprehensive consultation process occurred from 27 March to 5 May 2017 which provided nearly 750 submissions to assist in further discussions which have been incorporated and final draft documentation prepared for Council's consideration.

Projected population growth (42% by 2026), increasing car ownership and the continuing popularity of the Sunshine Coast as a tourist destination require a proactive approach on various matters to enable the planning, provision, management and operation of parking, taking into account the roles of both public and private parking. Consultation feedback has confirmed that a necessary parallel activity to parking management is the need for significant improvement to public transport, with the delivery of Light Rail providing the greatest benefit.

This report seeks adoption of the Parking Management Plan (Appendix A) which outlines the challenges, desired outcomes, principles, policies, management options, and consequent actions which:

- aim to maintain our lifestyle advantages and the distinctive character of the communities that make up the region;
- will facilitate the proactive management of parking and recognise the existing and future demand of residents, business and tourism; and
- aim to provide fair and equitable access to parking for all, without creating a costly oversupply.

The Local Area Parking Plans (Appendix B) then demonstrate the application of the Parking Management Plan, taking into account the local context and issues, and outlining the proposed outcomes and actions for the short to medium term.

A range of actions are identified in the documents, some of which will require early attention, including:

- Incorporating parking technology to provide improved user experience, e.g. tender for replacement of existing meters in Caloundra before the end of February 2018.
- Investigating for consideration by Council of a Residents' Benefit Scheme recognising the contributions of both visitors and locals towards the provision and management of paid parking. A draft will be available for Council consideration by end of March 2018.
- Developing a Parking Investment Fund policy which addresses both revenue and expenditure guidelines taking into account levels of charge, locality variations, targets of investment and financial responsibilities.
- With the adoption of the Parking Management Plan and associated Local Area Parking Plans, reviews of Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking) 2011 will be necessary.

The parking challenge in any area on the Coast is to balance the mix and quantity of available parking to suit how a locality best operates, is ready for future growth, and is aware of the effects of ongoing changes. The mix of parking must address individual needs as well as the best overall community outcome. It is believed that the final draft documents provide Council with a strong position to move forward with the community in the delivery of proactive parking management for the region.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sunshine Coast Council - Parking Management"**
- (b) adopt the Sunshine Coast Council Parking Management Plan (Appendix A)**
- (c) adopt the 37 Local Area Parking Plans (Appendix B)**
- (d) authorise the Chief Executive Officer to progress actions from the Parking Management Plan and Local Area Parking Plans**
- (e) undertake a review and actioning of changes to Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking) 2011 occur to capture relevant matters relating to the adoption of the Parking Management Plan and associated Local Area Parking Plans and**
- (f) refer for consideration a budget allocation of \$50,000 at Budget Review 2 with further budget requests of \$100,000 in 2018/19 and 2019/20 for a dedicated communication project officer.**

FINANCE AND RESOURCING

The adoption of the Parking Management Plan and Local Area Parking Plans will create the need to subsequently allocate funding to progress the actions listed to meet any identified milestones and timeframes. Funding matters will be considered during 2017/18 budget review discussions and future years' budget formulations.

The 2017/18 budget has made allocations for day to day parking management and operation based on usual duties. \$120,000 has been allocated to complete the adoption of the Parking Management Plan and continue parking surveys, required to inform ongoing parking management and planning.

To ensure progression of the early actions, the preparation, tracking and reporting of an implementation plan, as well as being a point of ongoing liaison with the community, a request totalling \$250,000 is made to fund a dedicated communication project officer for a period of two and a half years. (\$50,000 in 2017/18, \$100,000 in 2018/19 and \$100,000 in 2019/20).

CORPORATE PLAN

Corporate Plan Goal: *A strong community*
Outcome: 2.4 - People and places are connected
Operational Activity: 2.4.7 - Monitor and report on the implementation of the Sunshine Coast Parking Management Plan.

CONSULTATION

Portfolio Councillor Consultation

Ongoing consultation has occurred with all councillors via workshops, one on one meetings and other discussions during the compilation and refinement of documentation. Nine workshops have occurred with Council and a number of one-on-one meetings offered and accepted by councillors to stay briefed and enable discussion on associated matters. Officers have undertaken extensive consultation with the Transport Portfolio Councillor in relation to the development of the documentation across the whole process.

Internal Consultation

The Executive Leadership Team as well as Managers, Co-ordinators and other officers with roles and responsibilities related to parking activities have had input to documentation formulation and been involved through workshops, meetings, correspondence and personal engagement and discussions.

Internal involvement in relation to workshops with Council and contributions to documents and review of documents occurred with the following officers and some of their staff:

- Executive Leadership Team
- Manager, Transport and Infrastructure Management
- Manager, Community Response
- Manager, Transport and Infrastructure Policy
- Manager, Financial Services
- Manager, Development Services
- Manager, Strategic Planning
- Coordinator, Traffic and Transport
- Coordinator, Community Land Permits & Parking
- Coordinator, Response Services
- Coordinator, Transport Strategy and Policy.

External Consultation

Extensive external consultation was an essential part of the creation of a Parking Management Plan and associated Local Area Parking Plans.

50 groups and organisations across the coast were directly notified by email and mail out of the major consultation opportunity and how they could provide feedback.

Community Engagement

A major community consultation exercise occurred from 27 March to 5 May 2017 involving engagement and raising awareness through:

- a dedicated project website

- traditional and social media
- councillor columns
- 37 manned display sessions across the region
- static displays at all libraries and customer service centres
- windscreen pamphlet drops to core areas of Maroochydore, Mooloolaba and Caloundra.

The project website provided all available information and included a feedback form to receive comment. Submissions were also possible direct to a project email address and regular correspondence methods.

Almost 750 submissions were received.

The feedback topics included parking supply, paid parking, time restricted parking, travel choice (and particularly the role of public transport), development parking, use of technology, narrow streets and permit parking. This has been incorporated in amendments during finalisation of the document.

PROPOSAL

The Sunshine Coast is experiencing significant growth and in line with the recently released South East Queensland Regional Plan, is set to have around 500,000 residents by 2041. This will bring with it many challenges to our transport network and associated systems such as parking supply and management.

This report seeks to have Council:

- adopt the Parking Management Plan (Appendix A)
- adopt the 37 Local Area Parking Plans (Appendix B)
- direct the Chief Executive Officer to progress actions in the Parking Management Plan and Local Area Parking Plans.

The process of looking at parking needs for the Sunshine Coast has been underway for some time and consideration has been given to emerging issues that will likely influence community needs going forward into the future.

Projected population growth (42% by 2026), increasing car ownership and the continuing popularity of the Sunshine Coast as a tourist destination will mean the daily number of trips to, from and around the coast will increase by a further 60% by 2031.

Even with increased use of public transport, walking and cycling, car-based travel will continue to grow. With the majority of trips on the Sunshine Coast expected to be by private car, the provision and management of parking will continue to play an important role to keep the Coast moving and to sustain local economic and business activity while maintaining the region's enviable lifestyle.

Consultation feedback has confirmed that a necessary parallel activity to parking management is the need for significant improvement to public transport, with the delivery of Light Rail providing the greatest benefit.

This report recommends the adoption of the Parking Management Plan and 37 Local Area Parking Plans. Together they:

- aim to maintain our lifestyle advantages and the distinctive character of the communities that make up the region;
- will facilitate the proactive management of parking and recognise the existing and future demand of residents, business and tourism; and
- aim to provide fair and equitable access to parking for all, without creating a costly oversupply.

The Parking Management Plan (Appendix A) outlines the challenges, objectives, principles and the proposed policies to be applied regionally.

The Local Area Parking Plans (Appendix B) demonstrate the application of the draft Parking Management Plan, but take into account the local context and issues, then outline the proposed outcomes and actions for the short to medium term.

A comprehensive consultation process occurred from 27 March to 5 May 2017 which provided nearly 750 submissions to assist in further discussions which have been incorporated and final draft documentation prepared for Council consideration.

A range of actions are identified in the documents, some of which will require early attention, including:

- Incorporating parking technology to provide improved user experience, e.g. tender for replacement of existing meters in Caloundra before the end of February 2018.
- Investigating for consideration by Council of a Residents' Benefit Scheme recognising the contributions of both visitors and locals towards the provision and management of paid parking. A draft will be available for Council consideration by end of March 2018.
- Developing a Parking Investment Fund policy which addresses both revenue and expenditure guidelines taking into account levels of charge, locality variations, targets of investment and financial responsibilities.
- With the adoption of the Parking Management Plan and associated Local Area Parking Plans, reviews of Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking) 2011 will be necessary.

In developing a parking investment fund policy, consideration will also be given to the application of a reduced charge period.

The challenge in any area on the Coast is to balance the mix and quantity of available parking to suit how a locality best operates, be ready for future growth, and be aware of the effects of ongoing changes.

A number of other significant actions will also be triggered including:

- Engaging the community through education and communication of the approach and changes to parking going forward
- Organisational adjustment to include a Unit with a focus on managing parking and delivering the listed actions
- Development of supporting policies, strategies
- Preparation of detailed action plans on a range of elements to seek budget funding
- Consequent adjustment of other related documentation and information which may, over time, include:
 - Internal guidelines and processes;
 - Council website;
 - Information pamphlets and Fact Sheets;
 - *Sunshine Coast Planning Scheme 2014*; and
 - *Local Laws*.

With adoption of the Parking Management Plan there will need to be a review of Local Law No. 5 (Parking) 2011 and Subordinate Local Law No.5 (Parking) 2011 to capture relevant matters contained within the Parking Management Plan and Local Area Parking Plans. Changes to Local Laws need to follow a statutory process incorporating a number of steps and minimum periods for consultation activities. This will be programmed as an early activity.

There are significant benefits from the adoption of the Parking Management Plan and associated Local Area Parking Plans. These include:

- Common community understanding of the approach to parking across the region
- Clarity of likely parking evolution in a range of locations across the Sunshine Coast
- Improved and simplified interactions between Council, community and industry relating to parking.

Going forward there will be opportunities for Council to evaluate and consider including:

- The role, value and acceptance of different technologies
- Engagement with local communities
- Monitoring of parking to establish trends
- Review of development parking rates.

Council is gaining significant learnings in relation to the pilot parking technology system in Birtinya as well as discussions with the parking industry. The adoption of the Parking Management Plan and associated Local Area Parking Plans will be tenders early in 2018 for the replacement of the ageing parking meters in Caloundra with new smart meters which will allow payment by coin or credit card, be able to be programmed e.g. for the current Christmas amnesty. This could also deliver other benefits to registered residents and replace the current permit system in place.

Technology will play a significant role going forward in terms of user experience, delivery of targeted benefits, information collection and distribution and assist with enforcement where necessary.

Legal

There are no apparent legal issues related to this report. Consequent actions and future decisions following this report may require legal considerations including alterations to *Local Laws* which would consider the associated statutory timelines and processes.

Policy

The development of the Parking Management Plan is identified in the *Sunshine Coast Council Annual Operational Plan 2016-2017* and *2017-2018*, as well as a required document supporting the *Sunshine Coast Sustainable Transport Strategy 2011-2031*.

Risk

There are risks relating to this report with the greatest risk revolving around any delay of decision. The community is aware of Council's consideration and are expecting a culmination of the process.

No adoption of the document may:

- Leave the community in doubt as to proposed actions for an area
- Impact pending parking management actions
- Prevent taking any opportunities which may arise
- Delay incorporating any relevant amendments to other documents or activities

The pilot parking system installed in Birtinya has provided a valuable learning experience to reduce future risks as technology is applied. It has highlighted the risks and issues that exist in the merging of technologies in an overall system architecture. This includes sharing information in real time and with existing core Council systems.

Previous Council Resolution**Council Resolution 23 March 2017 (OM17/47)**

That Council

- (a) *delegates authority to the Chief Executive Officer to progress actions as per confidential discussions to take draft parking documentation to public consultation and*
- (b) *delegate authority to the Chief Executive Officer to make minor changes to documentation for the purposes of public exhibition.*

Related Documentation

The following documents are relevant:

Council

- *Sunshine Coast Council Corporate Plan 2017-2021 and associated Sunshine Coast Council Annual Operational Plan 2016-2017 and 2017-2018*
- *Sunshine Coast Sustainable Transport Strategy 2011-2031*

Statutory

- *Sunshine Coast Planning Scheme 2014*
- *Local Law No 5 (Parking) 2011*
- *Subordinate Local Law No 5 (Parking) 2011*

Legislation

- *Transport Operations (Road Use Management) Act 1995 (TORUMA)*
- *Transport Operations (Road Use Management- Road Rules) Regulation 2009*
- *Local Government Act 2009*
- *Penalties and Sentences Act 1992*

Standards and Guidelines

- *Austroads Guide To Traffic Management No 11 – Parking*
- *Manual of Uniform Traffic Control Devices (MUTCD)*
- *Australian Standards AS2890 – Parking Facilities.*

Critical Dates

There are no specific dates critical to this report except the need to begin the processes and actions identified in the Parking Management Plan (Appendix A) and Local Area Parking Plans (Appendix B).

Implementation

With the adoption of the Parking Management Plan (Appendix A) and the Local Area Management Plans (Appendix B) it is recommended that Council authorise the Chief Executive Officer to progress the implementation of actions identified, particularly those identified for early attention, including the formation of a Parking Unit.

An early task will be the compilation of an overall identification of time critical actions across the Coast to enable determination of appropriate human and financial resources that will need to be applied.

A budget request will be included in the Budget Review 2 process for funding of a dedicated communication project officer as well as any funding for any other elements of early work.

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8.1.3 ADDITIONAL INTERIM PARKING ARRANGEMENTS

File No: Council meetings
Author: Manager Transport and Infrastructure Policy
Planning and Environment Department
Attachments: Att 1 - Interim Parking Arrangements OM101116Conf 5/15
Att 2 - Confidential Note to File - Interim Parking Arrangements
OM101116Conf 15/15

PURPOSE

The purpose of this report is to seek Council's approval to provide an additional car parking initiative to support those previously approved in November 2016, addressing unavailability of parking during the Brisbane Road Car Park project construction.

EXECUTIVE SUMMARY

Development of the Brisbane Road Car Park site will see around 200 car parks lost to the business community for a period of around 10 months minimum, during construction. Council has already considered and approved interim parking arrangements to address this issue but there remains concerns in the business community that additional interim parking is required.

The Council owned land at the north-western corner of Brisbane Road and Walan Street provides an opportunity to deliver additional interim parking to central Mooloolaba. This land was acquired as part of the Mooloolaba Transport Plan and currently has a building with three strata titles over it, with only one currently under lease, scheduled to expire at the end of September 2017. Due to the impending Brisbane Road transport upgrades, it is proving difficult to attract tenants and Commercial Branch is in favour of ceasing renewal efforts. The property currently provides 11 car parks for the site's business needs and the concept design shows the potential to provide a total of 27 spaces on a cleared site.

It is proposed to demolish the existing building and provide interim car parking in a timely manner to address demand for alternative parking when the Brisbane Road Car Park development construction commences. It is worth noting that the vacating of tenants and building demolition works are required activities relating to the future transport upgrades, and bringing forward these works is opportune for Property Management, interim car parking provision and future transport upgrades.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Additional Interim Parking Arrangements" and**
- (b) delegate authority to the Chief Executive Officer to progress actions identified.**

FINANCE AND RESOURCING

No direct financial allocation is required by the report, but rather an endorsement for consideration of budget allocation at future budget reviews.

The action identified will require funding consideration for this current year's budget for implementation as soon as possible. Preliminary cost estimates are \$200,000 including

demolition of the existing building, (including an allowance for asbestos), car park construction, design and contingencies.

As the demolition of the building is ultimately required as part of the road upgrade, this component of the proposed costs would qualify as LGIP funded, drawing 65% funding from Infrastructure Charges.

CORPORATE PLAN

Corporate Plan Goal: *A smart economy*
Outcome: 1.2 - New capital investment in the region
Operational Activity: 1.2.3 - Finalise the procurement arrangements to progress the development of region making projects including the Brisbane Road Car Park development and the Sunshine Coast Airport Expansion Project.

CONSULTATION

Portfolio Councillor Consultation

Consultation has occurred with the Transport Portfolio Councillor. The divisional Councillor has also been consulted and is fully supportive.

Internal Consultation

Consultation has occurred with the following:

- Transport Infrastructure Management Branch
- Commercial Branch
- Finance Branch

External Consultation

No external consultation has occurred in relation to this report.

Community Engagement

No community engagement has occurred in relation to this report.

PROPOSAL

Background

The Brisbane Road Car Park is currently the subject of a development proposal commissioned by Council. The construction program will see the loss of the existing car park and this prospect has been previously addressed by way of a Report to Council in November 2016, "Interim Parking Arrangements", refer Attachment 1 – Confidential Interim Parking Arrangements OM101116. The outcome of this report was to:-

- i. maximise the use of Council owned/controlled land to deliver interim parking, (approx. 150 bays)
- ii. construct a park and ride facility at Incana Court to service Brisbane Road Car Park development construction workers, (approx. 125 bays)
- iii. approach Mooloolaba State Primary School for peak parking demand opportunities (limited to intermittent provision of interim parking relief), and
- iv. investigate possibilities at the Wharf car parks.

Following the Council meeting in November 2016, additional possibilities as well as those listed in the report were identified for action. Efforts to date have provided the following:

- (a) Work is well advanced on constructing a new 124 bay temporary car park on the esplanade, on the site of the former caravan park.
- (b) In conjunction with the owners of the Wharf complex, remarking some of the bays at the southern end of the complex car park and introducing some 3P bays will be carried out. The additional number of bays identified is 12-20. Final numbers will result from discussions with Suncoast Cabs and others.
- (c) After receiving approval from TMR to use vacant state-controlled road reserve off Incana Court, a financial allocation to allow for the design of a 108 bay car park has been secured. It will also provide for eight motorcycle bays. Council has not yet allocated funds to construct the car park in 2017/2018. When funding is available, construction will commence shortly thereafter.
- (d) There is potential for the upgrade of the Foreshore and Mooloolaba Esplanade to provide around 25 bays of varying duration (with 2P maximum), including four bays for disabled motorists.
- (e) The ability to tap into underutilised public car parking at a number of Mooloolaba Esplanade developments, including possibilities at the Mantra and Coles' car park has commenced.

There remains concern that the parking loss in central Mooloolaba will not be fully satisfied with the proposals to date, and that additional parking would be welcomed by the businesses affected by both the loss of parking and the disruption caused by the significant building activity.

26 Brisbane Road, Mooloolaba

As part of the proposed Mooloolaba Transport Plan, Council has acquired the property at 26 Brisbane Road. This property is the subject of this report as it has the potential to provide an additional 27 car spaces at an 'attractive' location in terms of proximity to the Brisbane Road Car Park and affected businesses. It will require the demolition of the existing building and construction of around 16 car spaces to complement the existing 11 spaces. The property is made up of three strata titles. Since acquisition, these strata titles have been managed under varying leasing arrangements over the years. As the Brisbane Road upgrade program draws closer, leasing has become problematic and is now at a point where, at time of writing, only one site is under lease, and that is due to end by the end of September 2017.

It is considered likely that the site will be under-tenanted as transport upgrades draw closer, so the potential for leasing revenue is limited. A fully tenanted property would attract approximately \$77,000 per year, but is now unlikely to attract \$20,000 per year. Commercial Branch supports the demolition of the building under the current proposal.

Legal

There are no direct legal issues identified as part of this report.

Policy

There is no currently identifiable policy preventing the actions proposed in this report.

Risk

There are no known risks associated with the actions proposed in this report.

Previous Council Resolution

The previous Council resolution associated with the report referred to Attachment 1 – Confidential Interim Parking Arrangements OM101116 is provided as Attachment 2 – Confidential Note to File – Interim Parking Arrangements OM101116.

Ordinary Meeting 10 November 2016 OM16/213

That Council delegate authority to the Chief Executive Officer to progress actions identified as per confidential discussions in relation to Interim Parking Arrangements.

Related Documentation

No specific documentation is relevant to this report.

Critical Dates

The critical date relates to the closure of the Brisbane Road Car Park and the need to provide alternative car parking prior to construction commencing. It is anticipated that this will occur in February 2018.

Implementation

It is recommended that Council authorises the provision of an interim car park at 26 Brisbane Road, requiring the following actions:

- (a) formalise the winding up of commercial leases over the three state titled properties
- (b) design the interim car park, including parking, circulation, ingress and egress
- (c) demolish the building and
- (d) construct the interim car park, noting the “short term only” requirement.

8.1.4 SUNSHINE COAST PLANNING SCHEME 2014 - REVIEW OF TELECOMMUNICATIONS FACILITY CODE

File No:	Council meetings
Author:	Senior Strategic Planner Planning and Environment Department
Attachments:	Att 1 - Telecommunications facility code59 Att 2 - Comparison of setback requirements specified in other planning schemes61

PURPOSE

The purpose of this report is to:-

- address Council Resolution OM16/94 relating to the Telecommunications facility code in the *Sunshine Coast Planning Scheme 2014*; and
- recommend refinements to that code to address matters identified as part of an internal review undertaken in response to Council Resolution OM16/94.

EXECUTIVE SUMMARY

Council resolution OM16/94 requires a report to be tabled at a future Council meeting regarding the appropriateness of setback distances specified as acceptable outcomes in the Telecommunications facility code of the *Sunshine Coast Planning Scheme 2014*.

A review of the Telecommunications facility code undertaken in response to OM16/94 has confirmed that the code is seeking to minimise amenity impacts upon nearby sensitive uses, protect the integrity of natural and rural landscapes, and ensure the community is not exposed to potential health and safety risks. These are considered to be reasonable and appropriate objectives consistent with good planning practice.

The review has determined that there is a clear line of sight within the code when elevating assessment to the performance outcomes and overall outcomes in circumstances where non-compliance is identified with an acceptable outcome of the code.

When reviewing the corresponding performance outcome and overall outcomes associated with specified setback requirements, it is clear that these provisions are seeking to ensure an appropriate level of amenity is maintained and are not associated with seeking to manage health and safety risks related to electromagnetic energy (EME).

A review of other contemporary local government planning schemes has identified that a range of setback distances to telecommunications facilities are specified in these planning schemes and that the provisions within the *Sunshine Coast Planning Scheme 2014* are not inconsistent with current practice. It is also evident that in these other planning schemes these provisions are focused on amenity impacts and not EME.

Council has recently settled three appeals with NBN Co on the basis that the applicant was able to demonstrate that:-

- there was no other suitable alternative location for a tower which could achieve the setback distances specified as an acceptable outcome in the Telecommunications facility code; and
- the potential for adverse amenity impacts had been minimised as far as practicable such that the development would comply with the corresponding performance outcome of the

Telecommunications facility code even if the setback distance specified in the acceptable outcome was not achieved.

Having regard to the above, it is not considered necessary to amend the setback distances themselves as specified in the Telecommunications facility code. However, there is considered to be a case for some refinement to the code to more clearly state the purpose and intent of these setback distances in respect to local amenity. The recommendation of the report is drafted accordingly.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Planning Scheme 2014 – Review of Telecommunications facility code” and**
- (b) request that as part of the next available round of planning scheme amendments, the purpose and intent of setback distances operating as acceptable outcomes within the Telecommunications facility code be clarified.**

FINANCE AND RESOURCING

Any proposed planning scheme amendment could be included in the next available round of amendments, which is currently funded in the Strategic Planning Branch 2017/2018 budget.

CORPORATE PLAN

Corporate Plan Goal: *A smart economy*
Outcome: 1.1 - Strong economic leadership, collaboration and identity
Operational Activity: 1.1.3 - Continue to administer the Sunshine Coast Planning Scheme including progression of council nominated investigations and priority amendments and responding to changes arising from the commencement of a new Planning Act and South East Queensland Regional Plan.

CONSULTATION

Portfolio Councillor Consultation

The portfolio Councillor has been briefed on the subject matter of this report.

Internal Consultation

Strategic Planning Officers met with Cr Rogerson, Cr McKay and Cr Baberowski to discuss the report noting that NBN Co is seeking to establish telecommunication facilities which do not meet the criteria of the low impact determination within their divisions.

Strategic Planning Officers have also consulted with Development Services officers to seek feedback on the implementation of provisions contained within the current version of the Telecommunications facility code.

External Consultation

External consultation has occurred with a range of other Queensland local governments in terms of planning scheme requirements applicable to Telecommunication facilities.

Community Engagement

There has been no community engagement undertaken in the preparation of this report.

If Council decides that an amendment to the *Sunshine Coast Planning Scheme 2014* is required, any proposed amendment would likely need to follow the major amendment process, which requires formal community consultation after a State interest review.

PROPOSAL

This report has been prepared in response to Council resolution OM16/94. This resolution requires a report to be brought to a Council meeting for consideration of possible amendments to the *Sunshine Coast Planning Scheme 2014*, in relation to the setback distances specified as acceptable outcomes in the Telecommunications facility code. A copy of the Telecommunications facility code is provided in **Attachment 1**.

On review of the Telecommunications facility code it is evident that the code is seeking to achieve three (3) main objectives:-

- (a) minimise amenity impact on nearby uses through maximising separation distances;
- (b) protect the landscape setting and ensure any facility is as unobtrusive as possible; and
- (c) avoid exposing the community to health and safety risks.

These objectives are reflected in the purpose and overall outcomes of the Telecommunications facility code (underlined text), as follows:-

Purpose and overall outcomes

- (1) ***The purpose of the Telecommunications facility code is to ensure telecommunication facilities are developed in a manner which protects public health, the environment and the amenity of surrounding premises.***

- (2) ***The purpose of the Telecommunication facility code will be achieved through the following overall outcomes:-***
 - (a) ***a telecommunications facility does not adversely affect the amenity of surrounding premises;***

 - (b) ***a telecommunications facility is integrated with its natural, rural or townscape setting and does not detract from the visual amenity of scenic routes;***

 - (c) ***a telecommunications facility does not adversely impact upon community wellbeing; and***

 - (d) ***a telecommunications facility is located with compatible uses and facilities.***

Line of sight assessment (vertical planning scheme provision alignment)

Development codes in the *Sunshine Coast Planning Scheme 2014* are drafted to provide a clear line of sight for Code assessment in accordance with the assessment rules contained within the Queensland Planning Provisions.

These assessment rules provide that in circumstances where a proposal does not meet either the acceptable outcomes or performance outcomes of an applicable code, a proposal can still comply with the code provided that it satisfies the purpose and overall outcomes of the code.

In the circumstance where a proposal does not meet an acceptable outcome a proposal is required to be assessed against the corresponding performance outcome and similarly, where a proposal does not comply with a performance outcome, it is required to be assessed against the purpose and overall outcomes of the code.

Whilst these rules are specific to Code assessment, Impact assessment requires a similar assessment process but does not limit that assessment to the code but to the planning scheme when read as a whole.

The following table provides a line of sight assessment for the relevant provisions of the Telecommunications facility code.

Relevant provisions of the Telecommunications facility code			
Purpose	The purpose of the Telecommunications facility code is to ensure <i>telecommunication facilities</i> are developed in a manner which protects public health, the environment and the amenity of surrounding premises.		
Overall outcome	a <i>telecommunications facility</i> does not adversely affect the amenity of surrounding premises	a <i>telecommunications facility</i> is integrated with its natural, rural or townscape setting and does not detract from the visual amenity of scenic routes	a <i>telecommunications facility</i> does not adversely impact upon community wellbeing
Performance outcome	The <i>telecommunications facility</i> is located so as to minimise any adverse impacts on the amenity of nearby residential, community and other <i>sensitive land uses</i> .	The <i>telecommunications facility</i> is integrated with its natural, rural or townscape setting and is not visually dominant or obtrusive.	The <i>telecommunications facility</i> is secure and potential impacts from vandalism are minimised.
Acceptable outcome	The <i>telecommunications facility</i> is located at least:- (a) 400 metres from any residential use; (b) 500 metres from any <i>child care centre, community care centre, educational establishment or park</i> ; (c) 20 metres from any public pathway; and (d) 1 kilometre from any other existing or approved <i>telecommunications facility</i> .	<i>In partial fulfilment of Performance Outcome PO2</i> The <i>telecommunications facility</i> :- (a) is of a similar height to surrounding structures or vegetation; (b) has a colour and finish that reduces visual recognition in the landscape; and (c) is unobtrusive when viewed from any scenic route identified on a Scenic Amenity Overlay Map. Any building associated with the <i>telecommunications facility</i> is <i>setback</i> from any street front boundary a distance at least equal to the front <i>setback</i> required for the adjoining use. A 3 metre wide landscape strip is provided between any building associated with the <i>telecommunications facility</i> and any street front boundary or adjoining use.	The <i>telecommunications facility</i> is designed and operated to restrict human exposure to electromagnetic radiation in accordance with the:- (a) <i>Radio Communications (Electromagnetic Radiation – Human Exposure) Standard 2003</i> ; and (b) <i>Radio Protection Standard for Maximum Exposure Levels to Radiofrequency Fields</i> . Security fencing is provided to prevent unauthorised entry to the <i>telecommunications facility</i> . Safety and warning signage is displayed where necessary.

From the above table it can be seen that there is a strong line of sight between the three main objectives of the Telecommunications facility code (specified in the purpose and overall outcomes) which filters down in turn to the performance outcomes and the acceptable outcomes.

Acceptable outcome AO1 of the Telecommunications facility code includes the following minimum setback distances to sensitive land uses and infrastructure:-

- 400 metres from any residential use;
- 500 metres from any child care centre, community care centre, educational establishment or park;
- 20 metres from any public pathway; and
- 1 kilometre from any other existing or approved telecommunications facility.

A review of other planning schemes prepared under the Sustainable Planning Act (SPA) has been undertaken to benchmark the existing setback provisions in the Telecommunications facility code (refer **Attachment 2**). This review specifically considered the setback requirements to telecommunication towers and antennas from sensitive land uses and not road boundary setbacks or the like for buildings and other infrastructure associated with telecommunication towers.

This review has determined that there are a range of setback requirements included in planning schemes operating across Queensland, noting that some of the planning schemes reviewed do not include any setback requirements (i.e. Brisbane City Council, Moreton Bay Regional Council and Gympie Regional Council planning schemes).

Whilst there are different approaches reflected in these planning schemes, it is apparent that the focus on inclusion of setback provisions is related to amenity and not health and safety risks.

Of particular note is that some planning schemes choose to focus amenity considerations specifically on visual amenity. This is considered to provide for a narrower view of amenity and may go some way to reducing confusion within the community on the intent of the setback requirements specified in the planning scheme.

Provisions relating to EME are included in PO3 and AO3 whilst the setback distances are included within AO1 and PO1 of the Telecommunications facility code (refer **Attachment 1**). It is evident that AO1 and PO1 are seeking to provide an acceptable separation distance from certain uses that is in line with community expectations and is not based upon whether the EME exposure limits are being met. It is acknowledged that this has been a point of confusion for some members of the community.

NBN Appeals

Council has recently settled three appeals relating to NBN telecommunication towers. Through without prejudice meetings, NBN Co demonstrated the need for the proposed location of these towers, and that there were no other suitable alternative locations for these towers that would satisfy the setback requirements specified in AO1.

In this instance, the provision of essential infrastructure by NBN provided sufficient justification for locating these towers a lesser distance to residential uses than the 400m specified in the acceptable solution, noting that it was also required to demonstrate that adverse amenity impacts had been minimised as far as practical (in accordance with PO1 of the Telecommunications facility code).

Conclusion

It is considered that the current acceptable outcome (AO1) of the Telecommunications facility code which specifies setback distances to certain uses is an appropriate response to reasonable community expectations regarding the protection of local amenity.

As is evident in Council agreeing to settle three recent appeals in respect to telecommunications towers proposed by NBN Co, there may be instances where achieving a 400m setback distance from a residential use cannot practicably be achieved. In these circumstances, the onus is appropriately on the applicant to demonstrate that there are no suitable alternative sites and/or to justify that an alternative setback distance to that provided for in the acceptable outcome achieves a comparable outcome in terms of the protection of local amenity. This type of process is not unusual and consistent with the appropriate interpretation of a performance based planning scheme and the rules that apply to these types of planning schemes.

Whilst there is not considered to be any need to amend the Telecommunications facility code to address a material deficiency within the code it is acknowledged that there is opportunity for some refinements to the code that would improve the interpretation of PO1 and AO1 to ensure that the setback provisions are not confused as relating to the potential health and safety risks (i.e. EME) of telecommunication facilities. It is proposed to include these refinements in the next available planning scheme amendment package.

Legal

No legal advice has been sought in the preparation of this report.

Policy

Retaining the current policy position with regard to setbacks to sensitive uses will ensure that the onus is on the applicant to demonstrate that adverse amenity impacts are minimised, despite not meeting the acceptable outcome. The proposed amendments that have been identified will clarify the policy positions in the code and reduce the current confusion in regard to the intent of setback provisions to certain sensitive uses.

Risk

There is risk in seeking to reduce or dispense with the setback distances currently required by the Telecommunications facility code in that the telecommunication providers would seek to site these facilities much closer to sensitive land uses, which may result in outcomes which do not meet reasonable community expectations.

If the existing setback provisions are retained as currently drafted, there is a risk that the community will continue to object to proposals that do not comply with the specified setback distances, particularly given that the community has difficulty understanding the concept of performance based planning. However, this risk is based upon a continuing incorrect interpretation of the planning scheme which is not something that Council can practicably mitigate other than through education and the drafting refinements identified above.

Previous Council Resolution

Council Resolution (OM16/93) – 16 July 2016

That council request the Chief Executive Officer to provide a report on the telecommunication facility code and its possible inclusion as an amendment to the Sunshine Coast Planning Scheme for the consideration of council.

Related Documentation

*Sunshine Coast Planning Scheme 2014
Planning Act 2016
Planning Regulation 2017*

Critical Dates

There are no critical dates in relation to this report.

Implementation

That proposed amendments to improve the interpretation of the Telecommunications facility code are included in the next available round of operational amendments.

8.3 INFRASTRUCTURE SERVICES

8.3.1 MALENY GOLF CLUB INC STAGE 2 WORKS

File No: Council meetings

Author: Coordinator Recreation Projects
Infrastructure Services Department

Appendices: App A - Maleny Golf Club Funding Agreement 69

PURPOSE

This report seeks council's endorsement of the following document in relation to the establishment of the second stage for construction of the Maleny Golf Course by the Maleny Golf Club Incorporated ('The Club') within the Maleny Community Precinct ('The Precinct'):

- Maleny Golf Club Funding Agreement dated 8 June 2017

EXECUTIVE SUMMARY

- In 2015, the Maleny Golf Club Incorporated successfully completed the construction of the first nine holes of the golf course within the Maleny Community Precinct.
- A Funding Agreement was developed with input from the Property Services and Legal Services Branches of Council. This agreement was subject to approval of funding in the 2017/2018 budget.
- In the 2017/2018 budget, Council allocated funding of \$225,000 for the development of six holes with additional funding of \$225,000 for the development of the remaining three holes for consideration as part of the 2018/2019 budget.
- As The Club is the only entity capable of completing all elements of this work on a site that they are the leaseholders for, it would be impractical and disadvantageous to invite tenders from any other entity. As a result, Council may be satisfied that the Club, in this instance is a specialised supplier.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Maleny Golf Club Inc Stage 2 Works"**
- (b) endorse the Maleny Golf Funding Agreement (Appendix A) and**
- (c) adopt the Maleny Golf Club Incorporated as a specialised supplier as it would be impractical or disadvantageous to invite quotes or tenders in this instance.**

FINANCE AND RESOURCING

The Funding Agreement with The Club requires that council provide funding to a maximum value of \$450,000.00 excluding any liability for GST.

1. 2017/2018 financial year; \$225,000 (ex GST) has been approved and is included in the current budget.

2. 2018/2019 financial year. At Council's budget meeting of 13 March 2017 funding of \$225,000 (ex GST) was approved for inclusion within the 2018/2019 budget and will be subject to confirmation within that adopted budget.

CORPORATE PLAN

Corporate Plan Goal:	<i>A strong community</i>
Outcome:	2.1 - Safe and healthy communities
Operational Activity:	2.1.1 - Develop partnerships and programs which encourage residents to lead more active healthy lifestyles

CONSULTATION

Portfolio Councillor Consultation

Portfolio Councillor, G Rogerson was consulted in relation to this report.

Internal Consultation

- All Councillors have been consulted in relation to this report
- Sport & Community Venues Branch, Community Services
- Project Delivery Branch, Infrastructure Services
- Procurement and Contracts Branch, Corporate Services
- Legal Services Branch, Office of the Mayor and CEO
- Property Management Branch, Corporate Services

External Consultation

No external consultation took place in relation to this report.

Community Engagement

The Maleny Golf Club Incorporated are fully supportive of the proposal and have endorsed the Funding Agreement.

PROPOSAL

In 2015, the Maleny Golf Club Incorporated successfully completed the construction of the first nine holes of the golf course within the Maleny Community Precinct.

In June 2017, a Funding Agreement with the Maleny Golf Club Incorporated was developed with input from the Property Services and Legal Services Branches of council. This agreement was subject to approval of funding in the 2017/2018 budget.

The current lease with the Maleny Golf Club Incorporated requires The Club to design, construct, establish and manage the golf course site for the term of the lease (up to 30 years).

In the 2017/2018 budget, Council allocated funding of \$225,000 for the development of six holes with additional funding of \$225,000 for the development of the remaining three holes included for consideration as part of the 2018/2019 budget.

As The Club is the only entity capable of completing all elements of this work on a site that they are the leaseholders for, it would be impractical and disadvantageous to invite tenders from any other entity. As a result, Council may be satisfied that the Club, in this instance is a specialised supplier.

The *Local Government Regulation 2012* provides processes for council to establish contractual arrangements for the provision of goods and services, including works. An

exception to the general provisions exists where council determines that a supplier is a specialised supplier. To be a specialised supplier, council must resolve that because of the specialised or confidential nature of the service to be provided, it would be impractical or disadvantageous to invite quotes or tenders.

At the Ordinary Meeting of 17 October 2013, Council adopted The Club as a specialised supplier for the development and construction of the first nine holes and a similar determination is needed for the development and construction of the next nine holes.

Legal

The Funding Agreement has been developed with input from the Legal Services Branch of council.

Policy

A resolution is needed for compliance with Council's Procurement Policy.

Risk

If not approved, there is a high risk that council will receive an adverse community response due to community expectations not being realised with regard to the funding contribution and delivery of the project.

If the project was subject to the conventional procurement process, it would cost far more than the cost of delivery by the Maleny Golf Club.

Previous Council Resolution

Council Resolution 17 October 2013 - OM13/214

That Council:

- (a) *adopt the Maleny Golf Club Incorporated as a specialised supplier as it would be impractical or disadvantageous to invite quotes or tenders in this instance and*
- (b) *endorse the Maleny Golf Club Lease, Deed of Agreement - Transition Zone, and Funding Contract.*

Related Documentation

- Lease agreement with the Maleny Golf Club Incorporated.
- Maleny Golf Club Funding Agreement.

Critical Dates

The delivery of the project will commence during the 2017/2018 financial year. Site works commenced in August 2017 and the first progress claim is likely to be received in October 2017.

Six of the nine holes will be developed during the 2017/2018 financial year, with the remaining three holes to be completed during the 2018/2019 financial year.

Implementation

Should council resolve to approve the recommendations of this report, Council will immediately establish The Maleny Golf Club Incorporated as a specialised supplier and will continue to monitor the progress and implementation of the Stage 2 construction work in accordance with the Funding Agreement.

8.4 CORPORATE SERVICES**8.4.1 AUGUST 2017 FINANCIAL PERFORMANCE REPORT****File No:** Financial Reports**Author:** Coordinator Financial Services
Corporate Services Department**Attachments:** Att 1 - August 2017 Financial Performance Report 85**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 August 2017 in terms of the operating result and delivery of the capital program.

Budget Review 1 was adopted by Council at the September 2017 Ordinary Meeting. At the 31 August 2017 the forecast revised budget was available for comparison to the August actual results. Therefore this financial report to 31 August 2017 details the original adopted budget and the forecast budget. The year to date results are reported against the forecast budget, incorporating the anticipated results of budget review 1.

The adoption of Budget Review 1 decreased the 2017/18 operating result by \$10.2 million, from \$24.9 million to \$14.7 million. Capital revenues have increased by \$3.8 million from \$97.2 million to \$101.0 million. Capital expenditure increases by \$25.8 million, from \$236.8 million to \$262.7 million.

The operating result at 31 August 2017 shows a positive variance of \$6.6 million compared to the forecast position. The variation is made up of higher than profiled operating revenue and lower than profiled operating expenses as shown in the table below. Further detail is provided in the proposal section of this report.

Operating Performance**Table 1: Operating Result as at 31 August 2017**

August 2017	Forecast Budget \$000	YTD Forecast Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Operating Revenue	434,821	147,537	151,522	3,986	2.7
Operating Expenses	420,565	65,883	63,312	(2,571)	(3.9)
Operating Result	14,256	81,653	88,210	6,557	8.0

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

As at 31 August 2017, \$28.4 million (10.8%) of Council's \$264.1 million 2017/18 Capital Works Program was financially expended.

The core Council Capital Program has progressed 14.8% of budget, an actual spend of \$20.7 million.

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "August 2017 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: 5.3 - A financially sustainable organisation

Operational Activity: 5.3.7 - Sustainable financial position maintained.

CONSULTATION

Portfolio Councillor Consultation

Consultation has been undertaken with the Portfolio Councillor.

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

This monthly financial performance report provides Council with a summary of performance against budget as at 31 August 2017 in terms of the operating result and delivery of the capital program.

Budget Review 1 was adopted by Council at the September 2017 Ordinary Meeting. At the 31 August 2017 the forecast revised budget was available for comparison to the August actual results. Therefore this financial report to 31 August 2017 details the original adopted budget and the forecast budget. The year to date results are reported against the forecast budget, incorporating the anticipated adjustments of Budget Review 1.

The adoption of Budget Review 1 decreased the 2017/18 operating result by \$10.2 million, from \$24.9 million to \$14.7 million. Capital revenues have increased by \$3.8 million from \$97.2 million to \$101.0 million. Capital expenditure increases by \$25.8 million, from \$236.8 million to \$262.7 million.

The operating result at 31 August 2017 shows a positive variance of \$6.6 million compared to the forecast position.

Operating Revenue

Year to date revenues as at 31 August 2017 of \$151.5 million shows a positive variance of \$4.0 million.

Table 2: Substantial Revenue variances as at 31 August 2017

Operating Revenue Large Variances	YTD Forecast Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Net Rates and Utility Charges	131,130	132,562	1,432	1.1
Fees and Charges	9,997	11,453	1,456	14.6
Other Revenue	822	1,912	1,089	132.5

Net Rates and Utility Charges

The favourable variance of \$1.4 million relates somewhat to slightly higher growth in general rates than anticipated, however the variance is mostly attributable to higher cleansing charges. Growth in cleansing charges follows the general rates growth experienced in 2016/17 as well as the take up of services at the Sunshine Coast University Hospital.

Fees and Charges

Fees and charges revenue of \$11.5 million, is \$1.5 million ahead of year to date budget as at 31 August 2017. The significant items contributing to this variance are:

- \$575,000 in Waste Management predominantly due to a higher instance of construction and demolition waste than is usual
- \$409,000 variance relating to higher application volumes in Development Services, predominantly in plumbing services and
- \$261,000 higher fee revenue for Holiday Parks

Other Revenue

Other revenue is ahead of the profiled budget to date by \$1.0 million this is made up of:

- \$479,000 Recovery from Sunshine Coast Airport for employee costs. The revenue and expenditure associated with Sunshine Coast Airport employee costs was not budgeted for due to the contractual arrangements with Palisade Investment Partners for the Airport to operate as a standalone business from July 1
- \$166,000 Event Sponsorship for Horizon due to timing issue and
- \$188,000 in Waste Management for higher sales of recyclables and additional revenues through the resource recovery centres.

Operating Expenses

Year to date expenditure as at 31 August 2017 of \$63.3 million shows a variance under budget of \$2.6 million.

Materials and Services

Materials and services account for the majority of the expenditure variance as at 31 August 2017, having underspent budget by \$3.2 million. The variance to budget predominantly relates to core programs and is consistent across all departments. This is in line with the usual trend for the early part of the financial year.

Employee Costs

As at 31 August 2017 employee costs were above budget by \$389,000. The overrun relates to \$479,000 of employee costs recovered from Sunshine Coast Airport Pty Ltd. Sunshine Coast Airport employee costs were not included in the budget due to the contractual arrangement with Palisade Investment Partners for the business to operate on a standalone basis from July 1. Employee costs are otherwise in-line with or below the YTD profile for 31 August 2017 across all departments.

Capital Expenditure

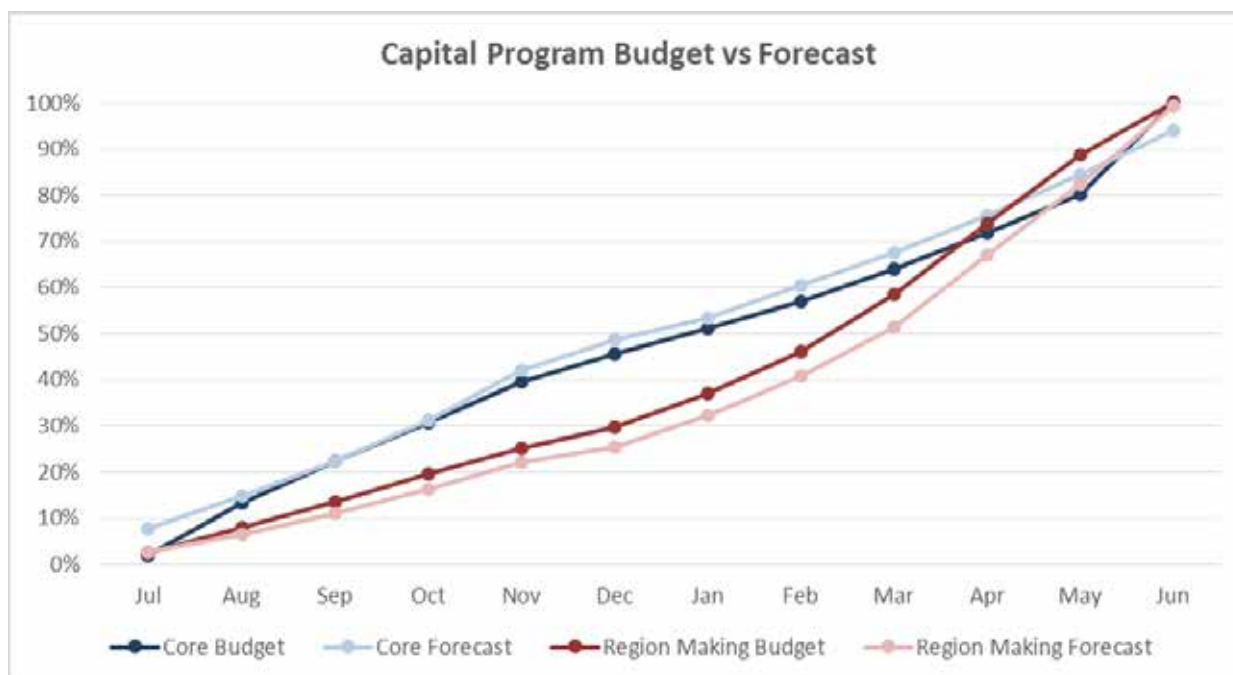
As at 31 August 2017, \$28.4 million (10.8%) of Council's \$264.1 million 2017/18 Capital Works Program was financially expended.

The core Council Capital Program has progressed 14.8% of budget, an actual spend of \$20.7 million. The Actual YTD includes all works that have been goods received and accrued as at 31 August 2017.

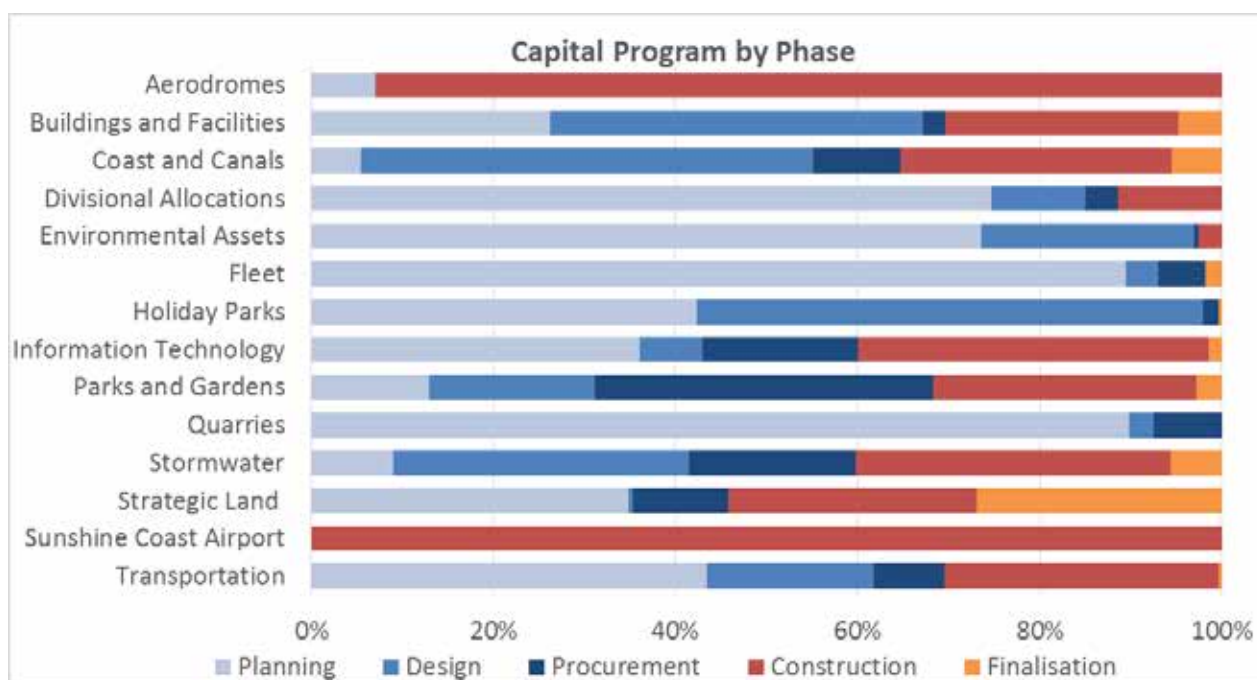
Table 3: Capital Expenditure by Program at 31 August 2017

Capital Works Program	Forecast Budget \$000	YTD Forecast Budget \$000	YTD Actual \$000	YTD Variance
Aerodromes	497	11	0	(11)
Buildings and Facilities	12,974	1,279	1,644	365
Coast and Canals	2,363	85	41	(44)
Divisional Allocations	5,238	7	113	106
Environmental Assets	670	2	6	4
Fleet	3,000	56	6	(50)
Holiday Parks	1,433	72	62	(10)
Information Technology	3,983	232	277	45
Parks and Gardens	15,272	3,120	2,800	(320)
Quarries	1,308	4	4	(0)
Stormwater	7,549	818	768	(50)
Strategic Land	8,633	4,104	4,361	257
Sunshine Coast Airport	1,123	646	646	0
Transportation	58,723	7,778	9,028	1,250
Waste	17,152	690	961	270
Total SCC Core Capital Program	139,919	18,904	20,716	1,812
Corporate Major Projects	9,546	11	1,558	1,547
Maroochydore City Centre	47,162	9,390	5,200	(4,190)
Sunshine Coast Airport Runway	67,501	494	934	440
Total Other Capital Program	124,208	9,895	7,692	(2,203)
TOTAL	264,127	28,799	28,408	(391)

The following graph shows the Core and Region Making Programs budget profile compared to the latest year end forecasts for 2017/18. Currently the core program is forecasting 94% of program delivery at year end.



As it is early in the financial year there are currently no exceptions being reported. The following graph shows the delivery phases for each program as at 31 August 2017.



Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 July 2017 Council had \$327 million cash (excluding Trust Fund) with an average interest rate of 2.59%, being 0.89% above benchmark. This is compared to the same period last year with \$385 million cash (excluding Trust Fund) with an average interest rate of 3.05%, being 1.08% 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 2017/18 Investment Policy; 2017/18 Debt 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 15 June 2017 (SM17/34)**

That Council:

- (a) *receive and note the report titled "Adoption of the 2017/18 Budget and Forward Estimates for the 2018/19 to 2026/27 Financial Years"*
- (b) *adopt the 2017/18 Budget Schedules (Appendix A) including Forward Estimates and*
- (c) *adopt the 2017/18 Capital Works Program, endorse the indicative four-year program for the period 2018/19 to 2021/22, and note the five-year program for the period 2022/23 to 2026/27 (Appendix B).*

Related Documentation

2017/18 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.5 ECONOMIC DEVELOPMENT AND MAJOR PROJECTS

Nil

8.6 OFFICE OF THE MAYOR AND THE CEO**8.6.1 ADOPTION OF CONSOLIDATED SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011**

File No:	Council meetings
Author:	Manager Corporate Governance Office of the Mayor and Chief Executive Officer
Appendices:	App A - Consolidated Version Subordinate Local Law No. 5 (Parking) 2011 99

PURPOSE

The purpose of this report is to seek a council resolution to adopt the consolidated version of council's *Subordinate Local Law No. 5 (Parking) 2011* that incorporates amendments made to the subordinate local law on 17 August 2017.

This report does not include any new material not previously considered or adopted by council and formally gazetted as part of the local law making process.

EXECUTIVE SUMMARY

The Sunshine Coast Council's first suite of local laws and subordinate local laws came into effect on 1 January 2012. Since that time a number of minor local law amendments have been adopted.

This report presents a consolidated version of council's *Subordinate Local Law No. 5 (Parking) 2011* incorporating amendments adopted by council at the Ordinary Meeting held on 17 August 2017:

- Declaration of land at Sunshine Coast Airport as an off-street parking area

The remainder of the local laws and subordinate local laws do not require consolidation as there has been no recent amendments made to them.

Consolidating local laws provides stakeholders and the community with a comprehensive and readable suite of local laws. Without consolidation, readers are required to read the original local law and amendment local laws together to ascertain the current lawful position of a particular issue. The concept of a consolidated version of a local law is similar to the process of producing reprints of Acts.

This report does not seek to review any of the provisions currently within the local laws but merely to consolidate the recent amendments made by council into one comprehensive suite of local laws.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled "Adoption of consolidated Subordinate Local Law No. 5 (Parking) 2011" and**
- resolve to adopt consolidated version of *Subordinate Local Law No. 5 (Parking) 2011*.**

FINANCE AND RESOURCING

The costs of drafting the consolidated local laws are funded through existing budget allocations within Corporate Governance.

This is a consolidation report only. No financial implications will arise from this report.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: We serve our community by providing this great service

Operational Activity: S23 - Local amenity and local laws - maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles

CONSULTATION

Portfolio Councillor Consultation

Portfolio Councillor Ted Hungerford and Deputy Mayor Tim Dwyer were consulted during the local law making process prior to the amendments being made to council's local laws. This report does not include any new material not previously considered or adopted by council and formally gazetted as part of the local law making process.

Internal Consultation

Internal consultation in relation to local law amendments and the consolidation of such has occurred with all appropriate stakeholders.

Council's Chief Legal Officer has been consulted as part of the progression of this matter and with respect to the work undertaken by Dr. Michael Limerick.

External Consultation

As this is an internal administrative process, external consultation was not required in preparing this report.

Community Engagement

Community engagement is unnecessary as the changes are purely administrative and have no direct impact on the community other than to provide a fully comprehensive and readable version of the local laws.

PROPOSAL

Consolidating local laws provides stakeholders and the community with a comprehensive and readable suite of local laws. Without consolidation, readers are required to read the original local laws and amendment local laws together to ascertain the current lawful position on a particular issue. The concept of a consolidated version of a local law is similar to the process of producing reprints of Acts.

Consolidation of council's local laws is purely administrative and only includes amendments to local laws that have previously been adopted by council and formally gazetted as part of the local law making process.

Sunshine Coast Council introduced its first suite of local laws and subordinate local laws on 1 January 2012. Since that time a number of local law amendments have been adopted by council. A consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2011* was presented to council for adoption on 20 April 2017 and since that date an amendment have been made to *Subordinate Local Law No. 5 (Parking) 2011*.

The following table outlines the amendment to be consolidated into *Subordinate Local Law No. 5 (Parking) 2011*. The below amendment to the subordinate local law was adopted by council on 17 August 2017, published in the government gazette on 25 August 2017 and notified to the Minister in accordance with section 29A of the *Local Government Act 2009*:

Table 1 – Amendment to Subordinate Local Law No. 2 (Animal Management) 2011

Amendment Subordinate Local Law Title	Amendment	Date adopted by Council	Gazettal Date
Amendment Subordinate Local Law No. 2 (Parking) 2017	Amend Schedule 2 of Subordinate Local Law No. 5 (Parking) 2011 to include a new map detailing the off-street parking for land defined as Sunshine Coast Airport land.	Ordinary Meeting 17 August 2017	25 August 2017

As mentioned above, this consolidation only applies to *Subordinate Local Law No. 5 (Parking) 2011*. It is important to reiterate that this report does not seek to review any other provisions currently within the local laws but merely to consolidate the recent amendment as adopted by council and as noted in the table above.

The newly consolidated version will be made available to the public through a link on council's website and also on the State Government's local law database website.

Legal

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

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

Section 32 of the *Local Government Act 2009* provides that the local government may prepare and adopt a consolidated version of its local laws and subordinate local laws as they were originally made, with all the amendments made to the local laws and subordinate local laws since the local laws and subordinate local laws were originally made.

In accordance with section 32 of the *Local Government Act 2009*, the local government must provide a copy of the adopted consolidated versions to the Minister within 7 days.

Policy

The consolidated local laws have been prepared in accordance with all relevant council policies.

Risk

Failing to consolidate Local Laws and Subordinate Local Laws increases the risk of breaches and incorrect interpretation of local law provisions. It also makes the local laws difficult to read and understand by the community.

Dialogue also continues with relevant stakeholders regarding parking on narrow roadways in master planned communities to ensure risks associated with parking are minimized or mitigated.

Previous Council Resolution

Council considered the report titled "Adoption of consolidated Subordinate Local Law No. 2 (Animal Management) 2011" at the Ordinary Meeting held on 20 April 2017 where it was resolved to adopt the consolidated versions of

- Subordinate Local Law No. 2 (Animal Management) 2011

Related Documentation

- *Local Government Act 2009 and Regulations*
- Sunshine Coast Regional Council Subordinate Local Law No. 2 (Animal Management) 2011
- State Government Guidelines for Making Local Laws and Subordinate Local Laws
- Corporate Plan & Operational Plans

Critical Dates

It is important that the consolidation of local laws occurs as soon as practical after an amendment local law is adopted. This ensures that key stakeholders have a clear and articulate local law framework.

Implementation

In accordance with section 32 of the Local Government Act 2009, the Chief Executive Officer will provide an electronic copy of the consolidated local laws to the Minister of the Department of Infrastructure, Local Government and Planning for inclusion on the department local laws database. Additional copies of the consolidated local laws will be provided on council's website.

8.6.2 COUNCILLORS EXPENSES REIMBURSEMENT AND PROVISION OF FACILITIES POLICY

File No:	Council meetings
Author:	Coordinator Councillor Governance Office of the Mayor and Chief Executive Officer
Appendices:	App A - Councillors' Expenses Reimbursement and Provision of Facilities policy167

PURPOSE

The purpose of this report is for Council to consider amendments to the *Councillors' Expenses Reimbursement and Provision of Facilities Policy* (the Policy). In accordance with section 249 of the *Local Government Regulation 2012* (the Regulation), the Policy should provide for the:

- payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors and
- provision of facilities to councillors for that purpose.

EXECUTIVE SUMMARY

Pursuant to section 250 of the Regulation, Council must adopt, by resolution, an expenses reimbursement policy. Any amendment to that Policy must also be endorsed by Council.

The purpose of the Policy is to set the parameters to authorise the payment of reasonable expenses incurred, or to be incurred, by councillors and provide facilities to support councillors in discharging their duties and responsibilities.

Council's existing policy was adopted on 25 July 2013. A review of the Policy was undertaken principally to improve its flexibility and to accommodate emerging issues and address constraints.

Under section 186(b) of the Regulation, council's annual report must include information about the expenses incurred under the expenses reimbursement policy.

The amended policy is attached as Appendix A.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Councillors Expenses Reimbursement and Provision of Facilities Policy"
- (b) endorse the amended *Councillors' Expenses Reimbursement and Provision of Facilities Policy* (Appendix A) pursuant to section 250 of the *Local Government Regulation 2012*
- (c) request the Chief Executive Officer to publish the amended Policy on Sunshine Coast Council's website and ensure a copy of the Policy may be inspected and purchased at Sunshine Coast Council's public office in accordance with section 251 of the *Local Government Regulation 2012* and
- (d) determine entitlements annually as part of the budget adoption process.

FINANCE AND RESOURCING

There is minimal impact on current or future budgets if the policy is adopted as amended. For the 2017/2018 financial year, each councillor has been allocated \$6,400 for general entitlement and corporate gifts combined.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: We serve our community by providing this great service
Operational Activity: S28 - Elected council - providing community leadership, democratic representation, advocacy and decision-making

CONSULTATION

Portfolio Councillor Consultation

The portfolio councillor was consulted with all councillors as below.

Internal Consultation

All Councillors were consulted in relation to this report.

Coordinator Financial Services

External Consultation

There has been no external consultation undertaken in relation to this report. However, research has been conducted to compare councillor entitlements under the expenses reimbursement policies of other councils in South East Queensland.

Community Engagement

Community Engagement has not been undertaken in relation to this report. However, the Regulation requires that a copy of the Policy be published on council's website and be available for purchase by the public at council's public office. Councillor expenditure under the Policy must also be published in council's annual report.

PROPOSAL

A review of the *Councillors' Expenses Reimbursement and Provision of Facilities Policy* has been conducted. This review has been undertaken to improve efficiency and to allow councillors' expenses to better respond to a changing operational environment, community expectations and emergent issues.

The intent of the new policy remains to reimburse councillors for reasonable expenses incurred and to provide adequate facilities to enable them to perform their duties. "Reasonable" is defined as the application of sound judgement and consideration for what is prudent, responsible and acceptable to the community in determining expenditure and the provision of facilities.

A number of minor amendments are proposed in the attached draft policy, however, the most significant changes relate to:

- the insertion of an "exclusions" section that lists the expenses that are not reimburseable or do not fall within the ambit of this policy;

- a change to the calculation method for councillors' contribution for personal use of mobile devices that aims to reduce the administrative costs associated with the current methodology; and
- the alignment of reimburseable meal expenses to the Australian Tax Office's annual taxation determination.

Legal

Under section 250 of the Regulation, Council must adopt by resolution an expenses reimbursement policy. Amendments to that policy must also be made by resolution.

In accordance with section 186(b) of the Regulation, the expenses incurred by each councillor under the Policy during the financial year must be published in council's annual report.

Policy

If adopted, this policy replaces the *Councillors' Expenses Reimbursement and Provision of Facilities Policy* dated 25 July 2013. It will become effective from the date of adoption.

Risk

Council will be in breach of the Regulation if amendments to the Policy are not endorsed by Council.

Previous Council Resolution

Council Resolution 25 July 2013 (OM13/137)

That Council:

- receive and note the report titled "Councillors' Expenses Reimbursement and Provision of Facilities Policy"*
- endorse the amended Councillors' Expenses Reimbursement and Provision of Facilities policy (Appendix A) as amended: 1.4.1 Professional Development, replace "reimbursed" with "reimbursed or entitled to" pursuant to section 250 of the Local Government Regulation 2012*
- request the Chief Executive Officer to publish the amended Policy on Sunshine Coast Council's website and ensure a copy of the policy may be inspected and purchased at Sunshine Coast Council's public office in accordance with section 251 of the Local Government Regulation 2012 and*
- determine entitlements annually as part of the budget adoption process.*

Related Documentation

Local Government Act 2009

Local Government Regulation 2012

Councillor Code of Conduct (23 August 2012)

Councillor Portfolio System and Protocols 2016 (21 April 2016)

Mayoral and Councillor Discretionary Funding Policy (20 June 2013)

Advocacy and Engagement Expenses Policy (6 September 2013)

Local Government Elections Policy (6 November 2015)

Media Engagement Policy – Councillor (15 December 2012)

Councillors' Social Media Policy (6 November 2015)

Entertainment and Hospitality Policy (16 July 2009)

Information Technology Acceptable Use Policy (31 July 2013)

Mobile Device Policy (8 August 2013)

Procurement Policy (annual)

Chief Executive Officer's Procedure for Motor Vehicle Use and Allocation (1 July 2017)

Critical Dates

There are no critical dates relevant to this report.

Implementation

Once amendments to the Policy have been formally adopted, the required publication of the Policy will be undertaken as soon as practicable. Any necessary budget adjustments will be undertaken as part of the budget review process.

8.6.3 AUDIT COMMITTEE MEETING 4 SEPTEMBER 2017

File No:	Council meetings
Author:	Manager Audit and Assurance Office of the Mayor and Chief Executive Officer
Attachments:	Att 1 - Audit Committee Minutes 4 September 2017189

PURPOSE

To provide Council with information on matters reviewed at the Audit Committee Meeting held 4 September 2017 (*Section 211 Local Government Regulation 2012*) and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

EXECUTIVE SUMMARY

The Audit Committee is a mandatory Advisory Committee of Council established in accordance with Section 105 of the *Local Government Act 2009*. The Committee is comprised of Mr Peter Dowling (External Chair), Mr Len Scanlan (External Member), Cr Tim Dwyer and Cr Christian Dickson.

The Audit Committee agenda was distributed electronically to all Councillors on 28 August 2017 with agenda reports categorised as Chief Executive Officer's Update, External Audit, Audit and Assurance, and Governance Reporting.

OFFICER RECOMMENDATION

That Council receive and note the report titled "Audit Committee Meeting 4 September 2017".

FINANCE AND RESOURCING

There are no finance and resourcing issues associated with this report.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: 5.3 - A financially sustainable organisation
Operational Activity: 5.3.7 - Sustainable financial position maintained.

CONSULTATION**Internal Consultation**

Executive Leadership Team

External Consultation

External members of the Audit Committee.

Community Engagement

There has been no community engagement.

PROPOSAL

The Audit Committee is a mandatory Advisory Committee which meets four times each year and is established in accordance with *Section 105 Local Government Act 2009*. The Committee has no delegated authority and is a source of independent advice to Council and to the Chief Executive Officer.

The Committee is comprised of Mr Peter Dowling (External Chair), Mr Len Scanlan (External Member), Councillor Tim Dwyer and Councillor Christian Dickson. The Audit Committee agenda was distributed electronically to all Councillors.

The overall objective of the Audit Committee is to assist the Council and the Chief Executive to discharge their duties, in particular:

- Corporate Governance and responsibilities in relation to the organisation's financial reporting, internal control structure, risk management systems and the external and internal audit functions
- maintain an independent and objective forum promoting transparency, accountability and an ethical culture throughout council
- maintain by scheduling regular meetings, open lines of communications with Council, Executive Management, External Audit and Internal Audit, to exchange information and views
- oversee and appraise the quality and efficiency of audits conducted by both the Internal and External Audit functions and
- ensure both the Internal and External Audit functions are independent and effective.

In accordance with *Section 211 of the Local Government Regulation 2012*, the Audit Committee must provide Council with a written report about the matters reviewed at the Audit Committee Meeting and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

The matters reviewed at the 4 September 2017 Audit Committee Meeting were as follows.

Chief Executive Officer's Update

- Update on Council's performance and challenges
- Audit Committee recommendation - that the Chief Executive Officer report back to a future audit committee meeting on the changing regional risk profile in terms of growth and challenges for council and the community

External Audit Reports

- Queensland Audit Office Briefing Note
- Draft Financial Statements 2016/17
- Audit Committee Key Milestones 2016/17 Financial Statements
- Deloitte Letters of Advice associated with the Long Term Lease of the Sunshine Coast Airport and the Accounting and Disclosure Implications
- Audit Committee recommendation – recommend the updated Non-Current Asset Accounting Policy to the Chief Executive Officer and Council for formal approval

Audit and Assurance Reports

The following internal audit reports were presented at the meeting.

- Contributed Assets – Quality Control Framework

- Audit Committee recommendation – that the Chief Executive Officer report back to May 2018 Audit Committee meeting on the approved Contributed Assets improvement strategies and the associated progress
- Valdora Solar Farm Construction Contract Payments
- Audit and Assurance Status Report

Governance Reporting

- Work Health and Safety Report
- Governance Report
- Waste Collection and Management Legislative Changes and Associated Risk
- Status Report on Major Projects

Legal

Compliance with the *Local Government Act 2009* and *Local Government Regulation 2012*.

Policy

There are no policy implications associated with this report.

Risk

Specific risks have been detailed in the various agenda reports.

Previous Council Resolution

Audit Committee and Internal Audit Charters were previously endorsed at Council Ordinary Meeting 30 January 2017.

Related Documentation

Audit Committee Agenda for 4 September was issued to Councillors 28 August 2017.

Critical Dates

There are no critical dates associated with this report.

Implementation

Implementation of the Audit Committee resolutions, internal and external audit recommendations are monitored by the Audit Committee.

8.6.4 CONTRACT EXTENSION FOR AUDIT COMMITTEE INDEPENDENT MEMBERS

File No:	Council meetings
Author:	Manager Audit and Assurance Office of the Mayor and Chief Executive Officer
Attachments:	Att 1 - Curriculum Vitae of Independent Members213

PURPOSE

The purpose of this report is to seek Council's approval to extend the existing contracts of the current independent members of the Audit Committee to March 2020.

EXECUTIVE SUMMARY

The *Local Government Regulation 2012* has specific requirements in regard to the operations and the composition of Audit Committees. These requirements are reflected in the Audit Committee Charter which is reviewed annually and subsequently endorsed by Council.

The Audit Committee is an Advisory Committee and is currently comprised of two Councillors and two independent members. Independent member contracts are due to expire 31 December 2018 and it is proposed to extend these contracts through to March 2020 so that future appointments and terms will align with elected council terms and that significant knowledge and experience is retained to March 2020.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Contract Extension for Audit Committee Independent Members" and
- (b) appoint Mr Peter Dowling AM as Audit Committee Chair and Mr Len Scanlan as an Independent Audit Committee Member by extending their existing individual contracts to 31 March 2020.

FINANCE AND RESOURCING

The total annual independent member costs are currently \$16,200 GST exclusive which are increased in accordance with the annual staff pay increases. These costs are contained within the Audit and Assurance budget.

CORPORATE PLAN

Corporate Plan Goal:	<i>An outstanding organisation</i>
Outcome:	5.3 - A financially sustainable organisation
Operational Activity:	5.3.7 - Sustainable financial position maintained.

CONSULTATION

Internal Consultation

Councillors T Dwyer and C Dickson, the Chief Executive Officer and Directors support the proposed contract extensions.

External Consultation

Mr Peter Dowling and Mr Len Scanlan have confirmed their acceptance of the proposed contract extensions.

Community Engagement

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

PROPOSAL

The Audit Committee is an advisory Committee of Council which is established in accordance with the *Local Government Regulation 2012*. The Audit Committee Charter is reviewed and endorsed annually. The overall objective of the Audit Committee is to assist the Council and the Chief Executive to discharge their duties in particular:

- Corporate Governance and responsibilities in relation to the organisation's financial reporting, internal control structure, risk management systems and the external and internal audit functions
- maintain an independent and objective forum promoting transparency, accountability and an ethical culture throughout council
- maintain by scheduling regular meetings, open lines of communications with Council, Executive Management, External Audit and Internal Audit, to exchange information and views
- oversee and appraise the quality and efficiency of audits conducted by both the External and Internal Audit functions
- ensure both the Internal and External Audit functions are independent and effective.

The Audit Committee was comprised of four members:

- Councillor T Dwyer
- Councillor C Dickson
- Mr P Dowling AM (Independent Member Chair)
- Mr L Scanlan (Independent Member)

Independent member contracts are due to expire 31 December 2018 and it is proposed to appoint existing independent members to the Audit Committee through to March 2020. The benefits of this proposal will allow:

- future appointments and terms to align with the elected council terms i.e. the newly elected council will make the appointments at the beginning of their elected term
- significant knowledge and experience to be retained within the Audit Committee which is considered a prudent strategy in light of the implementation of the Major Projects over the next few years

Both Peter Dowling and Len Scanlan have comprehensive skills and experience with excellent service being provided to council. An executive overview of their experience is attached.

Legal

Local Government Act 2009

Local Government Regulation 2012

Policy

Audit Committee Charter endorsed annually by Council.

Risk

Potential loss of critical knowledge, particularly associated with major projects development

Previous Council Resolution**Ordinary Meeting – 19 May 2016 (OM16/79)**

That Council:

- (a) *receive and note the report titled “**Contract Extension for Audit Committee Independent Members**” and*
- (b) *appoint Mr Peter Dowling AM as Audit Committee Chair and Mr Len Scanlan as an Independent Audit Committee Member by extending their existing individual contracts to 31 December 2018.*

Related Documentation

Audit Committee Charter

Critical Dates

There are no critical dates associated with this report.

Implementation

No implementation plan required for this report.

9 NOTIFIED MOTIONS**9.1 NOTICES OF RESCISSION****9.2 NOTICES OF MOTION****9.3 FORESHADOWED NOTICES OF MOTION****10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

11 CONFIDENTIAL SESSION**11.1 PLANNING AND ENVIRONMENT****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - CALOUNDRA CENTRE
MASTER PLAN - DRAFT PLANNING SCHEME AMENDMENT**

File No: Council meetings
Author: Principal Strategic Planner
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.

**11.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPERTY
ACQUISITION - KENILWORTH**

File No: F2015/19001
Author: Coordinator Open Space and Social Policy
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.

**11.1.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - FUTURE TRANSPORT
CONSIDERATIONS**

File No: Council meetings
Author: Acting Manager Major Urban Developments
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.

11.2 COMMUNITY SERVICES

Nil

11.3 INFRASTRUCTURE SERVICES

Nil

11.4 CORPORATE SERVICES

11.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - COMPULSORY ACQUISITION OF LAND - COOLUM LOCALITY

File No: F2015/14864

**Authors: Coordinator Land Management
Corporate Services Department
Coordinator Transport Network
Planning and Environment 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. (compulsory acquisition of private land with compensation payable)

11.5 ECONOMIC DEVELOPMENT AND MAJOR PROJECTS**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST AIRPORT EXPANSION PROJECT - FUNDING STRATEGY**

File No: Council meetings
Author: Director
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 - DEED OF GRANT APPLICATIONS

File No: Council Report
Authors: Principal Property Officer
Economic Development and Major Projects Department
Commercial Property Consultant
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.

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 9 November 2017 in the Council Chambers, 1 Omrah Avenue, Caloundra.

13 MEETING CLOSURE