

Agenda

Ordinary Meeting

Thursday, 30 January 2014

commencing at 9.00 am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Ordinary Meeting held on 12 December 2013 and the Special Meeting (Draft Sunshine Coast Planning Scheme) commencing on 7 February 2013 and concluding on 2 December 2013 be received and confirmed.

4 OBLIGATIONS OF COUNCILLORS**4.1 DECLARATION OF MATERIAL PERSONAL INTEREST ON ANY ITEM OF BUSINESS**

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

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

4.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

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

5 MAYORAL MINUTE**6 PRESENTATIONS**

7 REPORTS DIRECT TO COUNCIL**7.1 CORPORATE SERVICES****7.1.1 QUARTERLY PROGRESS REPORT - QUARTER 2 2013-2014****File No:** 4.16.4**Author:** Coordinator Corporate Plan Reporting and Risk
Corporate Services Department**Appendices:** App A - Chief Executive Officer's Quarterly Progress Report -
Quarter 2, 1 October to 31 December 2013 (*Under Separate
Cover*)..... *Att Pg 5*
App B - Operational Plan Activities Report Quarter Ended
December 2013 (*Under Separate Cover*) *Att Pg 27*

PURPOSE

This report presents the Quarterly Progress Report for the period 1 October to 31 December 2013 – Quarter 2. This report has been prepared to inform council and the community on implementation of projects, activities and programs from council's Operational Plan 2013-2014 and implementation of the Corporate Plan 2009-2014.

EXECUTIVE SUMMARY

Each calendar quarter, council receives a progress report on the delivery of the corporate and operational plans. The report once adopted, is published on council's website and made available to the community.

The report includes reports from the Chief Executive Officer and Directors, outlining achievements for the quarter in relation to the themes from Council's corporate plan. It also provides information on projects and activities adopted for 2013-2014 focused on forward planning, service delivery, capital works programs and organisational efficiencies. Financial information is not included in this report. A Financial Performance Report is provided to council each month covering operating revenue and expenses and capital programs.

Directors have outlined in their reports that planning is well underway to deliver on the 125 projects/activities in the Operational Plan 2013-2014. In addition, items not fully complete from the Operational Plan 2012-2013 have been included.

Highlights from the quarter ended 31 December 2013 are:

- Completed tasks for de-amalgamation of Sunshine Coast Regional Council and implemented an organisational restructure
- Air New Zealand announced it will continue the direct service from Auckland to Sunshine Coast Airport for a further 3 years
- Construction Unit completed \$9.4million of works, totaling 61% of projects completed for the year (\$16.3million)
- Completed the renourishment of the foreshore between Maroochydore Beach and Alexander Headland (\$2million)

- Streamlined the customer contact function, resulting in the consolidation of call center locations from three to one
- Approved a 20 year head lease over land in Caloundra which will allow the YMCA to construct and operate a state of the art gymnastics facility
- Acquired two environmentally significant land parcels; 60 hectares in Ilkley that adds to the Maroochy Bushland Botanic Garden and 27 hectares that expands the broader protected areas of the Maleny National Park
- Submitted the draft Planning Scheme to the Minister for approval in December 2013
- Supported local business through \$92million of council expenditure
- Queensland Audit Office issued Council with the confirmation of an unqualified audit for 2012/2013.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Quarterly Progress Report - Quarter 2 2013-2014”
- (b) note the Chief Executive Officer’s Quarterly Progress Report – Quarter 2, 1 October to 31 December 2013 (Appendix A) and
- (c) note the Operational Plan Activities Report – Quarter ended December 2013 (Appendix B) reporting on the implementation of the Corporate and Operational Plans.

FINANCE AND RESOURCING

The cost of implementing the Operational Plan 2013-2014 was built into the Annual Budget 2013-2014.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

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

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

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.2 - Effective business management

Strategy: 8.2.4 - Consolidate data, information and knowledge to improve council operations

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.6 - An informed and engaged community

Strategy: 8.6.3 - Keep the community informed about council’s activities through a wide range of communication tools

CONSULTATION

Internal Consultation

Consultation has occurred widely within council to ascertain the status of projects and activities in the operational plan and this information was provided by each department of council.

External Consultation

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

Community Engagement

Community engagement in relation to projects and activities within the Operational Plan 2013-2014 will be undertaken where appropriate.

PROPOSAL

The Chief Executive Officer's Quarterly Progress Report – Quarter 2 (Appendix A) consists of the Chief Executive Officer's summary report and Directors' detailed reports. The purpose of the report is to inform council and the community on progress towards implementing the projects and activities set out in the Operational Plan 2013-2014 that align with the delivery of the Corporate Plan 2009-2014.

Directors have indicated that 94% of projects are in the planning phase or have commenced and 6% have been completed.

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

Status of Projects

The Operational Plan Activities Report – Quarter 2 ended December 2013 (Appendix B) provides details on the status of the 125 projects/activities in the Operational Plan 2013-2014.

The report includes the status of each project/activity in the operational plan covering percentage complete, anticipated completion date and progress commentary.

Table 1 provides a summary on the status of all projects/activities in the Operational Plan.

Status	Number
Completed	8 (6%)
Underway	117 (94%)
Not started	0
Total	125

Table 1: Summary of all projects/activities in the Operational Plan

An overview on achievements for the quarter is available in the Directors' reports which form Appendix A to this report.

Legal

There is a legislative requirement for council to provide a performance report on its progress in implementing the Corporate and Operational Plans. This report meets the requirements of the Local Government Act and Regulation.

Policy

There is no policy associated with the presentation of a quarterly progress report however it is a component of the Strategic Corporate Planning and Reporting Framework and a legislative requirement to provide a report on performance against the corporate and operational plans

Risk

Directors have provided an overview of departmental operations including the outlook for the future and any associated risks. In accordance with council's Enterprise Risk Management Framework, the risks and opportunities identified in relation to the quarterly progress report include:

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

Council's operational plan identifies how risks will be managed. Council has a risk register containing strategic and operational risks. Managers update this register on a quarterly basis, providing details of the actions taken during the quarter to mitigate risks in their branch.

The Office of the Mayor and Chief Executive Officer circulates a strategic risk report to all councillors and members of the Executive Leadership Team (ELT) on a quarterly basis.

Previous Council Resolution

The following reports have been adopted:

- Operational Plan 2013-2014 (SM 13/17)
- Quarterly Progress Report – Quarter 1 2013-2014 (OM13/219)

Related Documentation

- Corporate Plan 2009-2014 and Operational Plan 2013-2014
- Financial information is provided to council through the Financial and Capital Management report

Critical Dates

Quarterly Progress Reports are usually scheduled to be presented to council within four weeks of the end of the calendar quarter subject to the scheduled meeting cycle.

Implementation

Corporate Governance branch will manage the publication of the report, including making the report available on council's website and intranet.

The Chief Executive Officer and Directors will provide a verbal report to council at the Ordinary Meeting.

7.1.2 NOVEMBER 2013 FINANCIAL PERFORMANCE REPORT

File No:	Statutory Meetings
Author:	Coordinator Financial Services Corporate Services Department
Attachments:	Att 1 - November 2013 Financial Performance Report15

PURPOSE

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

EXECUTIVE SUMMARY

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

The operational result at 30 November 2013 shows a positive variance of \$4.4 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$3.4 million (1.8%) and lower than expected operating expenses of \$940,000 (0.5%). Further detail is provided in the proposal section of this report.

As at 30 November 2013, \$60.9 million (34.3%) of council's \$177.7 million 2013/2014 Capital Works Program was financially expended.

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "November 2013 Financial Performance Report".

FINANCE AND RESOURCING

There are no financing and resourcing implications as this is an information only report.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*
Emerging Priority: 8.1 - Ethical, accountable and transparent decision-making
Strategy: 8.1.2 - Ensure legislative compliance and awareness

Corporate Plan Theme: *Great governance*
Emerging Priority: 8.3 - Strong financial management
Strategy: 8.3.1 - Develop long term financial plans and indicators to achieve optimum use of resources and alignment to strategic priorities

CONSULTATION

Internal Consultation

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

The operational result at 30 November 2013 shows a positive variance of \$4.4 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$3.4 million and lower than expected operating expenses of \$940,000.

Operating Revenue

Fees and Charges

The \$1.3 million favourable variance in fees and charges, relates to development applications revenue. The volume of applications continues the previous months trend of a 13% increase on 2012/2013 volumes.

Grants and Subsidies

The favourable variation of \$375,000 is a result of various grants, namely Get Ready Qld state government grant (\$85,000), Flood Mapping Hazard (\$57,000) and Creative Collective Skills (\$42,000). The additional revenue has all been recognised as part of the Budget Review 2 2013/2014 requests.

Other Revenue

Of the \$1.3 million favourable variance in other revenue, \$800,000 relates to a refund from the Office of State Revenue for over charged payroll tax. \$170,000 relates to the Roads Maintenance Performance Contract program being ahead of budget and \$150,000 relates to higher than anticipated sales of recyclable materials.

Operating Expense

Materials and Services

As at November month end, materials and services spend is in line with budget with a favourable variance of \$468,000.

This variance is made up of an overspend on legal costs of \$1.4 million. This overspend is a consequence of unbudgeted expenditure on the Settler's Cove case of \$2.01 million.

This overspend has been offset by an underspend across all departments, including:

- A telecommunication reimbursement from overcharges in previous invoices of \$540,000
- \$565,000 for the Environmental Operations Branch, which relates to levy and grant projects currently underspent
- \$369,000 for the Waste Branch, where contractor invoices are yet to be received

Capital Expenditure

As at 30 November 2013, \$60.9 million (34.3%) of council's \$177.7 million 2013/2014 Capital Works Program was financially expended. Detail by Capital Program is outlined below:

Program	Original Budget \$000	Current Budget \$000	YTD Actual \$000	% of Annual Budget Spent
Buildings and Facilities	6,548	7,666	4,102	54%
Coast and Canals	1,949	2,388	452	19%
Divisional Allocations	3,100	4,948	1,876	38%
Environmental Assets	1,238	1,276	139	11%
Fleet	1,000	1,000	703	70%
Parks and Gardens	10,317	11,580	2,935	25%
Stormwater	4,161	4,309	2,040	47%
Transportation	52,952	62,411	22,423	36%
Information Communication Technology	3,927	4,687	1,372	29%
Strategic Land & Comm Properties	9,422	48,967	16,099	33%
Aerodromes	-	107	8	7%
Sunshine Coast Airport	3,400	7,992	4,334	54%
SC Holiday Parks	1,455	3,093	291	9%
Quarries	150	637	384	60%
Waste	9,651	16,596	3,778	23%
TOTAL COUNCIL	109,270	177,658	60,934	34%

Investment Performance

All investment parameters remain within the guidelines established by the Investment Policy.

Council has maintained a fairly strong return in the current market conditions with \$268 million cash (excluding Trust Fund) as at 30 November 2013 with an average interest rate of 3.71%, being 1.09% above benchmark. This is compared to 30 November 2012 with \$235 million cash (excluding Trust Fund) where the average interest rate was 4.90%, being 1.76% above benchmark.

The benchmark used to measure performance of cash funds is the UBS Bank Bill Index.

The Reserve Bank of Australia (RBA) again kept the cash rate unchanged at 2.5%.

Short-term interest rates are likely to remain relatively stable over the coming months, with the RBA sitting firmly on the sidelines.

Legal

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

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

Policy

Council's Investment Policy.

Risk

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

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

Previous Council Resolution

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

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

Related Documentation

There is no related documentation for this report.

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

7.2 REGIONAL STRATEGY AND PLANNING**7.2.1 DEVELOPMENT APPLICATION FOR PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE FOR A MIXED USE COMMUNITY TITLE DEVELOPMENT AT EENIE CREEK ROAD, 99 & 191 HOLLETT ROAD, NOOSAVILLE AND 106, 108-142 TIDSWELL ROAD WEYBA DOWNS**

File No: MCU12/0208

Author/Presenter: Principal Development Planner
Regional Strategy & Planning DepartmentAttachments: Att 1 - Proposed Precinct Plan 85
Att 2 - Proposed Development Concept Plan 87
Att 3 - Proposed Bulk Earthworks Concept Plan 89

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/Default.aspx>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Northbrook Corporation Pty Ltd
Proposal	Preliminary Approval for Material Change of Use under Section 242 of the Sustainable Planning Act 2009 to vary the effect of The Noosa Plan and Maroochy Plan 2000 Planning Schemes for a mixed use community title development.
Properly Made Date:	20/12/2012
Information Request Date:	28/02/2013
Information Response Received Date:	28/10/2013
Decision Due Date	14/02/2014
Number of Submissions (at time of preparation of concurrence agency report)	987 Properly Made 73 Not Properly Made (34 in support and remainder against the proposal)
PROPERTY DETAILS	
Division:	9
Property Address:	Eenie Creek Rd, 99 & 191 Hollett Road NOOSAVILLE and 106, 108-142 Tidswell Road WEYBA DOWNS
RP Description:	Noosa Shire – Lot 2 RP 160983, Lot 2 SP 179590, Lot 7 RP 46782, Lot 53 SP 163571, Lot 1667 M 37772 Sunshine Coast Region - Lot 11 SP 250714, Lot 12 RP 893393,
Land Area:	Total Area – 303.1498 hectares, of which 262.0218ha in Noosa Shire & 41.128ha in Sunshine Coast Region.

	Proposed National Park dedication of 139.4ha in Noosa Shire.
Existing Use of Land:	Vacant, Detached House, Rural pursuits
STATUTORY DETAILS	
SEQRP Designation:	Regional Landscape & Rural Production Area.
Planning Scheme	Maroochy Plan 2000 (24 October 2011) for that part of the development which is subject of this report.
Strategic Plan Designation:	Agricultural Protection Rural or Valued Habitat
Planning Area / Locality:	Northern Coastal Plains Planning Area
Planning Precinct / Zone:	Water Resource Catchment Area
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's concurrence agency determination of part of an application for Preliminary Approval for Material Change of Use under Section 242 of the *Sustainable Planning Act 2009* to vary the effect of Maroochy Plan 2000 for a mixed use community title development at Eenie Creek Road, 99 & 191 Hollett Road Noosaville and 106 & 108-142 Tidswell Road Weyba Downs.

The application is before council due to the number of submissions and significant policy considerations. In this instance, council is the concurrence agency for that part of the development within the new Sunshine Coast Council area only.

EXECUTIVE SUMMARY

The application, which is the subject of this report, is for a Preliminary Approval for a Material Change of Use to Override the Planning Scheme, for residential and commercial purposes, over land currently designated as Rural under Maroochy Plan. The total application spans two local government boundaries, being Noosa Shire Council and Sunshine Coast Council. Under recent changes to the *Sustainable Planning Act 2009*, Sunshine Coast Council has been nominated as the Concurrence Agency in the assessment of part of this development application, with Noosa Shire Council the Assessment Manager for the whole application. With regards to the assessment, the jurisdiction of the Sunshine Council relates only to land within its local government boundary and this excludes Tidswell Road (the only existing constructed gravel road to the subject site).

The application is made under a Biodiversity Development Offset Area declaration involving the transfer of 3 allotments (139.4ha) to National Park and the development of 4 allotments for urban purposes. The Biodiversity Development Offset Area declaration allowed the lodgement of a development application for an urban development outside the Urban Footprint of the SEQ Regional Plan.

If approved, the total development will permit a residential yield of approximately 876 to 1008 dwellings and a 600m² local centre. A 27.25ha development footprint is situated within the new Sunshine Coast Council local government area (comprising approximately 56% of the overall proposed density), with a 36.22ha development footprint in the Noosa Shire Council local government area. The proposal includes a mix of predominantly residential lots ranging from 350m² to 500m². The proposed building height restriction is 2 storeys for all development, with the exception of some multiple dwellings permitted at 3 storeys. The

estimated density of the proposed development is approximately 14-17 dwellings per hectare within the development footprint. The applicant has provided a Preliminary Approval Document describing these proposed development outcomes.

The application is for a Preliminary Approval only and any approval of the application would not authorise specific development to occur, but would establish the parameters for assessment of future Development Permit applications, in accordance with supplementary Tables of Development Assessment. As the overall impacts associated with this proposal are being considered in the Preliminary Approval application, if approved, any future development application that accords with the tables of development would be either self or code assessable.

The applicant has identified numerous grounds that might lend support to development of the site. Assessment of the material submitted with the proposal indicates that there may be a potential for the development of part of the site within the new Sunshine Coast Council region to a limited density, subject to further investigations. The identified public benefits suggested by the applicant include:

- Dedication and maintenance of extensive conservation areas, improved access to Lake Weyba and the new National Park, with a resultant increase in the number of visitors to the coast and financial investment.
- Maintenance of an existing wildlife corridor through this site and additional Koala proof fencing along Walter Hay Drive and some connecting roads.
- Provision of community education and stewardship regarding Koala habitat and broader biodiversity values for residents within the development.
- New road networks involving a new roundabout on Walter Hay Drive and local road upgrades improving connectivity and allowing public transport access.
- Improved public transport connectivity for neighbouring rural residential areas.
- Cycling and pedestrian networks connecting to neighbouring areas.
- Increased rates revenue and additional stamp duty.
- Employment opportunities from construction and tourism.

The application, by its very nature, seeking a preliminary approval for an urban use, conflicts with Maroochy Plan 2000 due to the current designation of the site as rural land. The site includes a number of specific environmental and locational features that represent considerable constraints to the development of the site. The environmental constraints include significant flora and fauna communities within and adjoining the site, waterways and wetlands within and adjoining the site, flooding, and bushfire. The proposal for urban development adds some further considerations in regards to locational requirements, capacity of infrastructure, limited access opportunities, and additional demand upon social infrastructure.

Following an assessment of the application against the provisions of Maroochy Plan 2000 and the SEQ Regional Plan, a number of conflicts have been identified in the areas of:

- Aboriginal cultural heritage
- Need
- Social and physical infrastructure capacity
- Natural habitat corridors, open space networks and biodiversity values and

- Water catchment and receiving environment.

The conflicts identified in this report are considered to be significant and unable to be overcome with conditions. Although a number of the grounds suggested by the applicant have some merit, upon detailed consideration it is recommended that Council issue a concurrence agency notice and direct the Noosa Shire Council to refuse the application for that part of the development application within the new Sunshine Coast Council region.

OFFICER RECOMMENDATION

That Council as Concurrence Agency advise the Noosa Shire Council that it requires that the Assessment Manager REFUSE that part of Application No. MCU12/0208 within the Sunshine Coast local government area which seeks a Preliminary Approval for Material Change of Use under Section 242 of the *Sustainable Planning Act 2009* to vary the effect of Maroochy Plan 2000 for a mixed use community title development at Eenie Creek Road, 99 & 191 Hollett Road Noosaville and 106 & 108-142 Tidswell Road Weyba Downs. Further, Council's concurrence agency response to Noosa Shire Council includes the following reasons for refusal:

1. The development proposed has not demonstrated sufficient grounds in the public interest to justify or override the identified conflicts with the planning scheme.
2. The development proposed is not located in an area planned to benefit from all relevant urban infrastructure and current planning assumptions. The proposal requires out of sequence infrastructure upgrades, which have not been considered for funding trunk infrastructure. Consequently, the proposal conflicts with the provisions of Maroochy Plan 2000.
3. The development proposed conflicts with the South East Queensland Regional Plan and pre-empts the planning process for expansion of the urban footprint.
4. The development proposed will result in an unacceptable risk to people and property with respect to bushfire hazard. Consequently, the proposal conflicts with the Maroochy Plan 2000.
5. The development proposed would have unacceptable impacts on receiving waterways and wetlands. Consequently, the proposal conflicts with the Maroochy Plan 2000.
6. The development proposed would have unacceptable impacts on flora and fauna. Consequently, the proposal conflicts with the Maroochy Plan 2000.

FINANCE AND RESOURCING

If council were to approve this development, the applicant would be required to pay infrastructure charges for trunk infrastructure within each local government area.

If approved, the development would pay approximately \$10.5 million in infrastructure charges to the Sunshine Coast Council (excluding water and sewerage infrastructure). The following networks would be applicable under the Adopted Infrastructure Charges regime:

- Water & Sewerage
- Transport
- Public Parks and Land for Community Facilities
- Stormwater (residential)

The proposed development area lies outside the Priority Infrastructure Area and has not been included in the current infrastructure planning for either the Sunshine Coast Council or Noosa Shire Council.

PROPOSAL

The application seeks a preliminary approval under section 242 of the *Sustainable Planning Act 2009* to vary the effect of both Maroochy Plan 2000 and The Noosa Plan for a mixed-use community title development comprising a mix of residential, retail, community and open spaces uses within 4 Precincts as identified below:



The development, over a 63.47ha development footprint, will yield approximately 876 to 1008 dwellings and a 600m² local centre within Precinct 1. The development is to be identified as Noosa on Weyba and will be established under a community title scheme.

The proposal is submitted on the basis of a transfer of three lots into public ownership for inclusion into the Noosa National Park. The site has been gazetted by the State as a Biodiversity Development Offset Area for the purpose of achieving a net benefit to koala conservation. The Offset Area is discussed in detail later in this report.

A Noosa on Weyba Locality Plan and Code is proposed to override the planning scheme provisions for the development site. The Noosa on Weyba Locality Code proposes to vary the effect of both the Noosa and Maroochy Planning Instruments by identifying the:

- Land to which this Preliminary Approval applies and the classification of this Land into precincts

- Intents for each precinct
- Relevant Zones within each Precinct
- Level of Assessment tables to guide future development
- Locality Code – with specific local planning provisions
- Development Parameters for Community Title Residential Lots
- Development Parameters for the Neighbourhood Centre
- Architecture Guidelines

The Locality Plan proposes four urban precincts within the development footprint with varying densities and character. Precincts 1 & 2 are located within Sunshine Coast Council Region and the remaining within Noosa Shire.

Precinct No.	Area	Description
1	14.65ha	Detached Housing Zone – 6.4ha Attached Housing Zone – 7ha Neighbourhood Centre Zone – 1.25ha
2	12.6ha	Detached Housing Zone – 12.6ha
3	28.46ha	Detached Housing Zone – 26.57ha Attached Housing Zone – 1.89ha
4	7.76ha	Detached Housing Zone – 1.25ha Attached Housing Zone – 3.62ha Rural Settlement Zone – 2.89ha

The precincts are further broken down into five proposed zones, being:

- **Detached Housing Zone** - consistent uses include - home based business, park, detached dwelling, small lot dwelling, community residence, duplex, B&B and estate office.
- **Attached Housing Zone** - consistent uses include - home based business, park, detached dwelling, small lot dwelling, multiple housing/units.
- **Open Space Conservation Zone** (located outside the 4 designated residential Precincts) - consistent uses include – information centre, nature trail and potential community facility (located on lake front within existing dwelling).
- **Rural Settlement Zone** - consistent uses include – detached house, caretaker residence, B&B, cultivation, animal husbandry, forestry, home based business, veterinary clinic, estate office and emergency services.
- **Neighbourhood Centre Zone** - consistent uses include commercial and dining businesses, local retail, hardware, garden centre, childcare, social wellbeing centre and multiple housing/units.

The supplementary tables of development make all uses identified within each of the zones self-assessable, or code assessable if they do not comply with the acceptable solutions. Further community title subdivision and operational works applications are code assessable.

The overall density of the development is proposed at 14-17 dwellings per hectare (within the development footprint) and is nominated as a specific solution/performance outcome. The density within each zone is also nominated as an acceptable measure and varies from 5-7 to 13-15 dwellings a hectare within the detached housing zone and 13-15 to 30-32 dwellings a hectare for the attached housing zone.

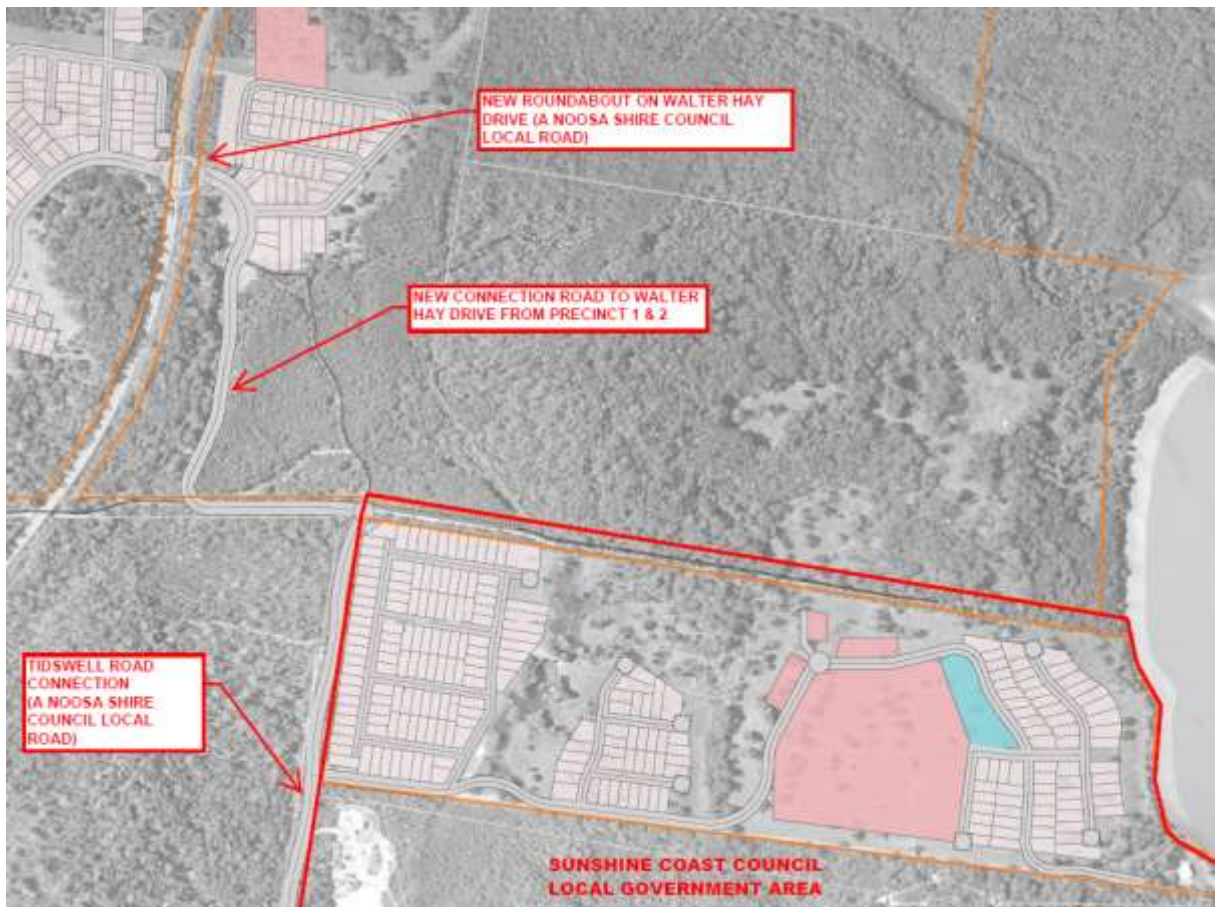
Minimum lot sizes range from 350m² to 1,000m² depending on the intended use, as indicated below:

Use	Lot Size
Small lot dwelling	350-499m ² *
Detached dwelling	450m ²
Duplex	600m ²
Multiple housing	800m ²
Neighbourhood centre	1,000m ²

*Note - Although there are no controls on the proportion of Small Lot Dwellings in the Locality Plan, it is mentioned in other parts of the application that these lots are limited to 10%.

The proposal is for a predominant building height of 2 storeys for all development except some multiple dwellings proposed at 3 storeys, to be located in the neighbourhood centre zone and a number of attached housing zones. The nearest 3 storey precinct is approximately 200 metres from Lake Weyba.

An indicative development layout plan was included to assist in the assessment, although the applicant has clarified that this is for information purposes only and is not to form an approval document or constrain the proposal. The development potential is to be assessed through future applications based on the assessment parameters of the Locality Plan and any conditions that may be imposed if the development is approved. The development concept layout and access arrangement is identified below:



All vehicle access to the proposed development within the Noosa Shire Council area (Precincts 3 and 4) is obtained via a proposed new roundabout on Walter Hay Drive. No regular vehicle access is proposed between that part of the development west of Walter Hay

Drive and the existing Hollett Road reserve through to Eumundi-Noosa Road, although this link will be available as an alternative emergency vehicle access route.

Vehicle access to that part of the development within the Sunshine Coast Council area (Precincts 1 and 2) is proposed via a link road consisting of an upgraded Tidswell Road (joining with Eumarella Road to the south) and a new northern road extension to the proposed Walter Hay Drive roundabout, utilising part of the existing Hollett Road reserve and a new road through the proposed Open Space Conservation Zone.

A network of open space and conservation areas are proposed throughout the development and will link to existing adjoining conservation and open space areas. A detailed pedestrian and cyclist network is proposed throughout the development and will connect to existing residential and rural residential developments (north and south of the site).

The development will connect to all necessary services, with substantial works required to extend some networks to the site. Sewer and water will be reticulated to the development and the Noosa Heads Sewage Treatment Plant is anticipated to treat outflows for a potential population of approximately 2,500 people. The location of the site will require construction of a number of new pump stations to send effluent 6.5km to Noosa's treatment plant.

The Noosa on Weyba Development has sought to achieve Triple Bottom Line sustainability as part of the proposal's commitment to the granting of the Biodiversity Offset. Noosa on Weyba achieved Earthcheck Certification for Precinct Planning and Design Standard for ecological performance from The Centre for Sustainable Design - University of Queensland. Earthcheck is a tool that provides an organisation with environmental design frameworks, energy and water models, social and economic guidelines and checklists to achieve Triple Bottom Line sustainability. The applicant has sought to provide an outcome that can play a crucial role in promoting individual well-being and contribute positive social, economic and environmental value to the precinct providing benefits of specific dimensions of quality of life such as health, safety and economic well-being.

In support of the proposal, the applicant has confirmed the site is within a 2km aerial radius to Noosa Civic (1.5km from new roundabout on Walter Hay Drive), a major regional retail and commercial centre and is within a 5km aerial radius of other suburban centres such as Noosa Heads, Sunshine Beach and Tewantin. Plus the subject site is surrounded by urban and resort development such as:

- Noosa Civic Shopping Centre to the north.
- The residential estate on Lakes Entrance Drive also to the north.
- The rural residential and 9 hole golf course development to the west.
- The Eumarella Shores and Weyba Point Cottages resort developments to the immediate south.
- The Weyba Downs large lot residential development to the south.

The applicant suggests that the proposed Noosa on Weyba development provides for the logical extensions of residential development to aid in accommodating the rising population in the Sunshine Coast locality and should be considered as an infill development.

A community management scheme for the development controlled by a body corporate is proposed to include the following responsibilities, in addition to the standard matters within a community title scheme:

- Restrict certain types (breeds) of pets and the quantity of domesticated animals any one household may possess onsite.

- Maintain Koala Proof/Wildlife exclusion fencing.
- Provide funds to manage feral animals in the expanded section of national park.
- Be responsible for the monitoring and management of the biodiversity values and native animal activity within the development.
- Provide a quarterly newsletter to the Noosa on Weyba community regarding the observations, events, reminder of key body corporate responsibilities, and contact details for reporting sick and injured animals.
- Establish and maintain environmental interpretive signage within the development.
- Maintain a number of roads and parks within the development.
- Maintain fire breaks around the development.
- Maintain and regularly mow the required mosquito buffers.

The applicant has also suggested that the community management scheme will require 24 hour / 7 days per week management of the estate by the Body Corporate manager and staff, to ensure the By Laws are continually policed. Initial estimates provided by the applicant indicate the yearly cost to be over \$1 million dollars a year or approximately \$25 a week per dwelling.

Supporting Studies

The proposal was supported by extensive specialist and supporting reports as follows:

- Planning Report
- Sustainability Report
- Needs Assessment Report
- Cultural Heritage Due Diligence Assessment
- Urban Design Report, Landscape Concept & Locality Code
- Agricultural Land Report
- Ecological Report
- Koala Report/Koala Impact and Net Benefit Assessment
- Property Vegetation Management Plan
- Bushfire Report
- Biting Insect Investigation and Risk Management Report
- Flood Study
- Stormwater Management Plans
- Integrated Water Cycle Management Plan
- Coastal Plan Report
- Civil Engineering Report
- Geotechnical Report
- Water & Sewer Report/Analysis
- Electrical & Communication Services Report
- Traffic Report/Impact Assessment
- Traffic Acoustic Report
- Groundwater Report
- Contaminated Land report
- Community Title Report
- Strategic Cropping Land Validation Report

SITE DETAILS**Background/Site History (Council Applications)**

16 August 2004 – (Council file reference - M987674) - Lot 11 RP 893393 108-142 Tidswell Road (Sunshine Coast local government area) – Court approval for Material Change of Use - Rural Holiday Accommodation for twenty-four (24) villas, a reception area with a restaurant, spa, pool and meeting room and a three (3) bedroom manager's residence. A maximum of 108 persons would occupy the site at any one time. An extension of the relevant period is currently in appeal and is subject to further negotiations.

25 September 2012 – (Council file reference - PLM12/0092) – Pre-lodgement Meeting for the current proposal – A pre-lodgement meeting was held with the applicant and preliminary advice identified the required specialist reports and covered the core areas of planning, environmental, hydraulic and infrastructure. In addition to other technical matters, the following planning advice was given:

- The application to include and make reference to the council's current Strategy documents and the draft new planning scheme.
- An assessment should be included to demonstrate the development is consistent with the character, amenity and expected lifestyle within the locality.
- Demonstrate the development's net benefit to the community.
- The proposal is close to the urban footprint, but is considered isolated when considering the nature of the road network and the public and active transport possibilities to access employment, services and the like (transport for other than recreational purposes). The Noosa Plan and Maroochy Plan seek to encourage the use of other transport alternatives compared to private vehicles. The report should demonstrate how the development provides sufficient transport choices (particularly access to public transport) to access the above.

Council's chairperson for the meeting has confirmed that the applicant was advised that it appeared there were insufficient grounds in favour of the proposal to overcome the planning conflicts and the development was unlikely to be supported.

5 July 2013 – (Appeal No.344 of 2009) Court approval for a Development Permit for Reconfiguration of a Lot (52 Lots & Park) at 191 Hollett Rd Noosaville (Lot 53 SP163571 – within the Noosa Shire Council local government area). 49 rural residential and one rural allotment located to the west of Walter Hay Drive and two rural allotments to the west of Walter Hay Drive.

The current development approvals for the development site are identified on the plan below (provided by the applicant):



Site Description

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





The plan below indicates the Noosa Shire Council and Sunshine Coast Council local government boundary in respect of the subject site (as denoted by the black line). The southern subject lots (Lot 12 RP 893393 – 6,108m² and Lot 11 SP250714 – 40.52ha) are within the Sunshine Coast Regional Council local government area. The only constructed road access is via Tidswell Road, a road reserve within the control of Noosa Shire Council, with the eastern section of Hollett Road (an unconstructed road) within the jurisdiction of Sunshine Coast Council.



The entire subject site comprises 7 land holdings and a total area of 303.03 hectares. The site is situated in the northwest corner of Lake Weyba and is bounded by Noosa National Park to the north, Lake Weyba to the east and Hollett Road and Weyba Nature Refuge to the southwest. Of the 303.03 hectares, the 3 north eastern lots (within Noosa Shire Council), with a combined area of 139.5 hectares, will be transferred to the State for the purposes of inclusion in the Noosa National Park.

A large proportion of the site is extensively vegetated, with an existing habitat corridor connecting Noosa National Park to the north with Weyba Nature Refuge to the south. The two lots within the Sunshine Coast local government area have been substantially cleared through previous farming practices. Although predominantly cleared, a disturbed waterway corridor and a large number of habitat trees remain.

The entire site (including the area to be dedicated as National Park) has just over 400m direct interface with Lake Weyba, being the area within the development footprint and within the Sunshine Coast Council local government boundary. The remainder of the land within Noosa Shire Council local government area is separated from the shoreline by road reserve, esplanade, the Noosa Airfield and existing National Park, with the narrowest point being approximately 40 metres. A large proportion of the site is low lying, with Eenie Creek and a number of other smaller tributaries passing through the site and some within close proximity to the proposed development footprint.

The site is severed by Walter Hay Drive, an extension of the Sunshine Motorway connecting Noosa to the south (and a Noosa Shire Council road). The southern portion of the site (including the two lots in the Sunshine Coast Council local government area) has unsealed road access from Tidswell Road connecting to Hollett Road, which traverses from a water frontage of Lake Weyba to Eumundi Noosa Road in the west.

All essential infrastructure to service the development is proposed to be accommodated within the Noosa Shire Council local government area, with the exception of Eumarella Road, which connects to Tidswell Road, a southern connecting road to the development.

Surrounding Land Uses

The subject site adjoins a mixture of urban, rural and open space areas. Directly to the north is a section of Noosa National Park and another small section of National Park is situated within the subject site on the banks of Lake Weyba. The Noosa Airfield is also located adjacent the north eastern section of the site on a separate lot and obtains access through a lot proposed to be dedicated as National Park. This facility is a low-key airstrip used primarily by private and small scale commercial operators. This facility is the nearest airstrip for the core urban area of Noosa.

Noosa Civic is situated 1.5km north from the proposed new roundabout on Walter Hay Drive, with existing residential development in Lake Entrance Boulevard to the northwest, severed by Eenie Creek and existing nature reserves. The average lot size in the existing residential to the north is 600m² and increasing to over 1,000m² directly adjoining the subject site. There are no pedestrian or road connections to the subject site from the northern residential developments, with the exception of Walter Hay Drive, a high order road incorporating an on-road bicycle lane.

Directly to the south of the site, within the Sunshine Coast Council area, are two rural allotments, with one identified as a private nature refuge and includes a small scale B&B (Eumarella Shores). Further to the south is a rural residential settlement developed in the 1980's, with lots over 5,000m² in size and a publicly accessible waterfront esplanade (with road reserve frontage) in excess of 80m in width.

Southwest of the subject site within the Noosa Shire Council local government area and severed by Walter Hay Drive is the publicly owned Weyba Nature Refuge, with the Noosa refuse station situated within the southwest corner of this lot.

BIODIVERSITY OFFSET AREA

The application has been made possible under the State Planning Policy 2/10: Koala Conservation in South East Queensland (SPP 2/10), where the Planning Minister may declare an area to be a Biodiversity Development Offset Area (BDOA) for the purposes of achieving a net benefit for koala conservation.

The Biodiversity Development Offset Area mechanism operates within a policy framework constituted by the South East Queensland Regional Plan 2009-2031, State Planning Regulatory Provisions and State Planning Policy 2/10 Koala Conservation in South East Queensland.

The intent of a Biodiversity Development Offset Area is to provide *an opportunity to potentially transfer development from one parcel of land (being the send site) to another parcel of land (being the receive site) in the interest of biodiversity conservation*. A development application is then lodged over the 'receive' site and, if approved, a net benefit to koala conservation values occurs through ongoing protection within the 'send' site of significant biodiversity values and habitat connectivity in the South East Queensland region.

The declaration of a Biodiversity Development Offset Area facilitates the ability to make the development application over the 'receive' site by suspending those provisions of the SEQ Regional Plan (Section 2.1 & 3.1) that impact on proposals for urban development outside the Urban Footprint.

The declaration does not guarantee, imply or direct development approval, nor does it affect the assessment and decision rules under the *Sustainable Planning Act 2009*. Any development applications for development within a Biodiversity Development Offset Area will continue to be assessed on their merits against relevant State and local planning instruments.

The Biodiversity Development Offset Area declaration was made on 3 February 2012. Accompanying the Biodiversity Development Offset Area declaration was an associated Infrastructure Agreement between the State and the applicant dated 20 January 2012. The IA identified the 'send' and 'receive' sites and the specific actions and timeframes for the developer. The agreement requires the applicant to lodge a development application over the receive site within 12 months of the Biodiversity Development Offset Area declaration and for the send site to be transferred to the State for inclusion into the Noosa National Park if a development approval over the receive site is issued.

The Biodiversity Development Offset Area declaration identifies the seven allotments that form the subject site for this development application. Three lots are identified as the 'send' site and four lots are identified as the 'receive' site. The details are as follows:

Send Sites (Total Area – 139.5ha)

- Lot 7 RP 46782 (2ha) – within NSC
- Lot 2 RP 160983 (93.1ha) - within NSC
- Lot 1667 M 37772 (44.4ha) - within NSC

Receive Sites (Total Area – 163.6ha)

- Lot 2 SP 179590 (12.5ha) - within NSC
- Lot 53 SP 163571 (110ha) - within NSC
- Lot 11 SP 250714 (40.5ha) - within SCC

- Lot 12 RP 893393 (0.6ha) - within SCC

Prior to the Minister making his decision, Sunshine Coast Regional Council considered the Biodiversity Development Offset Area proposal. On 17 December 2011, a report was considered at council's Ordinary Meeting. Council resolved to advise the Department that it did not support the proposed Biodiversity Development Offset Area, as it was likely to lead to a development outcome that would not provide a net benefit to koala conservation values in the area. The following reasons were given:

- The 'send' sites have significant protection of their current habitat values through zonings under The Noosa Plan 2006 and the protection of existing significant vegetation under the Vegetation Management Act;
- The 'send' sites currently have minimal development entitlements;
- There is only limited potential to approve development entitlements over the 'receive' sites due to their existing or potential habitat values for koala; and
- The proposed Biodiversity Development Offset Area is not supported as it is likely to lead to a development outcome that does not provide a net benefit to koala conservation values in the area.

ASSESSMENT

Framework for Assessment

In accordance with section 952 of the *Local Government and Other Legislation Amendment Bill 2013 Part 5 Amendment of Sustainable Planning Act 2009*, the continuing local government (Sunshine Coast Council) decided on 2 January 2014 that it would not be the decision maker for the application and the new local government (Noosa) became the decision maker. Under Section 952 (10) the other local government that is not the decision maker (Sunshine Coast Council) becomes the concurrence agency for the application to the extent the application is about land within the local government's area. The concurrence agency must give its response within 30 business days (14 February 2014). The decision maker (Noosa) cannot make a decision until receipt of the concurrence agency response or the expiration of the 30 business days.

As a Concurrence Agency, Sunshine Coast Council must assess the application under the assessment rules identified by Section 282 of the *Sustainable Planning Act 2009*. This council can only assess the application within the limits of its jurisdiction (land within the local government area) and having regard to the Regional Plan, State Planning Regulatory provisions, State Planning Policies, the planning scheme and any other laws and policies administered by council (such as the adopted infrastructure charges resolution).

"A concurrence agency's response may, within the limits of the concurrence agency's jurisdiction, tell the assessment manager 1 or more of the following—

- (a) the conditions that must attach to any development approval;*
- (b) that any approval must be for part only of the development;*
- (c) that any approval must be a preliminary approval only.....*

Alternatively, a concurrence agency's response must, within the limits of the concurrence agency's jurisdiction, tell the assessment manager—

- (a) the concurrence agency has no requirements relating to the application; or*
- (b) to refuse the application"*

Under the *Sustainable Planning Act 2009*, should Sunshine Coast Council direct refusal of the part of the application within its jurisdiction, the assessment manager (Noosa Shire Council) must also refuse that part of the application.

Instruments for Statutory Assessment

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

- State Planning Policies
- the South East Queensland Regional Plan
- State Planning Regulatory Provisions
- the Planning Scheme for each of the local government areas.

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

Statutory Instruments – State and Other

State Planning Policies

The following State Planning Policies are applicable to this application:

- State Planning Policy 1/92 Development and the Conservation of Agricultural Land
- State Planning Policy 2/02 Planning and Managing Development Involving Acid Sulfate Soils
- State Planning Policy 1/03 Mitigating the Adverse Impacts of Flood, Bushfire and Landslide
- State Planning Policy 3/11 Coastal Protection
- State Planning Policy 1/12 Protection of Queensland's Strategic Cropping Land

SPP1/02, SPP2/02, SPP1/03 have been deemed by the Minister for Local Government and Planning as being appropriately reflected in council's planning scheme and therefore do not warrant a separate assessment.

- State Planning Policy 1/12: Protection of Queensland's Strategic Cropping Land.

The site is mapped for Strategic Cropping Land under State Planning Policy 1/12 Protection of Queensland's Strategic Cropping Land. During the application process, the applicant undertook an assessment process with the State that resulted in the removal of the Strategic Cropping Land Designation for the site. Therefore the SPP is no longer applicable.

- State Planning Policy 3/11: Coastal Protection

The Queensland Coastal Plan has been suspended and replaced with the Draft Coastal Protection State Planning Regulatory Provision Protecting the Coastal Environment (Draft SPRP) which commenced on 8 October 2012. This Draft SPRP is applicable to the development because it is an impact assessable development application within the coastal management district.

With respect to coastal hazards, the Draft SPRP states that areas in the coastal zone identified as having a high risk of being affected by coastal hazards need to be carefully considered and, wherever possible, be retained undeveloped. The proposed development is

assessed as being in compliance with the Draft SPRP because the areas of the site affected by high risk coastal hazards have mainly been avoided and are proposed as National Park or to remain vegetated within the development. The exception to this is some smaller creek crossings. The medium hazard areas to be developed are proposed to be filled to mitigate the hazard.

Some roads are located within the revised erosion prone area and within the high hazard area for storm tide inundation. These areas are mapped as being erosion prone due to the projected permanent tidal inundation as a result of sea level rise.

In response to Council's request for further information, the applicant moved the main road crossing to the southern portion of the Precinct 2 to avoid the high hazard erosion prone area. A minor (emergency) road is proposed over the high hazard area. However, it is considered that by changing the location of the main access, the Sunshine Coast Council local government portion of the site has avoided the high hazard area as much as is reasonably possible.

Single State Planning Policy

The State Government released the single State Planning Policy on 2 December 2013, which replaces a number of existing policies into a single policy document that provides a clear, consolidated and comprehensive view of the state's interests in land use planning and development in one place.

Advice from DSDIP is that the SPP is only applied to development applications made on or after 2 December 2013.

South East Queensland Regional Plan

The site is located within the Regional Landscape and Rural Production area of the South East Queensland Regional Plan. The proposal is for urban development and further subdivision within the Regional Landscape and Rural Production area. This urban development would normally be prohibited or considered to conflict with the Regional Plan provisions. However, sections 2.1 and 3.1 of the SEQ Regional Plan Regulatory Provisions do not apply as a result of the BDOA declaration for the site.

Even land within the urban footprint is not always appropriate for urban development. The Regional Plan states: *'Inclusion of land in the Urban Footprint does not imply that all such lands can be developed for urban purposes. The Urban Footprint includes some land not available or appropriate to develop. Land in the urban footprint may otherwise be unsuitable for urban development for a range of more local reasons, including constraints such as flooding, land slope, scenic amenity, and protection of biodiversity values of state, regional or local significance. Local government Planning Schemes and Structure Plans are the principal instruments for establishing the desired use of land and the preferred timing of development within the Urban Footprint.'* The Regional Plan is clear in its intent that achieving the regional outcomes is both a matter of timing and a matter of local policy to be achieved through subsequent Planning Scheme amendments.

The general urban development principles of the regional plan emphasises compact and efficient development in areas that have access to community/public services, infrastructure and are proximate to centres and associated services. Areas within the current urban footprint are generally considered to be physically suitable as a logical expansion of existing urban areas and the urban footprint generally excludes areas with unacceptable risk of hazard or high ecological significance. Achieving the aims of the Regional Plan is one of the grounds for support to be weighed against the conflicts with Maroochy Plan 2000.

It is a necessary consideration for Council in determining the suitability of the current proposal that the site constraints and provisions of infrastructure can be adequately managed such that development would be a logical extension of the urban footprint.

However, the Regional Plan indicates that the preferred method for dealing with potential greenfield development is through a planning process undertaken by Council rather than through the Development Assessment process.

This Preliminary Approval application under section 242 of the *Sustainable Planning Act 2009* for a development outside the urban footprint pre-empts the Strategic Planning process for both local government areas. The planning process for all new urban development areas is usually subjected to a thorough and collaborative planning process to establish the broad structure, layout, appropriate land uses and service corridors required for future development and community needs. Accordingly, the proposal is considered to conflict with the proposed outcomes of the Regional Plan.

State Planning Regulatory Provisions

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

- SEQ Regional Plan Regulatory Provisions
- SEQ Koala Conservation Regulatory Provisions
- Draft Coastal Protection Regulatory Provisions

Preliminary Approval Overriding the Planning Scheme

A preliminary approval would approve the Noosa on Weyba development for residential use, but would not authorise development to proceed without further development permits being issued, including reconfiguration applications to create the precincts and/or residential lots and material change of use applications for the higher density residential attached housing, retirement village and retail development.

Section 329 of the *Sustainable Planning Act 2009*, states that an assessment manager must not approve development that conflicts with the planning scheme unless there are sufficient grounds to justify the decision despite the conflict. Accordingly, the onus is on the applicant to demonstrate the merits of the proposal and provide sufficient planning grounds to justify the proposal (refer to the Applicant's Sufficient Grounds section of this report).

Section 327 of SPA identifies explicit decision rules for assessing 242 applications, while Section 326 (1) of the SPA states '*The assessment manager's decision must not conflict with a relevant instrument unless -*

- (a) the conflict is necessary to ensure the decision complies with a State planning regulatory provision; or*
- (b) there are sufficient grounds to justify the decision, despite the conflict; or'*

Under SPA, "grounds", means "matters of public interest" and "does not include the personal circumstances of an applicant, owner or interested party."

Applicant's Grounds for approval

The applicant acknowledges that the current application does not comply with the provisions of Maroochy Plan 2000, but maintains that their application comprises sufficient planning grounds to override the planning schemes in accordance with section 329(1)(b) of the *Sustainable Planning Act 2009*. Of the original 34 grounds for approval, the applicant reduced these to a condensed list of the core 10 grounds. These grounds and an assessment of each are included below:

Biodiversity Development Offset Area – expanded Noosa National Park benefits.

- 1. In September 2007, the former Noosa Shire boundary (the Noosa District) was designated as a biosphere region by the United Nations Educational, Scientific and Cultural Organisation's (UNESCO) Man and the Biosphere (MAB) Program. The Noosa Biosphere Reserve consists of 150,000ha of land and sea and since 2007 the primary focus has been to ensure the area is valued, looked after and conserved. The proposed Noosa on Weyba development will comply with the initiatives associated with the Noosa Biosphere through transferring 139.5 Ha of the site to the State for the purposes of inclusion into the Noosa National Park, with an estimated value of \$18,600,000, at no cost to the public.*

Assessment – The inclusion of an additional 139.5ha as National Park will ensure the long term protection of this ecologically significant area. However, council has previously confirmed that there is existing protection of the current habitat values through zonings under The Noosa Plan 2006 and the protection of existing significant vegetation under the Vegetation Management Act. The development options available under the current legislation are severely limited and the majority of the land is also flood prone, further restricting potential development. The estimated value has not been confirmed by an independent valuer.

- 2. The transfer of 139.5 Ha of the Noosa on Weyba site to the State for the purposes of inclusion into the Noosa National Park will link together two isolated sections of Noosa National Park causing a large contiguous section of National Park. The dedication of the BDOA 'Send' land will provide the opportunity to unlock the major component of Lake Weyba and provide public access to a greater range of National Park and the 1.6kms of Lake Weyba shoreline, with these areas currently not generally accessible to the general public due to restrictions caused by private ownership of the surrounding land*

Assessment – The inclusion of an additional 139.5ha to create a large contiguous section of National Park to the north will ensure the long term protection of this ecologically significant area. However, the development proposes to create additional road corridors (with large volumes of traffic) through existing habitat corridors which will create new additional barriers between the National Park and other public and private reserves. Approximately 1.2km of the suggested 1.6km of Lake Weyba shoreline is already in public ownership (being within road reserve or esplanade). The dedication of additional land to the National Park is unlikely to increase public access opportunities to the shoreline as no new facilities are proposed within the new area of proposed National Park and access is already constrained by existing vegetation communities and a number of waterways entering the lake. The 400m of current private Lake Weyba Shoreline that fronts the development footprint will be contained within common property of the community title scheme and will offer some limited public access for visitors outside the development. This common property will have limited direct road frontage, with the majority adjoined directly by private residences.

- 3. The additional 139.5 Ha of BDOA 'Send' Land to be included as part of Noosa National Park will increase the area of the total National Park by approximately 5% of which is expected to increase the number of visitor nights to Noosa National Park by 5%, or 88,116 visitor nights annually. The increase in visitor nights is also expected to generate an increase in expenditure of approximately \$11.8 million. The increase in demand for facilities and services as a result of the expected rise in visitor nights is envisioned to have a flow on effect with the employment industry, with an estimated 19 full time equivalent jobs to be generated in the tourism industry as a result.*

Assessment – The application places a significant emphasis of the economic benefits of the new National Park dedication as grounds for approval despite the conflict. The peer review of the submitted Needs Assessment confirmed that *"the additional 139.5ha would not*

increase visitor numbers by 5%. The Noosa National Park is a large park extending from Noosa Heads to Coolumb. In terms of its usage, the vast majority of the park's visitors concentrate in Noosa Heads. The small addition would be unlikely to result in increased visitation unless different facilities or natural features were provided." A public car park is proposed adjacent a section of the new National Park, although there are no new facilities or trails within the new National Park. There is also an opportunity for the public to access the shoreline within the development footprint, but this does not extend into the National Park. The Noosa National Park already covers the entire eastern side of Lake Weyba and the southern and a significant portion of the eastern lake frontages are also contained within National Park or reserves under public ownership.

Environmental benefits

4. *A proposed wide wildlife corridor (approximately 370m) will be maintained between the expanded National Park and the Council Wildlife Refuge to the south west of the subject site (at the intersection of Hollett and Tidswell Roads) and enhancements will be created under and over the roadways to support wildlife movement in this area.*

The Noosa on Weyba Development will further protect and enhance the flora and fauna in the surrounding locality through the extension of the partially completed Koala proof / wildlife exclusion fencing (with the existing exclusion fencing extending from the Hollett Road underpass in a southerly direction for a distance of only approximately 1 km) for the full length, both sides, along Walter Hay Drive from the Eenie Creek Road to the Eumarella Road roundabout, at no cost to the public.

Assessment – The extension of the fencing along Walter Hay Drive will assist to further restrict animal movements onto Walter Hay Drive. The development results in a restriction of this existing corridor down to 370 metres. This will be one of the only corridors to remain after the residential development proceeds. However, the 370 metre wide corridor will be further restricted as it also includes a new road dissecting the corridor and servicing the development with high traffic volumes (1,980 – 2,220 vehicles a day), requiring exclusion fencing and fauna passes. Thus, the development will restrict fauna movement that is currently unrestricted in this locality. The development will also upgrade Tidswell Road and significantly increase vehicle movements along this existing road (1,320 – 1,480 vehicles a day), which currently dissects Weyba Nature Refuge, private nature refuges to the east and another section of Noosa National Park to the south.

5. *As part of the Noosa on Weyba project a community education and stewardship strategy will be developed and implemented to ensure that all residents and visitors are aware of the Koala habitat (and other broader biodiversity) values of the Noosa on Weyba locality. This community education and stewardship strategy will include provision for measures such as the following.*
1. *Information packages for prospective residents concerning:*
 - *the environmental values of the Noosa on Weyba site locality*
 - *specific design features of the Noosa on Weyba project that respond to those important environmental values*
 - *specific BC regulations and controls that residents and their guests would need to comply with to ensure that important environmental values are protected.*
 2. *Issue of a regular (e.g. quarterly) Environmental Newsletter providing information:*
 - *concerning notable environmental observation or events within the Noosa on Weyba locality (e.g. commencement of Koala breeding season)*
 - *reminding residents of their environmental management obligations under the BC regulations and*
 - *contact details for the reporting of sick/injured wildlife or free-roaming dogs.*
 3. *Initiation of a Noosa on Weyba Land Care Group (or similar) that is designed to provide residents with the opportunity to become actively involved in the monitoring*

and management of the biodiversity, including Koala habitat, values of the Noosa on Weyba.

4. *Establishment and maintenance of environmental interpretative signage throughout the Noosa on Weyba project that provides residents and visitors with information concerning the Koala ecology and conservation issues of relevance to the Noosa on Weyba locality.*

In addition to educating the community on environmental features, the proposed Community Title Scheme Body Corporate levies structure will also contain an environmental levy to maintain the Koala proof / wildlife exclusion fencing and provide funds to manage feral animals in the expanded Eenie Creek section of the Noosa National Park.

The Noosa on Weyba development will also incorporate an Integrated Water Cycling Management scheme which, in conjunction with the latest stormwater management technique, will aid in improving the stormwater quality impact on surrounding waterways. The stormwater quality treatment of the Noosa on Weyba development employs a range of innovative measures to ensure the best results. These include:

- *10 kilolitre rainwater tanks for each residential lot. (This is more than twice the requirement of Queensland Development Code)*
- *Bio-retention street trees and bio-retention gardens incorporated into the road reserve*
- *Bio-retention basins*
- *Vegetated bio-retention swales*
- *Litter baskets*
- *Natural wetland areas*
- *Buffers to environmentally sensitive areas*

Assessment – The proposal relies heavily on the community title arrangement and body corporate for the majority of the on-going ecological monitoring and implementation. If this can be successfully implemented, it will be a positive outcome for the development. The body corporate is a response to address the environmental issues and impacts caused by this residential development (which is situated within an ecologically highly sensitive environment) and it will need to cover the operating costs of environmental management of the site. The potential benefits and environmental credentials of the body corporate arrangement, although commendable as a solution to the impacts, do not benefit the wider community when compared to the development permitted by the current planning scheme.

With regards to the Integrated Water Cycling Management proposal, again this is a response to address the environmental issues caused by the development and is not considered to benefit the wider community. The requirement for a 10 kilolitre rainwater tank per lot is the only additional element proposed that is above the standard requirements for an urban development within the current urban footprint.

6. *Should a Development Approval be granted the land owners have applied to the Qld State Government to have the subject site declared a registered Wildlife Refuge to further protect the environment and the surrounding ecosystem. The dedication of the BDOA 'Send' land will result in only 19% or 58ha of the 303ha total site area to be developed into net urban uses footprint (this excludes the environmental buffers) therefore allowing for approximately 81% or 245ha to be either deemed as National Park or environmentally protected land.*

Assessment – The inclusion of an additional 139.5ha as National Park will ensure the long term protection of this ecologically significant area. The wider community benefit of including the additional environmental buffers and environmental areas is unclear and cannot be

quantified at this point in time. The primary issue is that many of these areas within and around the 63.47 hectares of development footprint (the nominated areas for the four residential precincts) are needed to be regularly mown and/or maintained for mosquito and bushfire control, in addition to storm water quantity and quality treatment areas that also require ongoing maintenance.

Community benefits

- 7. The Noosa on Weyba development will generate a large amount of income for both the State and Council with the creation of \$7,640,000 in Stamp Duty income to the state and annual rates income at project completion of \$661,000 will also be delivered.*

Assessment – It is agreed that the proposal would generate income via stamp duty and rates and the proposal would also generate employment during the construction phase and in nearby businesses afterwards. The additional stamp duty and rates are not considered a benefit in terms of the *Sustainable Planning Act 2009*, for the wider community.

- 8. The Noosa on Weyba Locality Plan provides for a range of housing affordability options, including Age Care and Retirement Living, for an estimated population of 2,000 people and the creation of housing for some 600 to 800 people that will work in the surrounding shire. The proposed development will not only providing housing for employees of existing jobs in the area but is also projected to create an abundance of additional employment opportunities. The Noosa on Weyba project is also predicted to create an estimated 2,023 construction jobs during development of the estate over an anticipated 8 years with an estimate of \$250,000,000 being spent on construction during that time as well as an estimated 309 full time operational jobs in the immediate locality when the project is completed. The proposed development will also support existing local business, employees and the Noosa Civic Shopping Centre with annual household expenditure of \$22,600,000 predicted to be created once the project is fully completed.*

Assessment – A range of housing options will be a benefit for the wider community and is a standard desired development outcome for all large scale urban developments in greenfield sites. This may assist housing affordability, depending on the market price point at the time or release.

- 9. Public amenity in the form of a tea house / café will be made available at the proposed entrance to the new National Park on Hollett Road, and this will include public parking for cars and bicycles in Hollett Road, which will all service the public visiting the expanded National Park and accessing Lake Weyba.*

Assessment – The establishment of a privately owned tea house/café is not considered a significant planning ground and has been questioned by the economic peer review in terms of financial viability, given the limited catchment and location. The public parking is unlikely to provide any additional community benefit as the additional National Park area is unlikely to result in increased visitation, unless different facilities or natural features were provided.

- 10. The proposed Noosa on Weyba development will create and enhance the efficiency in the use of the existing community infrastructure and facilities in the region through the following provisions;*

- The project will allow for flood free emergency access / egress from the dwellings along Lake Entrance Boulevard to the north of the subject site that currently get “cut off” in medium flood conditions. Tidswell Road will be constructed to a “flood free” standard which will provide existing residents along this road with flood free access.*
- The project will deliver sealed roads along the current dirt tracks in the Tidswell and part of Hollett Roads road reserves at no cost to the public.*

- *The town sewer and water connections could be made available to the adjoining Eumarella Shores & Weyba Point Cottages developments, and properties in Hollett Road, if those residents choose to connect to it.*
- *An extension of the Noosa cycleway system will be provided, at no cost to the public, which will substantially enhance cycle and walkway access to the National Park and Lake Weyba, and create an alternative cycleway route off Walter Hay Drive to Noosaville.*
- *The proposed roundabout on Walter Hay Drive will:*
 - *Slow traffic speed down to 60kmph from 100kmph for a section of the road which will lower the incidents of “road kill” of wildlife*
 - *Create an alternate access / egress for residents in Hollett Road*
 - *Lower the traffic speed on Walter Hay Drive which will lower the road noise impact on Hollett Road residents.*

Assessment – It is agreed the flood free access, sewerage connections and extensions of the cycle way system will benefit a number of residents in the wider community. However, the sealing of Tidswell and Hollett Roads is a necessary requirement for the proposed urban development and will only benefit a small number of existing local residents. These residents will also encounter increased traffic movements along these local roads and such traffic is likely to impact upon the current rural amenity of the locality.

The reduction in speed along Walter Hay Drive will increase destination times and increase maintenance costs for the Noosa Shire Council and community. The assertion that lowering the speed environment will lower road kill is difficult to quantify, particularly given the proposed development is likely to direct more animals towards this corridor.

The majority of the grounds identified by the development are not considered to be significant grounds in the public interest to justify an approval of the current proposal and are not sufficient to overcome the inconsistencies identified in the remainder of the report.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is Maroochy Plan 2000 (24 October 2011) and The Noosa Plan (8 August 2011). The following sections relate to the provisions of the Maroochy Plan 2000.

Strategic Provisions

Being an impact assessable application, the proposal triggers an assessment against the whole planning scheme, including the Strategic Plan and the Desired Environmental Outcomes. The Strategic Plan identifies the site as Agricultural Protection and Rural or Valued Habitat.

The majority of the development footprint (Precincts 1 & 2) is within the Agricultural Protection designation. The Strategic Plan generally seeks to protect good quality agricultural land for agricultural purposes.

The applicant submitted an Agricultural Land Report, which concluded that the site does not meet a number of recognised criteria for good quality agricultural lands. Council engaged Land Resource Assessment & Management Pty Ltd to undertake a peer review of the applicant's report. The peer review agreed that the land is not good quality agricultural land. The site was also affected by separate State mapping for Strategic Cropping Land under *State Planning Policy 1/12 Protection of Queensland's Strategic Cropping Land*. During the application process the applicant undertook an assessment process, with the State that resulted in the removal of the Strategic Cropping Land Designation for the site.

In respect of the detailed provisions of the Rural Activities Strategy within the Strategic Plan, it is clear that, while protection of viable agricultural land is central to the Strategy, it is not the whole of the concern of the Strategy. There are other values attributed to rural lands that are not predicated on the underlying economic productivity of the land. For example, a key issue identified in the Strategy is consideration of:

“the contribution of the broad-acre rural character of much of Maroochy Shire to its tourist image and the recognition that some areas may never be used for more intensive rural activity nor are likely to be suitable for closer settlement, yet such areas make a considerable contribution to the visual amenity of an area as low intensity grazing land.”

While the conflict with the Strategy may be a ground for refusal, the Rural Strategy does identify that there will be cases where other competing grounds will be sufficient to allow the loss of some rural lands adjacent to urban areas. Section 6.5.1 and Section 6.5.2 of the Strategic Plan states that Council is unlikely to support applications for any purposes other than agriculture unless there is a demonstrated need and community benefit that outweighs the need to preserve the land for agricultural purposes.

However, the rural strategy also identifies that *“development should have to demonstrate its suitability to the location and that it will not cause detrimental effects on the environment, the amenity of the locality, the rural landscape...”*

Although it has been demonstrated the site is not good quality agricultural or cropping land, the property offers environmental attributes that contribute to the rural character of the locality. If not of agricultural significance, the Strategic Plan would otherwise designate the land as Rural or Valued Habitat like the remaining portion of the site in accordance with the nestings under the Rural Activities Strategy. The intent for such land is to retain the land in its present situation and anticipates only limited development on such lands that can be sensitively located to avoid environmental impacts.

The intent of the Rural or Valued Habitat designation is:

“The emphasis of this allocation is generally on the retention of the land in its present situation, although development allocation in accordance with the Natural Resources Strategy and the development management and relevant code provisions of the Planning Scheme are envisaged....”

“A key principle of the natural resources strategy, as implemented through the Code for Nature Conservation and Biodiversity, is that, where development is proposed for sites having significant vegetation, buildings and other infrastructure should be directed away from environmentally sensitive areas and avoid fragmentation of important habitat corridors and linkages.”

“In Rural or Valued Habitat areas it will be a requirement that all development and use of premises protect the natural resources of the sites and that all development activities incorporate appropriate design solutions and other best environmental management practices.”

The overriding need for the use must be adequately demonstrated along with how the use can be sensitively integrated into the environment before the use could be supported at the strategic level. Given the site constraints (being significant vegetation communities and proximity to waterways and Lake Weyba) and the extensive infrastructure (roads and services) and associated earthworks required to accommodate the proposal, development of this land will have a negative impact on the values intended to be protected by the planning scheme. The current proposal of a more intense urban fabric does not align with the intent of the Strategic Plan. A development with a significantly reduced development footprint and substantial reduction in density and scale that addresses all site constraints and maintains

current ecological process may align with the rural character of this locality and be an appropriate development outcome.

Based on the current development proposal, approval of the proposal would compromise the strategic intent of the Planning Scheme due to insufficient grounds and no demonstrated overriding community need/benefit.

Local Area Provisions

The subject site is located in Planning Area No 25 – Northern Coastal Plains, Precinct No 6 – Lake Weyba Catchment Area and is designated as a Water Supply Resource Area.

The vision statement for the Planning Area states:

“the Northern Coastal Plains Planning Area will retain its natural and rural landscape attributes, dominated by Noosa National Park, Lake Weyba, large tracts of remnant vegetation and a mosaic of rural activities. The protection of the natural and rural attributes of this Planning Area will ensure that the Coastal Plains remains a naturally attractive rural area which provides a pleasant gateway to the Shire and a meaningful contrast to the Shire’s urban areas and the urban communities located in Noosa Shire to the north.”

The Precinct intent expands on this further, by stating:

“The lake is part of a declared Fish Habitat Area and possesses a range of regional economic, ecological, recreational and scenic values consistent with the natural environmental character and qualities of the Sunshine Coast. The catchment is noted as being the homeland of the Gubbi Gubbi Aboriginal people.

The Precinct supports a mixed Wallum vegetation community which is recognised as important not only because of the diversity of fauna, but also because it provides a viable habitat for koalas which links to protected areas in Noosa Shire. The remnant vegetation also supports rare plant species and endangered vegetation communities.

A small amount of rural residential development has occurred in the Precinct in the past.

The intention of this Precinct is to protect the valuable water and other ecological resources in the region from pollution and to provide for the maintenance or improvement of the quality of surface or ground water entering Lake Weyba. Any proposal which introduces a potentially significant source of water contamination or other degradation into the catchment area is considered contrary to the desired character of the Precinct and an undesirable environmental outcome.

It is intended that the area’s rural or natural character be maintained, particularly through the retention, restoration or enhancement of natural vegetation.

Development within the catchment should be very restricted and consistent with principles of sound water catchment area management.

Any development in the catchment area is intended to provide for:

- (a) the adequate protection of areas of habitat identified as having conservation significance such that they remain ecologically sustainable*
- (b) the scenic values of forested areas to be respected*
- (c) the retention, restoration or enhancement of vegetation in order to:*

- *maintain soil stability, particularly on steep or slip prone areas*
- *achieve benefits to runoff water quality*
- *protect native flora and fauna and*
- *contribute to scenic quality*

(d) the treatment and disposal of sewage effluent such that it does not cause environmental harm by way of degrading water quality and that it remains ecologically sustainable and

(e) earthworks and drainage works to be carried out so as not to allow unacceptable sediment runoff from the site.

Urban and intensive rural uses are not considered consistent with the intent and desired character of this Precinct because of their potential for unacceptable impact on water quality.

All uses are impact assessable, with the exception of a single detached house being self-assessable, and all Agriculture and Animal Husbandry uses are code assessable.

It is clear from the intent of this precinct and tables of development that the area is intended to be developed sensitively and exclude all uses and significant earthworks that may pose a threat to the adjoining lake and/or ecologically sensitive areas.

The applicant acknowledges that the proposal raises intrinsic conflicts with the Maroochy Plan provisions for the site, but submits that sufficient grounds exist to justify the development. These grounds were discussed earlier and this report and were found to be insufficient.

Land Use, Works and Overlay Provisions

The following overlays are applicable to this application:

- Waterways, Wetlands and Fish Habitat areas
- Flood Prone Land
- Nature Conservation and Biodiversity Management
- Acid Sulfate Soils
- Bushfire Prone Areas
- Heritage Conservation

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

- Code for Nature Conservation and Biodiversity
- Code for Waterways and Wetlands
- Code for Assessment and Management of Acid Sulphate Soils
- Code for Development in Water Resource Catchment Areas
- Code for Development in Bushfire Prone Areas
- Code for Transport, Traffic and Parking

- Code for Landscape Design
- Operational Works Code
- Heritage Conservation code
- Code for Integrated Water Management
- Code for Erosion and Sediment Control

The pertinent issues arising out of assessment against each of the codes are discussed in more detail below:

Nature Conservation and Biodiversity

Koalas

Professor Carrack (a recognised Koala expert who was engaged by the developer) considered the likely impacts on koalas arising from the development proposal and according to the applicant, has reviewed all submitted information in support of a development application. The applicant summarised his overview as follows:

It is my opinion that environmental offsets should generally be the 'last resort' for developments impacting on koalas. On the other hand, it is my experience that more often than not it is easier to achieve ecologically sustainable development in larger scale developments (such as Noosa on Weyba) rather than small ones (where options are usually quite limited for satisfactory ecological outcomes to be realised).

Another key aspect of the proposal is that it will be developed under a Community Title – this gives some comfort that koala protection measures to be put in place integral to the proposal are less likely to be eroded over time and provides a mechanism to generate the ongoing resourcing that will be needed for maintaining the long term requirements for the koala conservation aspects of the proposal.

In the particular circumstances of the 'Noosa on Weyba' proposal, it is my opinion that the case is persuasive that a better outcome for koalas will be achieved by this sort of holistic approach, in contrast to the likely outcome of the piecemeal developments already approved or in prospect for the area.

The detailed assessment carried out by Professor Carrack was not provided with the application and was, therefore, unable to be peer reviewed by council specialists. It is also unknown if any alternative layouts and less intense development concepts were considered by Professor Carrack or would be preferable to the current proposal.

As mentioned in the summary above, the key ongoing koala protection measures in the development concept will be administered by the proposed body corporate. The proposal relies heavily on a future body corporate for ongoing monitoring and enforcement of the protection mechanisms to be implemented as a result of the development.

In addition to the koala protection measures, the body corporate is also responsible for numerous other aspects of the development (including roads, landscape buffers, fire buffer, mosquito control etc). This large list of responsibilities will inevitably incur large annual costs for the future residents of the estate.

Old Growth Trees

The development will result in the removal of approximately 250 old growth "habitat" trees as a result of major bulk earth works (cut and fill) and road-works. The majority of these trees will be lost within proposed Precincts 1 and 2 in the Sunshine Coast Council local government area and within the Hollett and Tidswell Road Reserves.

The lack of definitive information relating to the fauna use of these trees and hollows does not provide the clarity of information required to make an informed decision on the impacts of the proposal.

Environmental Corridors

The wildlife corridors proposed in this development are limited in width, contain stormwater treatment infrastructure, adjoin high density urban development and are bisected by roads, sewer, power and bikeways. It is acknowledged that limited wildlife (access) mitigation will be provided along some roads, but these measures do not offset the current existing seamless north/south movement across the landscape. The development will also remove the majority of the "broad acre" habitat for Grey Kangaroos and many "open country" birds.

Advice from council's ecology expert notes that retention of the north/south tract of land adjacent to Lake Weyba in a rural setting is necessary to ensure the on-going function of this tract as an important ecological corridor. Severing this corridor with urban development will force fauna to cross Walter Hay Drive. Other fauna will remain within the newly isolated tracts of land, thus limiting normal fauna dispersal movements.

Previous planning decisions have seen the creation of an artificial barrier, being Walter Hay Drive, impacting on fauna movement in an east/west direction. This has effectively isolated the north/south tract from fauna habitat west of Walter Hay Drive, with the exception of two fauna underpasses. The provision of fauna crossings and directional fencing is deemed to be unsatisfactory as a means of preserving fauna and roads through valuable wildlife areas should be avoided.

In addition to the wildlife mitigation measures, the applicant has proposed the creation of a 40km/h speed zone over that section of the link road through the corridor, a distance of approximately 500 metres. This is purportedly to manage the impacts of the road on fauna within this ecologically sensitive area. Such an arrangement is not considered to be appropriate or effective because of the expected traffic volumes, the rural nature of the road and the extent of devices required to reduce traffic speeds. However, it is well recognised that a speed limit sign in its self does not limit speed and will create an enforcement issue.

In addition to the new road corridor, it should also be noted that the more open and straight nature of Tidswell Road to the south of Precinct 2 means a higher speed environment of 70-80km/h would be likely on this stretch of road. No fauna fencing is proposed along this section of road by the development, although this can be conditioned, further restricting fauna movement within and around the area to the south between Weyba Nature Reserve, private nature reserves and Noosa National Park.

Conclusion

The development is proposed over a naturally and ecologically constrained site known to contain a number of Endangered and Of Concern Regional Ecosystems, essential habitat for a wide range of fauna including species scheduled in the *Nature Conservation Act Nature Conservation (Wildlife) Regulation 1994* and the *Environment Protection and Biodiversity Conservation Act 1999*. In addition, the site drains into highly sensitive receiving waterways, wetlands and Lake Weyba. The extensive bulk earthworks, significant drainage modifications, new roads, dense urban development, linear infrastructure and on-going use will cause significant and cumulative impacts on networks of open space, natural habitat, water quality and biodiversity. These significant impacts cannot be reduced or addressed in a meaningful manner by conditions as they are the natural result of allowing the land to be developed for urban purposes.

Waterways and Wetlands

The proposed development will incorporate a minimum 60 metre buffer (building setback) to Lake Weyba. The proposed buffer is divided into three sections:

- Minimum 40m buffer with direct frontage to the Lake Weyba comprising a recreational path, lawn areas and limits to the amount of revegetation and natural regeneration.
- A 10m wide stormwater treatment area.
- A 10m setback within private allotments to a building envelope.

The planning scheme suggests a minimum buffer distance of 100m to wetlands and 50m to higher order streams. The re-vegetation of the buffer and the exclusion of development from within the buffer area is a key design component. The buffer not only provides for physical separation between urban uses and sensitive natural environments, they also perform as natural water quality treatment areas, soften and address amenity impacts caused by development, provide recreational amenity, in addition to providing fauna habitat and passage along the foreshore/waterway.

A 100m width buffer to Lake Weyba was upheld on the earlier court approved eco-tourism/B&B development with a minimal development footprint. In fact, a more intense development that further restricts fauna movement across the remainder of the site north/south within the development footprint, suggests an even greater width may be necessary. The exact required buffer width is difficult to determine with the absence of any reasonable data on current fauna populations and communities that may utilize the buffer. Due to the development being proposed on the shores of the internationally recognised Noosa River Wetland, there are no sound ecological grounds in this instance to accept a buffer width less than the minimum prescribed width of 100 metres.

In addition to the Lake Weyba buffer, the Precincts 1 and 2 are dissected by waterways that are known to be the "core" habitat (breeding and foraging) and seasonal (breeding and foraging) of native "acid frogs". The applicant was requested to survey for threatened frog species within the site. The survey effort was limited to sub-optimal times for identification of cryptic species through call-back survey. No records of frogs were supplied with any application material.

If frogs are identified in this area, it is highly likely that their habitat will be impacted upon or potentially destroyed by the development. This will occur as a consequence of the excavation and re-profiling of the existing drainage line (Keyser Creek) and the filling of the flood plain west of this drainage line (Precinct 2). The downstream frog habitats associated with Keyser Creek will also be impacted upon during major rainfall events initially with silt runoff associated with bulk earthworks and then the on-going earthworks associated with the building phase. Following completion of the development, on-going downstream impacts associated with urban runoff, elevated nutrients, herbicides, pesticides and other pollutants, are likely to have major impacts on native frogs.

The scale of the development proposal and extent of associated works, along with the lack of scientific rigor associated with fauna sampling does not provide sufficient clarity regarding the impacts of the proposed use within this sensitive receiving environment.

Acid Sulphate Soils

The development is proposing substantial areas of cut and fill, within areas identified as being constrained by acid sulphate soils. An Acid Sulphate Soil Assessment was provided with the application. Whilst the number of boreholes on site does not meet the specific guidelines, the results from testing 16 samples show that there is a presence of Acid Sulfate Soil material in certain soils to a depth commensurate with the envisaged works (0.0 –

1.5metres). The applicant has also acknowledged that further sampling and testing will be required when the nature and area of disturbance is determined.

This is a potentially low risk strategy for acid sulfate soils if the development can implement an appropriate management plan to mitigate the release of acid and associated metals during earthworks. This strategy is heavily reliant on high quality implementation strategies and enforcement from the local government and other state agencies. Without successful implementation, this is a potentially significant source of water contamination on nearby sensitive receiving environments as identified in other areas of this report. If the development were to limit the extent of cut and fill, the potential risks would be significantly reduced.

Development in Bushfire Prone Areas

The vegetation surrounding the subject site is mapped under Maroochy Plan 2000 as medium bushfire hazard. The applicant submitted a bushfire report that outlines a number of mitigation measures proposed to enable the development layout to comply with the relevant planning scheme provisions. Under the proposal, most buildings will be setback from the hazardous vegetation by a distance of 30 metres for access and fire management purposes.

The report also acknowledges that the proposal will result in some allotments being within an area affected by the relevant Australian Standard (AS3959-2009). While the Australian Standard is not applicable in the Development Assessment phase of the process, it does, however, provide an indication that for some parts of this development, life and property will be located within areas affected by bushfire hazards.

The 30 metres setback proposed for the developed is based on the recommended setback of 1.5 times the canopy height (suggested by the applicant as being 20 metres). Based on a review of the regional ecosystem technical descriptions and the heights provided by the applicant for the canopies of each regional ecosystem type, the required setbacks should be a minimum of 45 metres in some areas (based on a canopy height of 30 metres).

Further demonstration with respect to the location, widths and effectiveness of firebreaks would be required to ensure this infrastructure is appropriate for all lots. Providing a layout with larger lots in some locations adjacent the firebreaks would make more appropriate use of the available space for firebreaks and setbacks.

The applicant has maintained two access options linking Precincts 1 and 2 to Walter Hay Drive to the northwest and along Tidswell Road to the southwest. However, in terms of bushfire protection, the length of these two access points through areas of hazardous vegetation poses an increased fire risk for new residents.

Based on the above comments and the information contained in the Bushfire Assessment Report, Council's bushfire expert concluded:

- The development still has a number of significant constraints with respect to bushfire and the protection of life and property. The particular constraints include:
 - The area of hazardous vegetation to be maintained and retained around the site.
 - The suitability of proposed access into the site. This is unlikely to be substantially improved due to the location of existing roads and the distance from any large area of low hazard.
- The proposed size of allotments in a number of areas within this proposal. (This may be improved by increasing the lot sizes within these areas to provide improved setbacks from hazardous vegetation).

Although some aspects identified above can be conditioned, the suitability of urban development in this location is not considered appropriate and the development in the current form will increase the risk to persons and property. Appropriate access could not be conditioned without substantial clearing of native vegetation along the road corridors and would exacerbate current impacts caused by the development on the existing environment intended to be protected by the development.

Heritage

Maroochy Plan 2000 acknowledges that Lake Weyba and its surrounds have a number of known Aboriginal cultural heritage sites. As the development has the potential to disturb or destroy possible cultural heritage places, the applicant was requested to provide a Cultural Heritage Assessment and engage with the Aboriginal Traditional Owners of the site. The applicant responded by confirming that:

“The Cultural Heritage Due Diligence Assessment found that no historic cultural heritage constraints were identified during this assessment. It is unlikely that any significant historic cultural heritage constraints will impact on the development potential of the Project Area. Future heritage assessment works as part of a future development application may be conditioned by Council. However, it is anticipated that in the event that Council did require such works, they would be minimal....

There have also been no intangible (non-physical) heritage places identified within the Project Area. The potential for these places to exist within the Project Area cannot be ruled out, and can only be established through consultation with the Aboriginal party (Gubbi Gubbi People). Lake Weyba in particular may have places of intangible heritage significance. Given the Projects setback from the Lake, it seems that the potential for impacting on any intangible significance associated with the Lake is low.”

“Everick Heritage Consultants Pty Ltd have confirmed that discussions with traditional owners will be undertaken as part of further approvals required for the site. The current application relates to a Preliminary Approval and as such no works are proposed onsite. It is logical to engage in meaningful discussions once further applications are submitted to Council and an understanding of works is known through detailed design.”

Following the information response, a representative/consultant for the Kabi Kabi First Nation was contacted to provide some preliminary feedback in relation to the application and the Cultural Heritage Due Diligence Assessment. The representative confirmed by email dated 8 January 2014, *“there has been no consultation or involvement with the Kabi Kabi people”*.

They also stated, *“Kabi Kabi people and as such, as indicated by Everick themselves, I and the Kabi Kabi people would strongly argue that the Everick Due Diligence assessment in isolation is deficient for the purposes of managing the proponent’s duty of care”*.

“The Kabi Kabi people have indicated that they wish to be directly involved in the undertaking of an impact assessment of the proposed development footprint, inclusive of a physical inspection (cultural heritage survey) and internal consultation process, to ensure that they are fully informed regarding the potential impacts of the project on their country and their cultural heritage. Likewise, the Kabi Kabi people would expect that formal meetings and consultation are instigated by the proponent as soon as practicable to ensure that appropriate Kabi Kabi representatives are able to provide their cultural perspectives and provide proactive input into the design of any proposed development such that they can be actively involved in managing any potential impacts on this important part of their country”.

As there has been no active engagement with traditional owners to date, the applicant will need to further address their obligations under the *Aboriginal Cultural Heritage Act 2003* prior to any development proceeding. Although it is argued that the proposal is only for a Preliminary Approval and no works are proposed on-site, the application proposes extensive urban development footprints, essential infrastructure corridors, large scale filling (with possible excavations of some landforms) and nominates specific setbacks to surrounding

environmental features. Without detailed investigations into the Aboriginal Cultural Heritage matters relating to this development proposal, the assessment manager has no confidence that the development footprint and essential infrastructure corridors will not disturb or destroy Aboriginal cultural heritage places.

Other Matters for Consideration

Other Matters for Consideration

Other matters for consideration include:

- Needs Analysis
- Economic Implications
- Lot Sizes and Densities
- Cut and Fill
- Traffic and Transport
- Flooding, Stormwater Management and Constructed Water bodies
- Affordable Living and Positive Aging
- Social Infrastructure
- Amenity and Built Environment
- Mosquitos and Biting Midges
- Road Traffic Noise and
- Sewerage Infrastructure.

To the extent these matters are not already addressed in provisions of the statutory planning instruments mentioned above, they are discussed separately in the sections that follow.

Need Analysis

The applicant submitted a Need Assessment in support of the application and examined population and demographic statistics, residential supply and demand, centres and employment analysis, agricultural assessment, social impacts and a needs analysis. The applicant's Needs Assessment indicated the development would provide a range of economic, social and environmental benefits to the community including:

- National Park dedication at an estimated cost of \$18.6 million.
- Formal, controlled access to Lake Weyba.
- Increased tourism and tourist expenditure by \$11.8 million and creation of 19 jobs.
- A community management scheme that will deliver better environmental outcomes, with far stricter controls to enhance/protect flora and fauna compared to alternative land uses.
- Creation of a diversion effect that will better preserve rural opportunities elsewhere.
- Increased housing diversity within the informal population cap and provision of housing supply for 19% of projected population growth of Noosa district to 2031.

The Needs Assessment also confirmed that "*these community benefits underpin the need for the project*".

Norling Consulting were commissioned by council to undertake a peer review of the applicant's Needs Assessment. They responded with the following:

The Needs Assessment claims there to be a need for more greenfield land within or abutting the Urban Footprint in all areas. Noosa in particular is referred to as a suitable location for such land as "it would provide a more efficient use of existing infrastructure and provide additional population to support the employment and retail uses".

The submission claims that there are unrealistic growth expectations in the following 15 years and believes the solution is to identify sufficient housing for 17,000-35,000 people, most of which should be housed in detached dwellings proximate to existing towns and villages (such as Noosa Heads) to make the best use of established services and infrastructure.

Norling Consulting provided separate written advice to Council in March of this year indicating that the 2031 population of the Sunshine Coast is likely to be lower than earlier predictions and as a result of both the global financial crisis and a downwards revision of pre-2011 population figures. This results in the Sunshine Coast's Urban Footprint having greater capacity to accommodate growth than previously thought and less pressure on the fringe areas that are outside current infrastructure planning.

The level of land supply in the northern region is reflective of the current slow market. Eventually if no additional land is identified within the Northern region, there will be real price increases for residential land. This consideration is for the Noosa local government and community to address through community consultation and their new planning scheme process. This process should not be development led without appropriate detailed social and physical infrastructure costing to determine the appropriate location for expansion that can balance the infrastructure delivery and environmental outcomes determined by the local community."

Economic Implications

The development proposes a new neighbourhood centre of 600m² and is located in Precinct 1 of the development within the Sunshine Coast Council local government area. The economic peer review confirmed that although the local centre is of a size that can cater for the proposed new population, the centre is not well located, being located at the eastern internal edge within the precinct near Lake Weyba. The centre is not central to the new residential community and is not considered within easy walking distance to the remaining Noosa precincts, being separated by Walter Hay Drive. As the majority of residents will need to access the local centre by car, it is unknown if the new residents would utilise the centre or the nearby Noosa Civic for such goods and services.

With the environmental constraints limiting the layout of the development, it may be more appropriate for the retail needs of the community to be serviced with the current Noosa Civic and a small corner store provided in a more central or westerly location.

Further to the retail component, the Economic Development Branch examined matters relevant to the subject application in the context of Council's Corporate Plan 2009-2014 and Council's Economic Development Strategy 2010-2014. Council's Corporate Plan (2009-2014) incorporates a clear objective to create a more robust economy. In a linked and similar manner the Economic Development Strategy (2010-2014) aims to build a mature, diversified economy which is more resilient to the fluctuations of economic cycles by enabling growth in a range of identified emerging sectors in concert with ensuring that the traditional pillars of the regional economy (including construction) continue to grow.

The Economic Development Branch confirmed the development is not aligned directly with the Economic Development Strategy, although it will contribute to construction jobs and some limited flow on jobs during the construction period. The project should be assessed primarily on town planning principles, although it *“does appear disjointed in terms of its engagement across the development and its connectivity with the outside community, especially with the aged care component.”*

Lot Sizes and Densities

The lot sizes proposed by the applicant (minimum of 350m² - 500m² for small lot/detached dwellings and 600m² for a Duplex) are not representative of those usually found in the Noosa locality and the adjoining Eumarella Shores development. The detached housing lots under the Maroochy Plan would be defined as “small lots”. Although the application is for preliminary approval only, future development applications would be code assessable if complying with the minimum lot size. Therefore the assessment of the preliminary approval must consider the design and density parameters in the context of the desired character of the locality and natural attributes.

The overall density of the proposal is to achieve 14 - 17 dwellings per hectare, with individual attached housing zones of between 10 - 15 dwellings per hectare and pockets of higher density at 28 - 32 dwellings per hectare. The SEQ Regional Plan identifies development to achieve a density of 15 dwellings per hectare for new residential development in the nominated urban development areas. The SEQ Regional Plan requirement is a minimum 15du/ha “net” density, meaning that physical infrastructure requirements must be factored in, resulting in a reduced density. The density provisions for the proposed development exclude the conservation areas and include roads, local parks and the stormwater treatment areas within each precinct. This is a “gross” calculation of density across the “developable” area of 63.47 hectares. As dwelling units and independent living units are proposed within some areas, the suggested density is likely to be achieved and potentially exceeded if sufficient controls are not put in place to monitor density from the first stage.

The proposal exceeds the minimum “net” density identified in the SEQ Regional Plan and is inconsistent with the density of the adjoining residential areas within the urban footprint to the northwest and south. The lot sizes in this area range from 600m² to over 56 lots exceeding 1,000m², where located within more ecologically sensitive areas and transitioning to the adjoining rural residential/rural precincts. This adjoining residential area averages approximately 6 dwellings a hectare “gross” density.

The density provisions in the Draft Planning Scheme identify a minimum lot size of 600m² for detached housing and 800m² for Duplexes. It also nominates a maximum density of 25 dwellings a hectare for retirement and residential care facilities within low density residential zones (within the urban footprint). Medium density zones are identified as having between 25 and 50 dwellings a hectare.

The proposed development is well over the density achieved on adjoining urban land. The proposal is akin to a zone adjoining a centre precinct and proposes a mix of uses that would be typical in a medium density precinct. The proposed densities in this location are considered an overdevelopment of the site and require substantial reductions to reflect the adjoining residential character and address the capacity of the land within the environmental constraints.

Cut and Fill

The proposal requires approximately 150,000m³ of fill for the development, with the majority of this fill being used for the development of the 12.6 hectare Precinct 2, which is subject to flooding. The applicant has provided an indicative cut/fill balance scenario where areas of

cut could be taken from within the development footprint of Precinct 1 and 3 to avoid haulage of fill into the site (refer to Attachment).

The applicant states that the proposed cut is indicative only. However, given the detailed information submitted, it would indicate that this is the preference for development and would also significantly reduce the overall development costs. The importation of fill has not been considered in the assessment of the application (potential external traffic and amenity impacts) and is dependent on the likely haulage route which was not provided in the application. Although the cut is indicative, the extent of fill is not and this has substantial implications for further consideration in respect of flooding, waterway setbacks, erosion and sediment control, water quality and impacts on native flora and fauna.

Traffic and Transport

Traffic Access

The proposed two access options provided for Precincts 1 and 2 (link road from the new Walter Hay Drive roundabout to Tidswell Road and the upgrade of Tidswell Road to the south) are considered essential for emergency vehicle access purposes and for general day-to-day traffic connectivity. Planning Scheme Policy No 6 – Transport, Traffic and Parking (Maroochy Plan 2000) requires all residential areas greater than 100 lots to have more than one street access.

The traffic generated by the development within Precincts 1 and 2 will utilise the road links depending on the direction of travel required with all north movements along the new link road and roundabout and all southern movements along Tidswell Road.

Based upon the range in potential dwelling numbers proposed by the applicant and the generation rates contained in the submitted traffic impact assessment report, the likely daily traffic volumes for the development within the Sunshine Coast Council local government area are summarised below.

Precincts	Estimated Daily Traffic Generation	Access Location
1 & 2	3,300 – 3,700 vehicles per day	<ul style="list-style-type: none"> • Link road to new Walter Hay Drive roundabout (for northern traffic [60%]) • Link road (Tidswell Road) to Eumarella Road (for southern traffic [40])

It is estimated that approximately 60% of development traffic will travel via Walter Hay Drive to the north and 40% of traffic will travel to the south. The new link road serving Precincts 1 and 2 should be constructed to a distributor road type (Noosa Plan) or district collector road type (Maroochy Plan 2000) to ensure safe operation for all users, including vehicles, on-road cyclists and buses. Whilst it may be possible to adjust carriageway widths at certain points along this link road to take account of localised constraints and minimise impacts on existing vegetation, it is considered essential that paved shoulders be provided for the entire length of the link road for safety and efficiency of the road function (including areas of new road proposed through the proposed vegetation corridor).

Pedestrian/Cycle Networks

The applicant has proposed a number of pathways throughout the development and if approved, conditions can be provided requiring a pathway and on-road cyclist network within each precinct, to connect each precinct, and to connect the precincts with the external path and cyclist networks.

Notwithstanding the proposed pathway beneath Walter Hay Drive at the Hollett Road reserve, the new major road crossing on Walter Hay Drive (roundabout) will pose a barrier to

walking and cyclist movements between the precincts and connections to the neighbouring residential and the business centre. Even if a roundabout was installed at this location as proposed, traffic speeds on Walter Hay Drive would still be significant and therefore make a safe crossing of Walter Hay Drive by pedestrians and cyclists (including children, older pedestrians, and recreational users) difficult to achieve. It is highly likely a grade separated crossing of Walter Hay Drive would be required, by way of either an overpass or underpass.

The fragmented and dispersed nature of the development with long and extended pathway linkages does not support a sound walkable environment and the useability of the network is questioned in terms of convenience, safety and security. Although extensive, the proposed pedestrian networks indicated will only service 'localised' recreational walking trips and does not support walking and cycling as a convenient mode of transport to neighbouring attractors such as Noosa Business Centre, major public transport nodes, employment, services and public facilities. This is contrary to the principles of Council's Active Transport Plan and Sustainable Transport Strategy.

Public Transport

The Department of Transport and Main Roads is a concurrence authority, although it should be noted that Walter Hay Drive is not a "main road" under their jurisdiction. The Department has provided a condition as part of its concurrence agency response requiring the link road for Precincts 1 and 2 from the proposed Walter Hay Drive roundabout through the Open Space Conservation Zone to Tidswell Road to provide for a bus route. The department also makes the caveat in its concurrence response that *"This condition does not imply that a bus service will be provided to the development. Any new services have to be assessed against other priorities across the network, available funding and funding constraints, and the ability of the road network through the new urban area to allow for the efficient routing of a service, amongst other relevant considerations."*

The proposed bus route by the Department (if a service is provided) is not considered to provide convenient public transport access to the proposed urban development within Precinct 1 or the western part of Precinct 3, as these areas are beyond the generally accepted maximum 400 metre walking distance to a bus stop. However, the applicant has proposed road connections into these precincts that accommodate buses, thereby allowing for the possibility of a future extension of bus routes, albeit in a less efficient manner.

The overall layout of the development in separate development pockets does not provide direct and convenient accessibility to the primary bus route and does not lend itself to being efficiently serviced by public transport.

Flooding, Stormwater Management and Constructed Water bodies

Flood Impacts - Regional

To facilitate the proposed development, large areas of the site below the existing 100 year ARI flood level are proposed to be filled with no compensatory floodplain storage being provided. The main areas to be filled is within Precinct 2 where a 25,600m³ loss of flood storage is proposed.

Loss of floodplain storage is not normally approved, even if no adverse off site impacts occur due to the potential cumulative impact of filling of the floodplain. If each application is looked at in isolation, the effect will be negligible. But when all of the filling is looked at in a holistic manner, the effects can be significant. In such a large catchment area, it is the cumulative impact rather than site specific impact of lost floodplain storage which is of concern.

The Lake Weyba catchment has extensive floodplain storage because of the size of the lake and the storage available above it. Also, a significant portion of the Lake Weyba catchment is National Park which has no further development potential. Other areas are currently rural

and rural residential where, even though not zoned for intensive development, the current application shows that this is no guarantee that it will not be considered for future urban development.

In responding to the request for further information, the applicant has modelled the potential impact of filling all flood affected residential areas, limited development areas and rural use areas that have been predominately cleared. These areas are quite limited in extent and the cumulative impact of filling of all of these areas is a negligible increase (maximum of 5mm) in regional flood levels.

Other Off-site Flood Impacts

The existing situation within Precinct 2 is that floodwaters slowly move over a waterway, which is wide and flat. The proposed filling and installation of culverts to the access road to a pocket of Precinct 2 and Precinct 1, means that the height of floodwaters will rise upstream and downstream and velocity increases, but still remains low. Downstream of the filling is land proposed to be dedicated as National Park, so increases in flood levels and minor increases in velocity in this area would need to consider impacts on ecological values in these areas.

Immediately to the south of Precinct 2 is a large parcel of private land with a number of cabins. A very minor increase in flood levels is predicted on the northern boundary of this land. The area where flood levels slightly increase is fully vegetated and is a natural conservation management area. The predicted impacts are considered minimal and the impacts on the ecological values would need to be considered. However, if the culverts become blocked, the upstream properties will have water levels increasing by up to 1.84 metres (if the culverts are fully blocked). The upstream catchment is heavily vegetated so major blockage of the culvert is a possibility during extreme events.

If the development were to be recommended for approval then consideration would need to be given to at least some of the crossing as a bridge structure or culvert with a clear opening height greater than 3m and width greater than 5m.

Residual Flood Risk (probable maximum flood)

Allotment levels are proposed to be set 500mm above the peak 1% AEP + Climate Change flood levels. In terms of the residual flood risk, some of the proposed detached house areas will be inundated during events greater than a 1% AEP event (previous 1 in 100 year event). People in these areas can however progressively move to higher ground and get to flood free urban areas and Walter Hay Drive during the probable maximum flood events. Areas of the site proposed for retirement village / aged care are located above the probable maximum flood. In addition, trafficable access from Walter Hay Drive is proposed to the retirement village / aged care sites during a PMF for emergency access.

Stormwater Quality/WSUD

The entire development is located in the Lake Weyba catchment. The majority of the development discharges to Lake Weyba via Eenie Creek. However, some of the development within Precinct 1 discharges directly to Lake Weyba.

Water quality sampling undertaken by the applicant shows that the water quality in Lake Weyba and Eenie Creek currently does not meet the water quality objectives. In particular, total suspended solids (TSS) and total nitrogen (TN) concentrations do not meet the water quality objectives. This is an indication that the system is already under stress from the existing uses being undertaken within the catchment area.

The proposed WSUD strategy consists of rainwater tanks, bioretention basins, bioretention swales, vegetated swales and litter baskets. The proposed stormwater quality treatment train has been modelled as exceeding current best practice load based reduction targets.

Rainwater tanks form a critical component of the strategy and tanks larger than that which was previously required by the Queensland Development Code (tanks no longer a requirement). The tanks are being proposed as part of the stormwater quality treatment train but also part of the broader strategy to manage the impacts on the ecology of the downstream system by reducing changes in the volume of stormwater discharged and frequency of stormwater discharges.

Although the proposed stormwater quality treatment train exceeds best practice load based reduction targets, it is uncertain how much of a change this represents from the existing situation. This uncertainty is because a large portion of the site is currently used for agriculture and water quality sampling from which typical loads for agricultural land have been determined is variable depending on the season.

Stormwater quality treatment devices, other than those proposed to be located within existing road reserve areas, are proposed to remain in private ownership (body corporate). It is a very large responsibility being placed on the body corporate to maintain the proposed infrastructure, which is larger than that typically required for a similar sized urban development in south east Queensland.

Erosion and Sediment Control

There is a real and significant threat to the Lake Weyba waters and Keyser Creek to become contaminated with sediments after a significant rain event, due to the extensive earthworks required to be undertaken to alter the land form such that it is suitable for urban development.

A Preliminary Erosion and Sediment Control Strategy was submitted with the application and this strategy proposes best practice erosion and sediment control practices to be followed during the construction phase of the development. The document shows that if the areas of the site proposed to be developed were disturbed all at the same time and no control measures implemented then the soil loss from the site would be 3,963 tonnes per year. The Engineering Report estimates that the total amount of earth proposed to be moved during the cut and fill operation is 148,684 m³, which based on a conservative bulk density of 1.5 tonnes/m³ is the equivalent of 223,000 tonnes of soil. The depth of cut is proposed to exceed 2.5 metres on the ridges and is proposed to exceed 2.5 metres on areas currently subject to flooding.

The discharge criteria used is for controlled releases only and the basins are only proposed to be sized for the 85th percentile, 5 day rainfall event. Analysis undertaken by council of the effectiveness of basins sized for the 5 day, 85th percentile rainfall event shows that more than half of the total runoff volume from a construction site is uncontrolled releases and typically has concentrations over an order of magnitude greater than controlled releases. This analysis shows that reliance on basins alone to prevent degradation of the downstream environment will be ineffective.

The submitted strategy proposes a treatment train approach including staging of the area opened up at any one time. Compliance with such a strategy over the years of construction will be dependent on the effectiveness of Council's erosion and sediment control compliance and enforcement program.

Staging the earthworks will be a costly exercise based on the preliminary earthworks design results summarized in the engineering report. The nature of the development and the filling required for Precinct 2 results in unbalanced earthworks volumes within each precinct. This severely hampers an earthworks contractor's ability to stage the earthworks and limit the disturbed area at any one time.

Although best practice may be conditioned upon the bulk earthworks, once the bulk earthworks is completed the house building phase will commence. Erosion and sediment control for individual house building sites is regulated under the Environment Protection Act and similar to bulk earthworks is dependent on an effective Council compliance and enforcement program with multiple owners and builders and contractors. The house building phase of the development represents another potentially significant source of water contamination.

Depending on the scale of uncontrolled releases, the coarse sediment typically settles out in the drainage lines downstream of the site (areas identified as open space conservation and National Park dedication) with finer materials extending down through the waterway system (through Eenie Creek, Lake Weyba and Weyba Creek).

The intent for this development application is that any proposed development does not introduce a potentially significant source of water contamination or other degradation into the receiving catchment area. The scale of the bulk earthworks proposed for this large urban development, even with the current best practice controls conditioned at the bulk earthworks stage, will introduce a potentially significant source of water contamination into the downstream environment during severe weather events and post land development stages.

Affordable Living & Positive Ageing

The *Sunshine Coast Affordable Living Strategy and Sunshine Coast Positive Ageing Strategy* are relevant to this proposal. The applicable policy statement within the Affordable Living frameworks states – *Council will strive to achieve a provision of housing and aged care that promotes positive housing and ageing in place.*

The *Sunshine Coast Affordable Living Strategy 2010-2020* (ALS) contains a framework of 7 outcomes and associated principles:

- Housing diversity
- Housing affordability
- Self-contained neighbourhoods
- Transport options
- Supportive environments
- Resource efficiency and
- Economic Development.

The policy has been created to provide guidance on how specific housing needs may be achieved. The proposal for a range of lot sizes and a retirement living meets some of the outcomes/principles identified in the strategy as follows:

- Caters for a range of dwelling types and income levels
- The staging of the proposal would allow for adaptability of the product to meet the changing needs of the market and
- Provision of a retirement living units goes some way to the intention of self-contained neighbourhoods.

Although there are some positives, the Needs Assessment does not expand on the type or use of the 220 dwellings planned for retirement living, other than to identify them as “predominately Independent Living Units with some small one bedroom low care apartments”.

The current “ageing in place” philosophy, as supported by the State Government, seeks planning and development of aged care whereby residents are able to move through differing and increasing levels of care as their needs change. While the proposal may assist in the early stages of ageing in place, the Noosa on Weyba development does not support the “ageing in place” philosophy, requiring residents to move away from the neighbourhood as their care needs increase. The applicant has not demonstrated that the inclusion of Independent Living Units is best suited to this particular site, as the location relies heavily on private vehicle usage and is not easily accessible to a range of services and conveniences.

The affordability of the all housing products on offer within the development are unknown and comments on their consistency with the Affordable Living Strategy cannot be confirmed. The affordability is likely to be greater than other comparable areas within the urban footprint, given the extensive earthworks and infrastructure servicing/upgrade requirements, in addition to the ongoing body corporate costs associated with the ongoing infrastructure maintenance and environmental responsibilities.

Social Infrastructure

The information request identified a concern that the proposed increase in population would place greater demand on social infrastructure in the locality and conflict with Council’s Social Infrastructure Strategy.

The application submits that the development will not generate the need for additional social infrastructure, but instead will increase the number of people utilising the existing infrastructure.

Recent studies of existing nearby social infrastructure (including Verrierdale Hall and a range of meeting spaces in Noosaville) indicated that these are currently well utilised, and close to capacity. The increase of over 2,000 additional residents within the locality will place greater pressure on these facilities and is likely to require additional community meeting spaces. Additional social infrastructure within proximity to the development is not planned to be delivered within the time frame of the Noosa on Weyba development and given the spatial relationship with Noosa is likely to place greater financial strain on the Noosa local government area.

Approval of this development proposal would require both Noosa and Sunshine Coast Councils to review their Social Infrastructure Strategies to determine the needs to service this new community, including:

- bring forward the timing of social infrastructure provisions in the areas surrounding the Noosa on Weyba development
- provide new infrastructure outside that already planned for the locality and/or
- upgrade existing social infrastructure.

As the development is directly adjoining the Noosa Shire Council local government area and the closest social infrastructure is within the Noosa Shire local government area, these investigations are best undertaken by Noosa Shire Council in consultation with the local community.

Amenity / Built Environment

The Strategic Plan identifies the importance of views from key vantage points and tourist routes, of lakes and creeks to the Sunshine Coast’s natural environment and of the image as a desirable place to live and tourism destination. Generally, the Visual Amenity Strategy in the strategic plan has sought to address amenity and character impacts through a combination of the Strategic Plan Preferred Dominant Land Use designations for either Conservation or Rural and Valued Habitat as an indication of general areas of protection and also more detailed descriptions in the Precinct Intent Statements for specific features.

The implementation measures indicate that Council should consider whether development will “*project an attractive image*”, as well as whether a proposal will compromise a rural or natural scene and whether the proposal would have a completely unacceptable intrusiveness, or whether modifications are necessary to the design, setbacks and buffers.

The proposal incorporates a minimal setback to Lake Weyba from the proposed urban footprint and is proposed to remain open and sparsely treed, in addition to incorporating water treatment areas and locating some of the buffer within the rear of new lots. Only a small setback is proposed to Walter Hay Drive for the precincts that adjoins this major tourist route. Due to the size and location of the conservation areas in the locality, the residential component of the proposal would be clearly evident when viewed from Lake Weyba and along Walter Hay Drive without significant increases in buffer distances and substantial buffer plantings.

On balance, although it is acknowledged there would be further urbanization of the landscape as a result of the proposal, extensive buffers could be conditioned to address the amenity impacts of the various precincts and maintain the scenic quality of the area. Following an amended concept and detailed review, it may be possible to mitigate all visual impacts and retain the rural characteristics of the locality when viewed from Walter Hay Drive and Lake Weyba. However, the current proposal is considered to conflict with the Visual Amenity Strategy and there is insufficient detail to confirm what conditions could be imposed to address the visual amenity impacts on the rural scenic qualities of the locality.

With regards to the urban design intents and general architectural guidelines for the development proposal, the Urban Design Report is of a high standard. The place making and urban form ethos included in the documents and reports is well considered for a new urban area. However, it is unclear how this follows through to the overall development layout and how the proposed density will sit within the low density rural fabric of the locality.

Mosquitos and Biting Midges

The Strategic Plan outlines the key planning strategies for minimising biting insect issues. The strategy is to discourage residential development in locations where large populations of mosquitoes and biting midges are known to breed.

The applicant submitted a Biting Insect Investigation and Risk Management Report, which concludes that the risk presented by biting insects can be adequately managed. The primary management measures are the removal of breeding habitat through the earthworks phase and the establishment of a 30 metres cleared open space buffer, which may include mowed grass, sparsely distributed trees and roadways. The management measures are generally supported, but require amendment to the current layout and will conflict with the desired ecological outcomes expressed to justify the development proposal.

The provision of open space buffers is a commonly accepted method of minimising the abundance of mosquito and will reduce the number of mosquitos traveling between harbourage vegetation and sensitive receivers. Although the buffer will reduce the number of mosquitos, it should be noted that this does not prevent mosquito problems.

The proximity of this high density residential development to mosquito breeding grounds will potentially increase complaints to the body corporate and Council and incur ongoing resources to maintain the required buffers and address other issues that may arise over the life of the development. The required ‘mowed grass’ condition will result in mowing at a much greater frequency to reduce harbourage of biting insects.

In addition to the above, the proposed 30 metre open space buffers will extend in some places into ecological corridors and thus conflict with the ecological protection outcomes suggested by the applicant.

The proposed removal of breeding habitat through earthworks, civil works and hydraulic works is also proposed as one of the primary control measures for mosquitos and biting midges proposed by the applicant report. This is a reasonable response, particularly in regard to the areas proposed to be cut or filled to accommodate roadways and development allotments. However, the proposed removal of breeding habitat through earthworks phase would also extend into areas which are to be set aside, protected and revegetated to achieve the required ecological and offset outcomes for the site. The removal of mosquito breeding habitat will be in direct conflict with these ecological outcomes.

Road Traffic Noise

A preliminary Road Traffic Noise assessment was submitted in support of the proposed development. Whilst the preliminary report does not provide the final detail of road traffic noise mitigation, it does indicate that there will be a combination of acoustic barriers (ranging from 2.0m to 2.4m in height) and building façade upgrades that will ensure the development achieves the relevant noise criteria for noise sensitive uses. The preliminary assessment also indicates acoustic barriers are to be set well back from Walter Hay Drive and that visual amenity can be mitigated through buffer plantings.

A comprehensive road traffic noise assessment and noise barrier setbacks to minimise visual amenity impacts can be conditioned and would sit within any preliminary approval. However, it is unclear what ecological impacts the acoustic fencing may have and if there are any Aboriginal Cultural Heritage requirements within or adjacent the areas to be fenced.

Sewerage Infrastructure

The application was referred to Unitywater for review of the water and sewerage infrastructure requirements. Unitywater identified the following critical issues with this development proposal:

- The subject lots are located outside of the urban footprint for the South East Queensland Regional Plan (SEQRP) and are consequently outside of Unitywater's headwork area.
- Due to this application location, Unitywater have not allowed/envisaged any demand for this site within any existing network planning.
- From the Water and Sewerage Analysis prepared by Cardno in September 2013, there are numerous deficiencies, firstly within the report and secondly within Unitywater's network that is expected to provide the required level of service for this development.
- Water supply to this development appears to be feasible with the developer undertaking appropriate water main augmentations within the network at their full cost.
- Sewerage from the site through the network can be provided with various augmentations to be undertaken at the developer's cost.
- The existing sewage treatment plant, owned by Unitywater and operated by 'Degremont' currently has limited 'spare' capacity to cater for further growth.
- If some 'spare' sewage treatment capacity were to be allocated to this development it should be recognised that it may limit future options to increase demand from within the existing urban boundary. However, this is a matter for Noosa Shire Council and Unitywater.

Unitywater have recommended conditions for approval subject to resolution of the sewerage capacity issue with the Noosa Shire Council. Sewerage capacity is considered one of the primary infrastructure considerations for this development, being outside the current urban footprint and associated infrastructure planning. This development, if approved, has the

potential to restrict future growth within the existing urban footprint of Noosa that may exceed the current assumptions or restrict other expansion of the urban footprint.

If the proposal is supported by Noosa Shire Council (the Assessment Manager), Unitywater have confirmed that they would condition all costs to service the site and upgrades to the networks and infrastructure (including bring forward costs) are to be covered by the developer. Such upgrades would not be eligible for trunk infrastructure offsets as this site is outside the current Priority Development Area under the Adopted Infrastructure Charges Resolution. The additional infrastructure costs and the water and sewerage infrastructure contributions will be subject to an infrastructure agreement between both parties.

CONSULTATION

IDAS Referral Agencies

The application was referred to the following IDAS referral agencies. Some responses have been received, whilst others are yet to be provided to the assessment manager:

Concurrence

Department of Transport & Main Roads

The department is a concurrence agency for State Controlled Road, Public Passenger Transport and Railways matters (noting that Walter Hay Drive is not a State Controlled Road). The department responded by letter dated 18 November 2013 stating that it supported the development subject to conditions. The conditions include annotations to the applicant's proposed bus transport route, which have the effect of limiting the route to a simple linear route from the new Walter Hay roundabout south to Tidswell Road.

The department also makes the caveat in its concurrence response that *"This condition does not imply that a bus service will be provided to the development. Any new services have to be assessed against other priorities across the network, available funding and funding constraints, and the ability of the road network through the new urban area to allow for the efficient routing of a service, amongst other relevant considerations."*

Department of Environment and Heritage Protection

The department is a concurrence agency for coastal management matters. Their assessment period was extended by agreement with the applicant until 17 January 2014 in accordance with section 284(3) of the *Sustainable Planning Act 2009*.

Department of Natural Resources & Mines

The department is a concurrence agency for vegetation clearing (mapped Regional Ecosystem regulated under the *Vegetation Management Act 1999*) and strategic cropping land matters. Their assessment period was extended by agreement with the applicant until 17 January 2014 in accordance with section 284(3) of the *Sustainable Planning Act 2009*. The Department responded by letter dated 23 December 2013 stating that it supported the development, subject to conditions. The conditions identify some restrictions on vegetation clearing, nominate exclusion areas and setbacks for infrastructure, and nominate offset areas for rehabilitation to compensate for permitted vegetation clearing.

Advice*ENERGEX*

Energex is an advice agency for electricity infrastructure matters. Energex responded by letter dated 19 November 2013 stating that they supported the preliminary approval subject to all existing easement conditions are maintained. Energex identified a number of potential conflicts with the levels of assessment in the supplementary tables of development and confirmed that the easement conditions remain in effect.

Department of Agriculture Fisheries & Forestry

The department is an advice agency for development adjacent a fish habitat area. The department responded by letter dated 22 March 2013 stating that it had no objection to the development as posed, given the development does not involve the disturbance of marine plants. The department's response notes the development proposes a 50 metre buffer to Lake Weyba, where Fisheries Queensland generally requires a 100 metre buffer and that the buffer should be maximised where possible.

Third Party*Department of National Parks, Recreation, Sport & Racing*

The application was referred to the department for third party advice regarding the proposed National Park dedication, the benefits and risks posed by the proposal and the applicant's assumptions regarding future active recreation infrastructure within and visitation to the new National Park addition. The department responded by email dated 10 May 2013 stating:

"Bushfire Risks.

If the area is constructed as per plans QPWS is satisfied with proposed cleared areas along the interface between the residential areas and the proposed national park offset.

A possible additional mitigation feature would be the provision of water access points (e.g. standpipes for filling water tankers). This may be addressed through Qld Fire & Rescue Service requirements.

Active Recreation:

On the issue of QPWS providing recreation facilities or maintaining recreation facilities provided by the developer QPWS have no intention at this stage to provide any active recreation facilities in this area. The demand for active recreation facilities in this area will almost entirely be generated by the proposed development and as such should rest with the development.

QPWS does not have the capacity to maintain any new infrastructure within the proposed national park offset and the provision of the land offset with new recreation infrastructure is not acceptable to QPWS."

SEQ Regional Plan Referral*Department of State Development Infrastructure & Planning*

The application was referred to the department as the development involves subdivision in the Regional Landscape and Rural Production Area under the SEQ Regional Plan. The

department responded by letter dated 8 March 2013 stating that the Biodiversity Development Offset Area (BDOA) declaration for the site suspends the provisions of the SEQ regional plan applying to development in the Regional Landscape and Rural Production Area. The department, therefore, is not a concurrence agency for this application.

Other Referrals

The application was forwarded to Unitywater and the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment Branch
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment Branch
- Landscape Officer, Engineering and Environment Assessment Branch
- Environment Officer, Engineering and Environment Assessment Branch
- Ecology Specialist, Engineering and Environment Assessment Branch
- Urban Designer, Planning Assessment Branch
- Traffic Engineering, Engineering and Environment Assessment Branch
- Social Policy, Strategic Land-use Planning
- Transport Networks and Innovation, Infrastructure Services
- Environmental Operations, Infrastructure Services
- Unitywater
- Strategic Planning
- Infrastructure Planning

The application was forwarded to the following external specialists:

- Traffic Engineering expert (Beard Traffic Engineering)
- Economic Expert (Norling Consulting)
- Bushfire Expert (Rob Friend and Associates)
- Ecology Expert (BAAM Ecological Consultants)
- Good Quality Agricultural Land (Land Resource Assessment and Management)

Their assessment forms part of this report.

Public Notification

The application was publicly notified for 30 days in accordance with the requirements of the *Sustainable Planning Act 2009*. At the time of finalising this concurrence agency report, 987 properly made submissions and 73 not properly made submissions were received. 34 submissions supported the development, while the remainder objected to the application.

The following table provides a summary and assessment of the issues raised by submitters. The matters raised relate to both the Noosa Shire Council and Sunshine Coast Council areas, although the comments provided relate only to the Sunshine Coast Council area.

Issues	Comments
<p>Conflict with Plans / Need / Premature</p> <ul style="list-style-type: none"> • Land intended to remain for open space purposes and environmental purposes. • Shops are not needed given abundance of existing shops in region and current vacancies. • No other three storey developments 	<p>The application is not supported by a local land use planning exercise to determine the appropriate locations for future growth that meets the needs of the community, is orderly and ensures efficient delivery of infrastructure.</p>

Issues	Comments
<p>have been approved around lake.</p> <ul style="list-style-type: none"> • Zoning on two of the three parcels of land is “Open Space Conservation” which is one of the highest levels of zoning protection under the planning scheme. • Sufficient land supply within urban footprint. • Previous proposals rejected on environmental grounds. • Decision should not be made until new Noosa Shire Council established. 	
<p>Unsuitable Land The land is unsuitable for urban development as:-</p> <ul style="list-style-type: none"> • it is low lying, poorly drained and partly flood prone, and requires substantial earthworks; • it is affected by acid sulfate soils and these will be released into the environment as a result of the development; • it supports sensitive vegetation systems, and the proposed vegetation clearing and significant earthworks will have a dramatic effect on these systems; • it lies within the highly sensitive Lake Weyba catchment and Eenie Creek systems; • it is an important fish breeding area; and • successive planning instruments have recognised the sensitivity of the catchment by excluding all urban development apart from that which is directly associated with Peregrine Beach. • Part of the site is one of only 2 UNESCO “Man in the Biosphere” reserves in Queensland and 1 of 14 in Australia. 	<p>The site is located in an extremely ecologically sensitive environment and a large proportion of Precinct 2 (within Sunshine Coast local government area) is flood prone. The development requires a significant amount of earthworks to achieve flood immunity and cater for the development. The development within this sensitive environment represents a significant risk and is likely to lead to possible irreversible impacts.</p>
<p>Tourism, Recreation & Noosa “Brand”</p> <ul style="list-style-type: none"> • Is inconsistent with Noosa’s green image. The development creates short term jobs but will result in the long term depletion of Noosa’s environmental attributes. • Loss of tourism income as result of impacts. • More permanent residents and 	<p>This area of the Sunshine Coast Region is recognised for its natural beauty and limited development footprint with a high proportion of natural vegetated and protected land. The introduction of a further 876 – 1008 new dwellings over land that is intended to be protected under Maroochy Plan, will further erode the values the development is using to promote a sustainable and ecologically sensitive outcome.</p>

Issues	Comments
<p>greater use of Lake Weyba for recreational purposes and increases in pollution.</p> <ul style="list-style-type: none"> • Development will result in pollution eventually extending into Noosa Sound, Noosa River, out over the bar and into Laguna Bay, spoiling the main surfing beach. • No parking proposed close to Lake and restricted public access. • Lake Weyba is a sacred place and should be protected for future generations. • Development will spoil the safe and un-crowded place for persons with a disability to swim in shallow waters of the Lake. • Development should not be able to use the name “Noosa” as this trades on the highly regarded Noosa Town Plan. • Development will result in greater demand for lake to be dredged for powerboats. 	
<p>Character, Amenity & Scale</p> <ul style="list-style-type: none"> • Development is not in character with the nearby Eumarella Shores, Weyba Point and Weyba Downs developments, all of which are very low in scale and intensity. • Development should not be visible from Lake. Will have negative impact on visual amenity and feel of Lake Weyba. • Development has potential for up to 1000 dwellings which equates to over 2000 residents. 67% of the land closest to Lake Weyba will be covered by 55% of the total development yet this represents only 25% of the land available for development. Development is too dense, the lots are too small and a height of 3 storeys is too high. • Development is more in keeping with a highly urban development and not in this sensitive environment. • There will be prolonged dust over the 8 years of development. • Proposal lacks detail and is too indicative. 	<p>With regards to the urban design intents and general architectural guidelines for the development proposal, the Urban Design Report is of a high standard.</p> <p>The overall density of the proposal is to achieve 14-17 dwellings per hectare. The proposal exceeds the minimum “net” density identified in the SEQ Regional Plan and is inconsistent with the density of the adjoining residential areas within the urban footprint to the northwest in Noosa Shire Council. The lot sizes in this area range from 600m² to over 56 lots exceeding 1,000m², where located within more ecologically sensitive areas and transitioning to the adjoining rural residential/rural precincts. This adjoining residential area averages approximately 6 dwellings a hectare “gross” density.</p> <p>It is agreed that the development is not considered to be in-keeping with the rural character of the locality and is a highly urban development within an ecologically sensitive environment.</p>
<p>Flooding & Drainage</p> <ul style="list-style-type: none"> • Alteration of natural drainage channels through the site will worsen 	<p>The site is located in an extremely ecologically sensitive environment with a large proportion of Precinct 2 being flood prone (within Sunshine</p>

Issues	Comments
<p>flooding impacts on upstream and downstream properties.</p> <ul style="list-style-type: none"> • Loss of flood storage. • New development should not be allowed in flood risk areas. • The proposal necessitates extensive cut and fill resulting in a dramatic change to the existing landform and drainage patterns at the expense of habitat and environment. • The water level of the lake is influenced by tides. It is possible that flooding never previously experienced will result with the added run-off. • During the 1893 flood, the water level of Lake Weyba rose by 2.5m. • Biological/microbial treatment of stormwater is preferred to traditional methods. 	<p>Coast local government area). The development of Precinct 2 requires a significant amount of fill to achieve flood immunity, as well as engineering solutions to ensure the flood storage and conveyance functions of the site are not compromised. These extensive engineering works within this sensitive environment represents a significant risk and possible irreversible impacts.</p>
<p>Lake Weyba & Water Quality</p> <ul style="list-style-type: none"> • The current vegetation and waterways act as a natural management of the rainwater runoff. Turning this land into virtually an open drain will dump tonnes of sediment into Lake Weyba. • Lake Weyba is part of the “lungs” of the Noosa River system and has been recognised by the Commonwealth Government as a wetland of national importance. The development may irrevocably compromise the high water quality of the sensitive Lake Weyba catchment, both during and post construction. • Healthy Waterways “A” rating of the Noosa River is important to the branding of Noosa and should be protected. • Reduction in water quality will result in reduction in fish stocks or even some total species loss within the Noosa River system and impact on commercial and recreational fishing. • The volume of Lake Weyba is deceptively small due to its shallow depth, making it vulnerable to sediment and chemical runoff, and algal bloom infestation. The lake will not be able to flush contaminants away due to its benign nature. Runoff and pollution will not be able 	<p>The development requires a significant amount of fill to achieve flood immunity and will substantially increase the population within this sensitive environment. The intent for this development application is that any proposed development does not introduce a potentially significant source of water contamination or other degradation into the receiving catchment area. The scale of the bulk earthworks proposed for this large urban development, even with the current best practice controls conditioned at the bulk earthworks stage, will introduce a potentially significant source of water contamination into the downstream environment during severe weather events and post land development stages.</p>

Issues	Comments
<p>to be controlled.</p> <ul style="list-style-type: none"> • With extensive cut proposed, there is potential for acid sulphate soil runoff and impacts on water quality. • Clearing of trees may impact on groundwater table. • Proposed buffer to Lake Weyba is only 40m (excluding 10m within lots and 10m of drainage) and is intended to be manicured grass for fire protection not revegetated. The buffer should be at least 100m as recommended by current planning documents. No vegetation within the buffer should be removed and revegetation with plants endemic to the area should occur. • No baseline water quality study has been undertaken to monitor water quality impacts on the lake. • Lake access is a positive, but should be from a public road and not lots with direct frontage. • Public access to the lake is already provided from existing areas. 	
<p>Koalas, Frogs & Other Fauna</p> <ul style="list-style-type: none"> • Extensive clearing of both old growth and juvenile koala habitat trees and development itself will destroy one of the last healthy koala habitats in the area. • Proposed fences to prevent koalas being killed by cars wouldn't be required at all if no development was proposed – not a ground to support the development. • The application does not mention who will be responsible for the maintenance of the fencing. • Koala densities within the proposed development site demonstrate the precarious existence of this vulnerable species • Chopping down several thousand “non- juvenile” Koala habitat trees on the site then replanting with same species, begs the question: What do the Koalas do in the meantime? Other species rely on trees as well. • The Applicant's report on Koalas states that car strikes, habitat clearing and dogs are the three most significant causes of Koala deaths. This proposed development will 	<p>The inclusion of an additional 139.5ha to create a large contiguous section of National Park to the north will ensure the long term protection of this ecologically significant area. However, the development is proposed over a naturally and ecologically constrained site known to contain a number of Endangered and Of Concern Regional Ecosystems and essential habitat for a wide range of fauna. In addition, the sites drain into highly sensitive receiving waterways, wetlands and Lake Weyba. The extensive bulk earthworks, significant drainage modifications, new roads, dense urban development, linear infrastructure and on-going use will cause significant and cumulative impacts on networks of open space, natural habitat, water quality and biodiversity. These significant impacts cannot be reduced or addressed in a meaningful manner by conditions.</p>

Issues	Comments
<p>produce all three of these activities within a sensitive environment.</p> <ul style="list-style-type: none"> • No one can guarantee that speed limits will be adhered to by drivers. • The proposal that koala protection will be managed by the Noosa on Weyba Body Corporate under Body Corporate By-laws is unrealistic and unlikely to succeed. There is no guarantee that the Body Corporate committee members will have the competency and commitment to implement the Koala Management Plan effectively. Who will police the keeping of domestic dogs and where they roam. • Development site currently supports conditions suitable for endangered ground parrot. • No ongoing monitoring of species is proposed. • Proposed development includes filling a wetland that is home to the vulnerable wallum froglet, wallum rocket frog and wallum sedge frog, all listed as Vulnerable under the QLD Nature Conservation (Wildlife) Regulation 2006. • The widening of Tidswell and Hollett roads to 22 metres will result in destruction of habitat with removal of old growth trees. 	
<p>Environmental Corridors</p> <ul style="list-style-type: none"> • The land forms part of a critical corridor connecting conservation reserve and bushland around Lake Weyba to similar areas to the south and to Noosa’s forested heartland via the Tewantin National Park. The proposed development and associated road network will sever the linkages in both directions and alienate remaining areas of open space within the site, diminishing their ecological value and impacting upon fauna movement. These corridors have been planned since the 1980’s and have been protected by successive planning instruments. • Fences are counter-productive to the natural movements of the fauna in this area. • There is high value native bushland habitat along both sides of Tidswell 	<p>Refer to comments in section above.</p>

Issues	Comments
<p>Road which requires road widening.</p> <ul style="list-style-type: none"> No provision has been made for fauna fencing along Tidswell Road and fauna kills will occur. 	
<p>Climate Change</p> <ul style="list-style-type: none"> Intensive urban development exacerbates major climate events caused by global warming. All new developments should be set well back from the sea and coastal flood plains due to the impact of rising sea levels and increasing violent storms. Proposed clearing of trees and grasses, increased population and vehicles will result in increased carbon being released into the atmosphere. 	<p>With respect to coastal hazards and climate change, the applicant has addressed the issues and avoided areas of high hazard. The impacts on climate change from the proposed clearing cannot be confirmed.</p>
<p>Infrastructure</p> <ul style="list-style-type: none"> The subject site was never intended for urban development and has not planned to be serviced with urban infrastructure. The proposed development relies on the surplus capacity of existing and planned infrastructure This is likely to result in there being no surplus capacity to cater for contingencies and a drop in the standard of service. Development will generate additional burdens on Council by way of road maintenance, water supply, waste management and sewage treatment. This will increase costs to Noosa ratepayers. Impact on capacity of the Noosa sewerage treatment plant which is due to be upgraded in 2015. Development brings forward water storage deficiency of the Tewantin Reservoir to 2016. Weyba Downs residents are currently on self-provided tank water and should not be forced into using town utilities if the development is approved. Development will require footpaths and lighting to be provided from the site to the nearby Noosa Civic. Development will impact on social infrastructure such as schools, medical services, libraries and community services. 	<p>The proposed development area lies outside the Priority Infrastructure Area and has not been included in the current infrastructure planning for either the Sunshine Coast Council or Noosa Shire Council. The impacts and necessary infrastructure to service the development are yet to be quantified by both councils and Unitywater. This process should not be development led and requires appropriate detailed social and physical infrastructure costing to determine the appropriate location for urban expansion that can balance the infrastructure delivery outcomes with the environmental and local community needs.</p>

Issues	Comments
<ul style="list-style-type: none"> Rates paid would not go to Noosa where facilities would be used. Why should Noosa residents fund water, sewerage and power to service development. 	
<p>Traffic – General</p> <ul style="list-style-type: none"> An extra 6600 vehicles per day on the existing road infrastructure will impact upon the function and safety of the roads and will erode the liveability of the area and cause noise pollution. Increased traffic will increase maintenance costs. Heavy vehicles, noise and dust impacts over 8 years of construction resulting in safety risk and air/noise pollution. Upgrades to Tidswell and Hollett Roads will increase danger for pedestrians and cyclists using these roads. Existing roads are unable to cope with current traffic and wear and tear. 	<p>The development will result in additional maintenance costs, although the increase in traffic and associated upgrades to minimise local impacts on the network can be conditioned.</p> <p>The impacts from haulage for fill and other construction works are unknown at this stage and insufficient information has been provided to assess potential impacts.</p> <p>Pedestrian and cyclist safety along existing and proposed roads was identified as an issue in the assessment and can be addressed through conditions.</p>
<p>Traffic – Walter Hay Drive</p> <ul style="list-style-type: none"> The proposal to install a major roundabout on Walter Hay Drive between the two existing roundabouts and within an existing 100k zone, will diminish the overall function and utility of the road and cause trip delays. Safety of local residents and commuters along Walter Hay Drive will be compromised as a result of traffic congestion. 	<p>Travel times along Walter Hay Drive will be increased as a result of the development and safety of users would be a consideration in any approval.</p>
<p>Urban Design</p> <ul style="list-style-type: none"> The location of the development will result in heavy reliance on motor vehicle for goods or services. 	<p>Although proximate to Noosa Civic, the fragmented and dispersed nature of the development will result in motor vehicle dependence to attractors such as Noosa Business Centre, major public transport nodes, employment, services and public facilities.</p>
<p>Social</p> <ul style="list-style-type: none"> The development will significantly alter the social fabric of the region. The new residents will be socially and geographically isolated as the development is outside of the current urban footprint. The development will not provide affordable housing. The development risks adverse community problems and anti-social 	<p>The proposed increase in population would place greater demand on social infrastructure in the locality and conflict with Council's Social Infrastructure Strategy.</p>

Issues	Comments
<p>behaviour that arise from overcrowding.</p> <ul style="list-style-type: none"> The application does not consider the impact upon the long-standing values placed on the landscape. The development would compete with and potentially reduce the diversity of current existing urban development in the region. 	
<p>BDOA</p> <ul style="list-style-type: none"> The BDOA declaration is considered to be unlawful. The BDOA underpins the ability of the developer to make the application, and if it is unlawful then the application is not properly made. A proper and independent investigation of the legality and probity of the BDOA declaration should be undertaken. The proposal to transfer 139.5ha of land to national park tenure will not provide any significant benefit to koalas or any other fauna, as development will impact significantly on existing ecological corridors. The 139.5ha of land is already protected under a conservation zoning. The BDO proposal will have no net environmental gain. the land proposed to be set aside for 'offset' purposes is clearly constrained by various planning and environmental instruments such that it cannot be reasonably expected to be developed in any case. Furthermore, the proposed development is likely to destroy (or significantly impact, at the very least) existing koala habitat. The previous State government has ignored the advice and objections of the then DERM and SCRC by approving the BDO and this should not have occurred. The only present threat to the environmental values of the land being dedicated as national park as part of the BODA declaration is the proposed development itself 	<p>The BDOA has been approved by the State. Council previously resolved to advise the Department that it <u>did not support</u> the proposed Biodiversity Development Offset Area, as it was likely to lead to a development outcome that would not provide a net benefit to koala conservation values in the area. The following reasons were given:</p> <ul style="list-style-type: none"> The 'send' sites have significant protection of their current habitat values through zonings under The Noosa Plan 2006 and the protection of existing significant vegetation under the Vegetation Management Act; The 'send' sites currently have minimal development entitlements; There is only limited potential to approve development entitlements over the 'receive' sites due to their existing or potential habitat values for koala; and The proposed Biodiversity Development Offset Area is not supported as it is likely to lead to a development outcome that does not provide a net benefit to koala conservation values in the area.
<p>Employment</p> <ul style="list-style-type: none"> Application claims that the development will create 2076 jobs over 8 years but there are only 909 jobs provided for on-site. Remaining jobs may go to residents outside of 	<p>The economic peer review concluded that the additional 139.5ha would not increase visitor numbers by 5% and generate tourism employment as "<i>The Noosa National Park is a large park extending from Noosa Heads to Coolum. In terms of its usage, the vast majority</i></p>

Issues	Comments
<p>Noosa and therefore the claimed benefits to local employment opportunities are questioned.</p> <ul style="list-style-type: none"> • Job opportunities provided by the development will be short term and will disappear at the completion of the build. The development's impacts however will be long term, with a depletion of the Noosa environment. • This type of large housing development does not generate much work for local building industry workers as large companies from Brisbane and beyond are usually contracted for the build. • Noosa's economy is founded on tourism not construction. • Noosa does not have enough employment opportunities to support its current population. 	<p><i>of the park's visitors concentrate in Noosa Heads. The small addition would be unlikely to result in increased visitation unless different facilities or natural features were provided."</i></p>
<p>Bushfire</p> <ul style="list-style-type: none"> • The area is affected by bushfire hazard posing a danger to future residents. Appropriate management measures will be required to safeguard residents. • The road network is inadequate to cope with a mass evacuation in the event of a bushfire. 	<p>The proposed development will result in an unacceptable risk to people and property with respect to bushfire hazard.</p>
<p>Aboriginal Heritage</p> <ul style="list-style-type: none"> • The development will impact on Aboriginal heritage values. There are registered scar trees on the site and a huge midden on the shores of Lake Weyba, both of which are culturally and historically significant. • Consultation with local Aboriginal knowledge holders has not occurred. 	<p>The applicant has not satisfactorily considered matters of Aboriginal Cultural Heritage.</p>
<p>Mosquitos</p> <ul style="list-style-type: none"> • The area is subject to mosquito infestation and the risk of disease (such as Ross River Fever) is high. 	<p>The application proposes to remove breeding habitat through earthworks, civil works and hydraulic works and maintain mown setbacks to the residential areas. However, the proposed removal of breeding habitat through earthworks phase would also extend into areas which are to be set aside, protected and revegetated to achieve the required ecological and offset outcomes for the site. The removal of mosquito breeding habitat will be in direct conflict with these ecological outcomes.</p>
<p>Body Corporate</p> <ul style="list-style-type: none"> • Potential for multiple body corporates within the development that will be responsible for ongoing 	<p>The development relies heavily on the community titles scheme to address the ongoing environmental performance of the development. Given the high set up costs and on-going</p>

Issues	Comments
<p>items including general maintenance, stormwater drainage and environmental obligations. If the developer walks away early, the community is left with the costs.</p>	<p>community title scheme costs, there is also added risk that the proposal will not deliver the long term sustainability outcomes envisaged.</p>
<p>Retail</p> <ul style="list-style-type: none"> The proposal includes a shopping centre and there is no demand for such given nearby retail precincts in Noosaville, Noosa Heads, Cooroy and Eumundi which all have an abundance of vacant shops. 	<p>The economic peer review confirmed that although the local centre is of a size that can cater for the proposed new population, the centre is not well located, being buried within the precinct near Lake Weyba. The centre is not central to the new residential community and is not considered within easy walking distance to the remaining Noosa precincts, being separated by Walter Hay Drive.</p>
<p>Information Requests</p> <ul style="list-style-type: none"> The applicant responded to only part of the information requests, which means there are large unknowns, particularly on the environment issues. 	<p>There are a number of topic areas where insufficient information was provided to justify the proposal.</p>
<p>Support – Employment Opportunities</p> <ul style="list-style-type: none"> The development will provide strong and ongoing employment opportunities and financial benefit to the people of Noosa and surrounds. 	<p>The development will provide employment opportunities, although this would also be realised in a development located within the urban footprint. The employment opportunities relating to tourism are not supported from an economic perspective.</p>
<p>Support – Aged Care Places</p> <ul style="list-style-type: none"> The application should be approved as according to 2011 Census data, Noosa currently has a shortage of aged care places (193) and this will increase in the future. Furthermore, both high care and low care components should be included in the development. 	<p>While the proposal may assist in the early stages of ageing in place, the Noosa on Weyba development does not support the “ageing in place” philosophy, requiring residents to move away from the neighbourhood as their care needs increase.</p>
<p>Support – More Affordable Housing Required</p> <ul style="list-style-type: none"> The Noosa region needs an injection of affordable domestic residences which will be suitable and appropriate for first home buyers, for young and elderly renters, for middle aged and elderly home owners, as well as for downsizers, and the frail elderly who may be in need of lifestyle assistance. <p>The documentation, maps and preliminary plans submitted to Council by the Developers of Noosa on Weyba appear to be offering options which clearly conform with such requirements. In addition, to facilitate future expansion of the Noosa Urban Footprint, we</p>	<p>The affordability of the housing products on offer within the development are unknown and consistency with the Affordable Living Strategy cannot be confirmed. The affordability is likely to be undermined, given the extensive earthworks and infrastructure servicing/upgrade requirements, in addition to the ongoing body corporate costs associated with the ongoing infrastructure maintenance and environmental responsibilities.</p> <p>The application is premature pending a local government driven land use planning exercise to determine the appropriate locations for future growth that meets the needs of the community, is orderly and ensures efficient delivery of infrastructure.</p>

Issues	Comments
<p>recommend that the urban zoning be expanded further to the south, to accommodate future essential and other services.</p>	
<p>Support – Environmental Outcomes</p> <ul style="list-style-type: none"> • The proposal involves extension to the Noosa National Park and establishment of a dedicated Koala Habitat area, without which the land could be used for rural pursuits. The proposal provides for guaranteed koala passage between the existing national park and the southern wildlife refuge. • The Developer’s commitment to retain and preserve as many existing hollow trees (dead or alive) as possible in an effort to accommodate resident fauna is commended. • We commend the Developer for paying attention to providing a network of narrow one way roads throughout the proposed project, in order to preserve habitats. • The provision of entry/egress via a Walter Hay Drive roundabout and an Eumundi Rd roundabout we believe gives future residents two relatively safe ways to exit the property in the event of a bushfire. 	<p>The inclusion of an additional 139.5ha to create a large contiguous section of National Park to the north will ensure the long term protection of this ecologically significant area. However, the development is proposed over a naturally and ecologically constrained site know to contain a number of Endangered and of Concern Regional Ecosystems and essential habitat for a wide range of fauna. In addition, the sites drain into highly sensitive receiving waterways, wetlands and Lake Weyba. The extensive bulk earthworks, significant drainage modifications, new roads, dense urban development, linear infrastructure and on-going use will cause significant and cumulative impacts on networks of open space, natural habitat, water quality and biodiversity. These significant impacts cannot be reduced or addressed in a meaningful manner by conditions.</p>
<p>Support – Good Development</p> <ul style="list-style-type: none"> • The development would be a great asset to the region, giving people a great chance of joining the Noosa area to live, build their homes in a great environment and creating short, medium, and long term employment. • Supportive of all applicant’s grounds for approval. (submitted by family member of applicant) 	<p>It is likely that the development, when completed, will be of a high standard and the conservation intentions are well founded. However, the sites drain into highly sensitive receiving waterways, wetlands and Lake Weyba. The extensive bulk earthworks, significant drainage modifications, new roads, dense urban development, linear infrastructure and on-going use will cause significant and cumulative impacts on networks of open space, natural habitat, water quality and biodiversity. These significant impacts cannot be reduced or addressed in a meaningful manner by conditions.</p>
<p>Support – Tourism</p> <ul style="list-style-type: none"> • The Koala protected areas would be a great draw card for tourists, (we have lived in the area for 15 years and would not have seen any more than five in that time). 	<p>The economic peer review concluded that the additional 139.5ha would not increase visitor numbers by 5% and generate tourism employment as <i>“The Noosa National Park is a large park extending from Noosa Heads to Coolum. In terms of its usage, the vast majority of the park’s visitors concentrate in Noosa Heads. The small addition would be unlikely to result in increased visitation unless different facilities or natural features were provided.”</i></p>

DRAFT SUNSHINE COAST PLANNING SCHEME

The subject site is zoned *Rural* and located within the draft Sunshine Coast Planning Scheme. The application would trigger Impact Assessment under the draft planning scheme, and would be affected by the following Overlays:

- Acid Sulfate Soils
- Waterways
- Riparian Areas
- Native Vegetation Area
- Biting Mosquitoes
- Bushfire Hazard Buffer Area
- Flooding and Inundation
- Steep Land
- Major Road Corridor and Buffer
- Scenic Route
- Building Height

The draft planning scheme retains and reinforces the policy position of Maroochy Plan 2000 with respect to this development proposal. The proposed development would not be considered consistent with the draft planning scheme in as much as the same overlays and site constraints would apply to the assessment of the development and it has not been sufficiently justified that the impacts can be appropriately mitigated.

Coty Principle – Draft Planning Scheme

Although Council is unable give weight to the new draft Sunshine Coast Regional Council planning scheme under section 317 of SPA, Council can take into consideration the contents of this document under the Coty Principle. The Coty Principle arises from a landmark case: *Coty (England) Pty Ltd –v- Sydney City Council (1957) 2 LGRA 117*.

His Honour Fitzgerald P. in the Qld Court of Appeal in *Yu Feng Pty Ltd v Maroochy Shire Council [2000] 1Qd R 306* summarised the principle as follows: '*Coty establishes that, when determining whether to approve or refuse a planning application, it is permissible, in appropriate cases, to take account of any provisions affecting the site which are included in a general planning scheme which is in the course of preparation; the weight to be accorded to either consistency or inconsistency between the draft planning scheme and the application will depend on the circumstances, including the stage to which the draft planning scheme has progressed and usually will be only one of the factors to be considered, although in a particular case it might be decisive.*'

While council must decide the application based on the laws and policies applying when the application was made, it has discretion to consider and give weight to the draft planning scheme. The draft planning scheme has progressed significantly along the statutory path, so that some weight could be given to it in the assessment of this application. Given that the draft scheme has identified the development site in the same rural designation and identified the same overlays, council is able to give weight to the scheme in order to refuse the development for the same reasons as identified under Maroochy Plan 2000.

CONCLUSION

The proposal seeks to establish a large residential development on the subject site. The application has provided information confirming the site has no viable agricultural value and that an appropriate hydrological solution is possible for the site. There are a number of potential community benefits to consider, including additional land dedication to National Park, provision of land for future residential growth, employment opportunities, additional road, pedestrian and cycle connections that will service the nearby local community.

The development proposal, comprising an additional 876 to 1008 dwellings, is suggested by the applicant as providing housing supply for 19% of the projected population growth of Noosa Shire district to 2031. There is no doubt that the development, when completed, may be of a high standard and the conservation intentions considered above some of the current standards seen on the Sunshine Coast.

However, the development is of a density comparable to location within close proximity to a centre zone. The application is located in a pocket of land partly adjoining a small residential community to the north. This community is separated by a waterway with no road or pedestrian connections. The only connection of this development to the nearest centre is along Walter Hay Drive, an extension of the Sunshine Motorway connecting Noosa to the remainder of the Sunshine Coast.

Due to the site constraints, the development footprint is spread throughout a number of smaller precinct pockets, further constraining the connectivity of the site to the adjoining urban footprint and associated infrastructure and services. The development of roads to service the proposed urban development will create barriers to the existing unconstrained movement of wildlife through the site.

The site is located in an extremely ecologically sensitive environment and a large proportion of Precinct 2 within Sunshine Coast local government area is flood prone. The development of Precinct 2 requires a significant amount of fill to achieve flood immunity, as well as engineering solutions to ensure the flood storage and conveyance functions of the site are not compromised. These extensive engineering works within this sensitive environment represents a significant risk and possible irreversible impacts.

This area of the Sunshine Coast Region is recognised for its natural beauty and limited development footprint, with a high proportion of natural vegetated and protected land. The introduction of a further 876 – 1008 new dwellings over land that is intended to be protected under Maroochy Plan and the New Planning Scheme, will further erode the values the development is using to promote a sustainable and ecologically sensitive outcome.

The development relies heavily on the community titles scheme to address the ongoing environmental performance of the development, resulting in high set up costs and on-going community title scheme costs for future residents.

The purpose of designating land within the Urban Footprint is to identify land that can meet the urban development needs of the region to 2031. The planning process for all new urban development areas is usually subjected to a thorough and collaborative planning process to establish the environmental constraints, identify broad structure, layout, appropriate land uses and service corridors required for future development and community needs.

While there may be less than 15 years supply of land within the Noosa and northern Sunshine Coast region, the Sunshine Coast should be viewed as a whole. The Sunshine Coast is a single functioning economic unit, notwithstanding the recent de-amalgamation process. The State Government and Council have made a conscious policy decision to direct the majority of future population to the southern parts of the Sunshine Coast, particularly Palmview and Caloundra South. This decision is intrinsically linked to funding decisions about the orderly and efficient provision of physical and social infrastructure.

The proposal is outside current infrastructure planning assumptions and, at this scale, places a significant demand on existing infrastructure that has not been appropriately considered by the applicant. In addition to social infrastructure, there are issues concerning sewerage capacity and is a matter to be considered by a Noosa Shire Council and Unitywater driven investigation.

The applicant has not provided sufficient grounds to justify the approval despite the conflict. Accordingly, the proposal is considered to conflict with the proposed outcomes of the Maroochy Plan 2000 and the SEQ Regional Plan and is recommended for refusal.

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7.2.2 DEVELOPMENT APPLICATION FOR A VEHICLE DEPOT AT 207 WITTA ROAD, WITTA

File No:	MCU13/0167
Author/Presenter:	Development Planner Regional Strategy & Planning Department
Appendices:	App A - Conditions of Approval 103
Attachments:	Att 1 - Proposal Plan 109 Att 2 - Map Showing Origin of Local Submitters 111

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/Default.aspx>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Mr DR Lowden c/- KHA Development Managers
Proposal	Development Permit for Material Change of Use of Premises (Vehicle Depot)
Properly Made Date:	6 September 2013
Information Request Date:	No Information Request Issued
Information Response Received Date:	Not Applicable
Decision Due Date	14 February 2014 (Extension by Agreement)
Number of Submissions	113 Properly Made and 13 Not Properly Made submissions. Of these, 30 submissions were opposed to the development and 96 letters of support for the proposal (many of which were 'form letters').
PROPERTY DETAILS	
Division:	5
Property Address:	207 Witta Road, WITTA
RP Description:	Lot 5 RP 837835
Land Area:	8.4 Hectares
Existing Use of Land:	Rural (Avocado Farm)
STATUTORY DETAILS	
SEQR Designation:	Regional Landscape and Rural Production Area
Planning Scheme	Caloundra City Plan 2004 (8 August 2011)
Planning Area / Locality:	Maleny Plateau
Planning Precinct / Zone:	Rural
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for Development Permit for Material Change of Use of Premises (Vehicle Depot) at 207 Witta Road, Witta. The application is before council given significant public interest (more than 20 submissions objecting to the proposal).

EXECUTIVE SUMMARY

The application seeks approval for a Material Change of Use to establish a Vehicle Depot that includes the following characteristics:

- construction of a hardstand parking area of approximately a 25x50m (1250 m²) on a small portion of the eastern side of the site
- overnight storage of three (3) tree lopping vehicles (each vehicle exceeding 2.5 tonnes but below 16 tonnes in weight collectively)
- daytime employee parking of up to six (6) standard vehicles, arriving at 6:30 am and leaving before 6:00 pm
- administration activities undertaken by the two landowners within part of the existing shed and
- storage of small scale equipment within the existing shed e.g. spare parts.

The Vehicle Depot is to be conducted between the hours of 6.30am to 6pm inclusive, Monday to Friday with no operations on the weekends or public holidays.

It is expected that the development will create 18 additional vehicle movements per day. This is similar in nature to what could occur as part of a Home Based Business on the site.

The development will be effectively screened from the road due to the shape of the allotment (battle-axe). However, it may be visible from neighbouring properties. Accordingly, landscaping is recommended to screen the development from view of neighbouring properties that back onto the site from Witta Road.

The current driveway is not sealed, and dust generated from potential development could become problematic. The applicant has proposed to seal the driveway to the hardstand area to minimise dust nuisance. This can be conditioned as part of any approval.

The applicant has submitted an acoustic assessment, which concludes that with acoustic barriers, the development will only cause minimal noise nuisance. The anticipated noise could be regarded akin to what could be generated from 'as of right' farming operations. In any case, conditions can be applied in accordance with the findings of the acoustic report to address noise nuisance.

On balance, the operations of the site are akin to a home based business. With appropriate conditions, including limiting operations to those described above, the development is unlikely to adversely impact on the rural residential character of the area. Accordingly, the development is recommended for approval subject to conditions.

OFFICER RECOMMENDATION

That council **APPROVE WITH CONDITIONS** Application No. MCU13/0167 and grant a **Development Permit for Material Change of Use of Premises (Vehicle Depot)** situated at 207 Witta Road, WITTA, in accordance with Appendix A.

FINANCE AND RESOURCING

If council were to approve this development, the applicant may be required to pay infrastructure charges for trunk infrastructure for stormwater only. This relies on the hardstand area being sealed. The applicant has not proposed to seal the hardstand area.

If Council were to condition this as part of any approval, the applicant would be required to pay \$12,500 towards stormwater trunk infrastructure.

PROPOSAL

The application seeks approval for a Material Change of Use to establish a Vehicle Depot.

The proposed Vehicle Depot will involve the following:

- construction of a hardstand parking area of approximately a 25x50m (1250 m²) on a small portion of the eastern side of the site
- overnight storage of three (3) tree lopping vehicles (each vehicle exceeding 2.5 tonnes but below 16 tonnes in weight collectively)
- daytime employee parking of up to six (6) standard vehicles, arriving at 6:30 am and leaving before 6:00 pm
- administration activities undertaken by the two landowners within part of the existing shed
- storage of small scale equipment within the existing shed e.g. spare parts and
- storage of a small amount of bark (mulch) has also been requested from the applicant.

No vehicle servicing is proposed as part of the vehicle depot. Additionally, the proposal does not involve the construction of any sheds or buildings.

If approved, the applicant intends to plant vegetation to screen views from adjoining residential properties.

SITE DETAILS

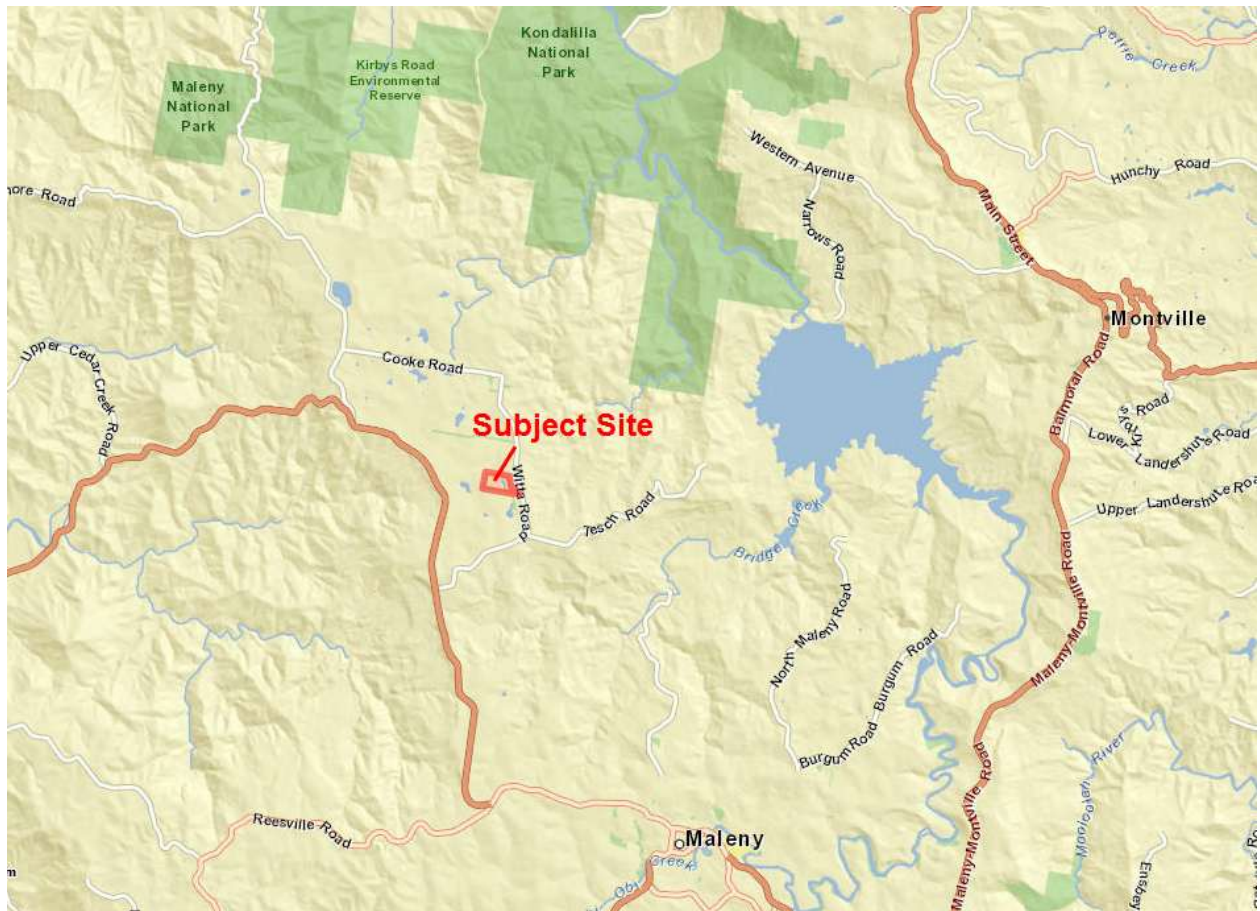
Background/Site History

The dwelling was approved in May 2010. The owner has been progressively clearing, felling and chipping/mulching some of the old avocado orchard trees. Council officers are aware of noise complaints derived from these activities. However, this kind of activity is reasonably associated with, and consistent in rural land uses.

There is no other relevant site history.

Site Description

The subject site is located in Witta as shown in the map below.



Site & Locality Description	
Road Frontage	Approximately 10m – Witta Road
Existing Significant Vegetation	No significant vegetative areas. The site has operated previously as an avocado farm.
Topography:	A generally flat character, with a gentle slope from the western side of the site to the centre of the site, and from the south-western corner of the site to the centre of the site. A dam in the middle of the site is used for agricultural purposes.
Surrounding Land Uses:	Rural and rural residential. A rural lot adjoins the lot to the south. There is 'strip' rural residential development along Witta Road, which is the source of the majority of the submitters objecting to the development.

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



Generally speaking, the surrounding character of the land is rural residential, with rural uses and larger lots further south. House placement on rural residential lots along Witta Road is close to the road (approx. 20-30m).

The site has previously operated as an avocado farm with approximately 250 trees. An associated storage shed sits on the eastern side on the site. A detached dwelling lies to the north of this shed.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

- State Planning Policies
- the South East Queensland Regional Plan
- State Planning Regulatory Provisions
- any Structure Plan or Master Plan in place for declared areas
- any Preliminary Approval Overriding the Planning Scheme for the land
- the Planning Scheme for the local government area and

- any Temporary Local Planning Instrument in place for the local government area.

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

Statutory Instruments – State and Other

State Planning Policies

The following State Planning Policies are applicable to this application:

- State Planning Policy 1/92 Development and the Conservation of Agricultural Land
- State Planning Policy 2/07 Protection of Extractive Resources

The above State Planning Policies have been deemed by the Minister for Local Government and Planning as being appropriately reflected in council's planning scheme and therefore do not warrant a separate assessment.

South East Queensland Regional Plan

The site is located within the Regional Landscape and Rural Production Area of the South East Queensland Regional Plan. The proposed development is broadly consistent with the regional land use intent, regional policies and desired regional outcomes for this designation.

State Planning Regulatory Provisions

The SEQ Regional Plan Regulatory Provisions are applicable to this application.

The proposed development broadly meets the requirements of the South East Queensland Regional Plan Regulatory Provisions.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is Caloundra City Plan 2004 (8 August 2011). The following sections relate to the provisions of the planning scheme.

Land Use

The proposal includes a total of 3 'heavy' vehicles associated with the applicant's tree lopping business that are parked on the site overnight. During the day, those vehicles are generally out on site all day. In addition, up to 6 personal vehicles (staff) would be parked on the site during the day.

The Maleny Plateau Planning Area Code identifies that development should be provide for a predominately rural character, with development avoiding conflict with rural production and making sure there is retention of environmental values.

The location of the vehicle depot is not anticipated to impact on the environmental values of the subject site, nor affect the viability of other nearby sites to undertake rural activities. The primary use of the site will remain rural with only a small portion of the site being used for the vehicle depot.

Given the planning scheme does not have particular provisions regarding vehicle depots and that the site is located within a rural area, it is appropriate to use the provisions in the Home Based Business Code for the purposes of assessing the application.

The relevant 'acceptable measures' for a home based business that require assessment are as follows:

- The home based business should not take up more than 50m² of the gross floor area of the detached house.
- The home based business can have no more than 2 customers at any one time and no more than 6 customers in any day.
- No more than 4 persons who are non-residents of the detached house can be working at the home based business.
- The home based business should operate between the hours of 8am and 6pm Monday to Saturday, and not at all on Sunday.

The proposal does not fully comply with all of the above measures. The impact of the proposed development relating to these matters is assessed below.

Area of Proposed Development

The acceptable measures try to ensure that development is limited in size and scale to protect the amenity of the area and so that the development remains ancillary to the detached dwelling.

It is reasonable to assume that this criterion has been drafted with conventional residential house sites in mind, rather than a rural land holding. It is noted the 50m² nominated in the Acceptable Measure A1.2 would only really equate to a business occupying just 6% of a conventional 800m² allotment. As the subject site has an area of 8.4 hectares, the area required by the business for vehicle parking (approx. 1,250m²) is less than 2% of the site.

Furthermore, the applicant has proposed to formalise the car parking area for the staff. The site has sufficient area to provide car parking for all staff who are employed by the tree lopping business. This car park will be screened from the neighbouring residences and street through vegetation.

Persons associated with the development

The tree lopping business relies on up to 6 'off site' employees arriving each day who will park their personal cars, and transfer into the tree lopping trucks. This results in an increase beyond the acceptable measures of a home based business (which normally permits 2 'off site' employees). However, there will be no customers coming to the site.

Traffic

The subject site is located at the rear of residential dwellings along Witta Road. The impact of an additional 18 vehicle movements (9 in the morning and 9 at the end of the working day) requires assessment to determine if it will have an unreasonable impact on the amenity of the area. It is acknowledged that the vehicle movements associated with the proposal is beyond what would normally be associated with a house.

The intent of the acceptable measures is to ensure that the amenity of surrounding areas is maintained and that nuisance through traffic is minimised. Typically, a 'residential' property would have approximately 8 vehicle movements in a day. A home based business would typically allow up to 6 customers in any day, with four 'non-residents' working on the site. This would add potentially 20 vehicle movements. Therefore, the proposed traffic generation will be akin to what would be expected for a home based business.

Conditions can be applied to any approval to restrict customers from visiting the site, preclude business related deliveries and stipulate the number of employees entitled to park their vehicles on site.

Visual Impact

The applicant has proposed to establish screening planting to the north east boundaries to ameliorate any visual impact caused by the parking of vehicles for the adjoining residences.

Noise

Adjoining lots currently enjoy a level of amenity that may potentially be disturbed by the development if noise reduction measures are not sensitively implemented and managed.

Generally, peak noise will occur between 6.30am-7.00am Mondays to Fridays as employees arrive in private vehicles and start up the larger tree-logging vehicles. Typical noise on-site during this time would include conversation of employees, doors slamming, larger vehicles starting, engine noise, tyre noise, and potentially the reversing sensors associated with tree-logging vehicles. Peak noise would again occur in the early evening (between 5pm-6pm) as employees return to site and depart.

An acoustic report by David Moore and Associates was commissioned as a part of the application. The adjoining properties that are most affected by the proposal are residential properties directly to the northeast of the proposed parking area. The property on northern side of the driveway would be most impacted by the noise from vehicles entering and departing.

The report concluded that acoustic fencing was required with a minimum height of 1.8m to run along the dividing eastern boundary (in the location of the 2 most directly affected residences along Witta Road). In addition, a 2m high barrier on the northern side of the driveway is recommended to maximise noise mitigation for the neighbour most affected on Witta Road.

These noise amelioration measures, combined with conditions that require the driveway be sealed will reduce dust and noise impacts. As there is no servicing of vehicles proposed as part of the use, there is unlikely to be noise or nuisance ordinarily associated with this type of activity.

Dust

The site currently utilises an existing gravel driveway onto Witta Road. Due to the proposed number of vehicles that utilise the existing driveway, it is reasonable and relevant to require the driveway (to the entry of the hardstand area) be sealed. This would minimise the potential for dust and spread of gravel onto Witta Road by the additional vehicles using the access.

Conditions requiring sealing of the driveway is recommended in the event of approval of this application.

CONSULTATION**IDAS Referral Agencies**

There are no IDAS referral agencies for this application.

Other Referrals

The application was forwarded to Unitywater and the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment Branch

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

Their assessment forms part of this report.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Sustainable Planning Act 2009*. 113 properly made submissions and 13 not properly made submissions were received. Of these, 30 submissions were opposed to the development, with 96 letters of support for the proposal (many of which were 'form letters').

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

Issues	Comments
Against	
<p>Traffic</p> <p><i>There will be additional truck traffic on road.</i></p> <p><i>Safety concerns for elderly and school children who walk on Witta Road.</i></p>	<p>Council's Development Engineer confirmed that Witta Road is able to accommodate additional vehicles.</p> <p>The road reserve around this section of Witta Road is wider than a typical rural area. There is unlikely to be conflict between children, the elderly and vehicles passing on Witta Road.</p>
<p>Amenity</p> <p><i>There will be a loss residential amenity to neighbours.</i></p> <p><i>There will be an increase in noise caused by heavy vehicles, excavators and reversing beepers.</i></p> <p><i>Noise will affect operations of Home Based Businesses in the area.</i></p> <p><i>Hours of operation are excessive.</i></p> <p><i>Loss of Property Value</i></p> <p><i>Negative visual impact of development</i></p>	<p>The amenity of the neighbourhood will be retained by reasonable and relevant conditions in respect to noise and dust nuisance.</p> <p>A Noise Report submitted by a qualified Noise Consultant concluded that the proposed measures will mitigate noise.</p> <p>Hours of operation will be dictated by conditions, which will mitigate impacts.</p> <p>The planning scheme does not identify loss of property value as a planning consideration.</p> <p>The development is well screened from Witta</p>

Issues	Comments
<p><i>Uncertain that applicant will follow conditions as set by Council in the event of approval</i></p>	<p>Road. Additional vegetation can be planted to screen any visual impact from neighbouring properties.</p> <p>Council have the legislative ability to enforce any conditions imposed on any approval.</p>
<p>Location</p> <p><i>The development should be located in industrial area of Maleny or Landsborough</i></p>	<p>The application is assessed on its merits.</p>
<p>Intensity of Use</p> <p><i>Use definitions allows for greater intensity of use such as storage of dangerous goods.</i></p> <p><i>No recognition of other vehicles used by applicant (as noted in advertisement)</i></p>	<p>Proposed conditions can limit the extent of the land use.</p> <p>A number of both scheduled and unscheduled site inspections have been carried out by officers.</p> <p>Some additional vehicles have been sighted at various times. The applicant's consultant has argued that farmers and rural land users often have various trucks, equipment, plant and machinery associated with rural living. It is not unusual for rural land holdings to house many different types of vehicles, stockpiles of old parts, fencing & building supplies and the like.</p> <p>The sheer amount of land available on rural allotments allows for storage of things that could not otherwise be stored on suburban sized allotments.</p>
<p>Environmental</p> <p><i>Contamination of underground water supply and storage of chemicals</i></p> <p><i>Odour will affect neighbours from idling vehicles</i></p> <p><i>There will be a fire hazard caused by storage of woodchips</i></p>	<p>Conditions can be applied regarding the storage of chemical to protect ground water from contamination.</p> <p>The parking area for vehicles is substantially lower than adjoining properties. It is unlikely that fumes will affect neighbours for the short amount of time that the vehicle is on the site.</p> <p>The application is for a Vehicle Depot. However, the storage of mulch can be conditioned as part of the approval.</p>

Issues	Comments
<i>The Dam has been increased in size reducing water flowing into nearby creek</i>	This has no relationship to the application under consideration.
Precedence <i>Approval of this application will encourage other similar applications</i>	Each application is assessed on its merits.
For	
<i>The proposal has been designed to sensitively respond to adjoining land uses.</i>	Noted.
<i>The proposal will not result in removal of protected or significant vegetation.</i>	Noted.
<i>The development is in keeping with rural residential character of the area.</i>	Noted.
<i>Strict conditions can be applied to ensure the proposal will not affect the amenity of the area.</i>	Noted.

A Public Meeting was held on 10 October 2013, prior to the public notification period. Approximately 30 concerned residents were in attendance, where the following additional issues were raised:

- Vehicle servicing - Residents felt that vehicle servicing, maintenance, and storage of associated vehicle paraphernalia (eg fuel, oils etc) would occur and cause environmental impacts.
- Waste disposal - The local dump (Witta) is only open once a week and residents were concerned the applicant would stockpile his vegetative waste from the tree-logging business on site.
- Levels of activity - Residents felt that the vehicles would not be departing and arriving once per day, rather, that trucks would depart and arrive throughout the day more frequently.

The above matters can be addressed by conditions should approval be granted.

DRAFT SUNSHINE COAST PLANNING SCHEME

The subject site is zoned Rural and located within Rural Mapped Area (No 43) of the draft Sunshine Coast Planning Scheme.

The development is defined as a Transport Depot under the draft Planning Scheme The application would trigger impact assessment under the draft planning scheme, and would be affected by the following Overlays:

- Biodiversity, Waterways and Wetlands
- Height of Buildings and Structures
- Landslide Hazard and Steep Land (Moderate Hazard)

The draft planning scheme has recognised that rural allotments can be appropriate for the storage of larger (non-domestic) vehicles, largely due to their size. This is reflected in the provisions of the Rural Zone Table of Assessment which permits storage of up to 2 large vehicles on rural sites as being ancillary to a detached dwelling. Storage of more than 2 vehicles changes the definition to Transport Depot, which is Impact Assessable. Whilst there is clear recognition and support for rural owners to store vehicles, the impact of more than 2 vehicles must be carefully assessed and considered in context.

The impact associated with the additional vehicle on site would be assessed against the broad provisions of the draft Planning Scheme based on the impacts.

CONCLUSION

The application requests approval to store three commercial vehicles on the subject site. Conditions can be imposed to ensure that the impacts of noise, dust and traffic are akin to what would be acceptable as a Home Based Business. Furthermore, acoustic fences and landscaping are required to ensure compliance with the provisions of the planning scheme.

On balance, the use is acceptable subject to strict conditions regarding the operations of the business.

EXECUTIVE SUMMARY

The application seeks approval for a Detached House and Shed on a vacant site at 34 Palm Creek Road, Ilkley. Typically, dwellings are self-assessable. This application is elevated to Code Assessment as the application seeks variations to the amount of cut and fill on the site.

The proposed cut and fill is acceptable for this site for the following reasons:

- a Geotechnical Report concludes that the landslip risk is low where the development is constructed in accordance with the recommendations of the report
- the shed is to be constructed 14 metres from the property boundary
- construction on or near drainage lines are avoided
- no utility services are affected and
- no environmental harm is caused by the development.

OFFICER RECOMMENDATION

That council APPROVE WITH CONDITIONS Application No. MCU13/0253 and grant a Development Permit for a Detached House and Shed situated at 34 Palm Creek Rd ILKLEY QLD, in accordance with Appendix A.

FINANCE AND RESOURCING

There are no infrastructure charges associated with this form of development.

PROPOSAL

The application seeks approval for a Detached House and an associated Shed on a 4.0Ha rural parcel of land located at 34 Palm Creek Road, Ilkley. Both structures would both be well setback within the site, with the house being setback 28m from its southern boundary (110m from the road) and the shed being setback 86m from the road frontage and 14m from the eastern side boundary. The house would be elevated on poles for the most part to accommodate the steep slopes of the site, which contains up to 40% slope. The proposed shed would be slab on ground.

The proposed dwelling and shed require flat and level building pads at either side to successfully construct and erect the structures and to provide for car parking and water storage etc. While the shed would have slab foundations, it requires a level site on the western side to facilitate construction and slab pouring.

Further, delivery of construction material to the house and shed requires the formation of suitably graded driveways and turn-around areas for large trucks. As such, earthworks for driveways between the house and shed pads are proposed.

The proposed development would typically be self-assessable. However, due to the amount of cut and fill proposed, which exceeds 50m³, the application is code assessable and assessment is undertaken solely against the relevant sections of the Code that relate to earthworks.

SITE DETAILS

Background/Site History

There is no relevant history or background to this site or application.

Site Description

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



Surrounding Land Uses

The subject site is surrounded by similar sized rural allotments, most of which contain significant amounts of vegetation. Although the predominant zoning of the locality is rural, there are no tangible rural activities occurring in the area. The locality is therefore more akin to a rural residential area.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

- State Planning Policies
- the South East Queensland Regional Plan
- State Planning Regulatory Provisions

- any Structure Plan or Master Plan in place for declared areas
- any Preliminary Approval Overriding the Planning Scheme for the land
- the Planning Scheme for the local government area and
- any Temporary Local Planning Instrument in place for the local government area.

Statutory Instruments – State and Other

State Planning Policies

The following State Planning Policies are applicable to this application:

- State Planning Policy – December 2013

As this document has not yet been reflected in council's planning scheme, the 'Interim development assessment requirements' contained in Part E apply. However, there are no relevant provisions in the SPP that relate to the proposed dwelling.

South East Queensland Regional Plan

The site is located within the Regional Landscape and Rural Production Area of the South East Queensland Regional Plan. The proposal is for a detached dwelling and is consistent with the regional land use intent, regional policies and desired regional outcomes of the Plan.

Statutory Instruments – Planning Scheme

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

The proposal is compliant with the Code for the Development of Detached Houses and Display Homes in regard to matters pertaining to height and setbacks. However, the proposal does not comply with the Acceptable Measures of the Code in relation to earthworks.

Earthworks

The proposed development requires retaining walls above 1 metre and filling above 1.5 metres. This is primarily due to the steep slope of the subject site.

The associated Performance Criteria requires that any excavation or filling:

- does not cause environmental harm
- does not impact adversely on visual amenity or privacy
- natural landforms and drainage lines are maintained and
- protects utility services from damage and allows for access if required.

The proposed development complies with the above for the following reasons:

- a Geotechnical Report from GeoConsulting concludes that the landslip risk is low where constructed in accordance with the recommendations of the report
- the shed is to be constructed 14 metres from the property boundary

- construction on or near drainage lines are avoided
- no utility services are affected and
- no environmental harm is caused by the development.

Accordingly, the development is supported.

CONSULTATION

IDAS Referral Agencies

There are no applicable IDAS referral agencies for the application.

Other Referrals

The application was forwarded to the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment Branch

Their assessment forms part of this report.

Public Notification

Not applicable

DRAFT SUNSHINE COAST PLANNING SCHEME

The subject site is zoned Rural and located within the Rural Mapped Area (No 45) of the draft Sunshine Coast Planning Scheme.

The application would trigger code assessment under the draft planning scheme, and would be affected by the following Overlays:

- Biodiversity, Waterways and Wetlands
- Biting Midges and Mosquitoes
- Bushfire Hazard
- Height of Buildings and Structures
- Landslide Hazard and Steep Land
- Regional Infrastructure

The development is generally consistent with the draft planning scheme.

CONCLUSION

The application has been assessed against the Code for the Development of Detached Houses and Display Homes and found to be generally compliant with, and can be conditioned to comply with the Code. The application is recommended for approval.

7.2.4 CAR PARKING ASSOCIATED WITH THE NAMBOUR DISTRICT SKATE PARK

File No:	ECM
Author:	Manager Infrastructure Policy Regional Strategy & Planning Department
Appendices:	App A - Proposed changes to Sydney Street Car Park..... 137 App B - Proposed changes to Short Street Car Parking 139
Attachments:	Att 1 - Stratetgic Overview 141

PURPOSE

The purpose of this report is to respond to a formal Council requirement for investigation of an above ground car park above the proposed youth activity site (Nambour District Skate Park) for Council's consideration. Discussion on low cost parking management actions is also provided.

EXECUTIVE SUMMARY

Following Council's decision at the Ordinary Meeting of 31 January 2013, to locate a skate park on land located on the south east corner of Ann and Matthew Streets, a review of car parking arrangements was required to give due consideration to the loss of approximately 38 car parks displaced by the proposed skate park. The resolution calling for this report sought consideration of four low cost parking management actions, together with an investigation of the construction and funding of an above ground car park at the proposed skate park facility location.

These matters have been given due consideration, determining that the construction cost of an above ground parking facility would be just over \$1,000,000. On the matter of parking management actions, these are considered acknowledging that parking demand in Nambour is experiencing significant change with the recent addition of the Coles and Aldi retail developments, possibly attracting parking demand away from the proposed skate park area under consideration. The potential to convert 32 time-regulated nearby car park spaces from 2 hours to all-day car parks in Short Street and the Sydney Street car park will assist in catering for the immediate loss providing the best option, with the need to monitor and respond to that immediate impact, and the overall needs of the Nambour CBD as the recent Coles/Aldi developments provide a new pattern of parking needs.

Negotiations with Education Queensland and Nambour High School should be progressed as a medium term solution to providing additional parking for the school, benefitting the area under consideration.

The report recognises the need for alternative all-day parking to be provided to replace that which is lost, but also recognises the need to assess the changed parking demands for Nambour via a strategic review by Transport and Infrastructure Policy Branch in 2014. The ability to provide immediate replacement of the lost parking is limited.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Car Parking associated with the Nambour District Skate Park”
- (b) convert 15 two hour parking bays at the Sydney Street car park and 17 two hour parking bays in Short Street, to all day parking, as per the bays shown on Appendix A – ‘Proposed changes to Sydney Street Car Park’ and Appendix B – ‘Proposed changes to Short Street Car Parking’
- (c) monitor the impact of the parking changes outlined in (b) above and adjust as required
- (d) continue to negotiate with Education Queensland to secure future onsite student car parking at Nambour High School and
- (e) authorise the Chief Executive Officer to investigate the potential to acquire car parking from privately owned off-street car parking and to enter into an agreement, pending budget considerations and Council approval.

FINANCE AND RESOURCING

There are minor finance requirements directly associated with the recommendations to this report. Change to signage may be required, at a cost of approximately \$3,000.

Should there be a need to provide an above ground car park facility, it is estimated that funding of just over \$1,000,000 would need to be found for this work. As there is no reserve funding available, this money would need to come from general revenue.

An arrangement with the State Government to develop future additional parking for demand from Nambour High School, through the purchase and development of land immediately opposite to Nambour State High School, is at a very early stage with as yet unknown levels of funding required. Should this matter progress, a further report would be required to be presented for Council’s consideration. It is considered appropriate to continue negotiations with the School Principal and Education Queensland.

CORPORATE PLAN

Corporate Plan Theme: *Robust Economy*

Emerging Priority: 1.3 - Infrastructure for economic growth

Strategy: 1.3.1 - Facilitate the delivery of key infrastructure projects for our preferred economic growth

Corporate Plan Theme: *Ecological Sustainability*

Emerging Priority: 2.6 - Environmentally friendly infrastructure and urban design

Strategy: 2.6.1 - Ensure new developments meet high standards of ecological sustainability and urban design

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.4 - Timely and appropriate infrastructure and service provision

Strategy: 7.4.1 - Prepare comprehensive infrastructure plans, policies and strategies in line with long term financial plans

CONSULTATION

Internal Consultation

Internal consultation occurred with Parks and Gardens Branch, tasked with delivering the Nambour District Skate Park.

External Consultation

No external consultation has occurred.

Community Engagement

No community engagement has occurred.

PROPOSAL

Background

At the Ordinary Meeting of 31 January 2013, Council considered the Report "Nambour District Skate Park, Site Selection". Council endorsed the recommended site located at the south east corner of Ann and Matthew Streets. This site was purchased by Council in 1992 and since that time has been used as an informal at-grade car park, accommodating a maximum of approximately 38 cars, during business hours.

The development of this site as a skate park will see the loss of these car parks and in recognition of this, Council determined, as part of its decision at the abovementioned Ordinary Meeting, that *"... before a final decision be made regarding the implementation of future car parking options, request the Chief Executive Officer to bring a report back to Council, fully investigating the option/construction and funding of an above ground car park above the proposed youth activity site for Council consideration."*

The construction of an above ground car park at this site has been considered with the following assumptions applying:

- (i) The available area for elevated car park consideration for Lot 46 on RP 150275 is about 1,100m², allowing for construction without setbacks, other than an allowance of 5.0 m on the Matthew Street frontage.
- (ii) Each car space requires an allowance of 28.6m², giving due consideration to access and manoeuvring movements.
- (iii) An external ramp will provide access for two way traffic movements.
- (iv) Allowance is included for providing aesthetic amenity.
- (v) The facility will be lit.
- (vi) Provision has been made for DDA compliance (Disability Discrimination Act).
- (vii) Line-marking and signage provided.
- (viii) Suitable ground conditions are assumed with no need for special geotechnical investigations.

The estimated cost has been derived as follows:

• Single level elevated car park, reinforced concrete @ \$500/m ² , allowing 28.6 m ² / car park and allowing 38 spaces, rounded	\$ 550,000
• External ramp, two way	\$ 105,000
• DDA compliance	\$ 60,000
• Fitments, electrical and lighting	\$ 70,000
• Panelling and plantings; aesthetics treatment	\$ 100,000
• Survey, Design, Supervision, Overheads	<u>\$ 145,000</u>
Total:	\$1,030,000

or \$27,105 per car park.

Location of a like elevated parking structure at an alternative location would cost in the vicinity of \$27,000 / car space with variations depending on site conditions and the scale of construction.

Alternative Parking Considerations

This report's consideration of alternative solutions to displaced all-day car parking will be limited to those 38 car parks currently available at the skate park site and is provided for Council's consideration, should the decision to build an elevated car park over the skate park not be forthcoming. This recognises both the requirements of the Council resolution and the forthcoming parking strategy for the Sunshine Coast Council to be developed under Council's direction in 2014. Further to this, the recent addition of Coles and Aldi retail attractors will change the shopping habits, journey selections and associated parking choices made by locals and visitors to Nambour. The most recent parking surveys for Nambour were carried out in 2009, 2012 and 2013. It is proposed to carry out a follow-up survey in 2014 to capture the changes, in particular, those attributable to the Coles and Aldi developments.

The surveys show that the parking occupancy rates range from around 50% to 80%, with the median occupancy rate of about 74%. No doubt there are times when demand is greater than 80%, but the surveys indicate that there is parking available; the take-up depends to an extent on people's willingness to walk a certain distance to their destination.

There remains, however, the expectation that if parking is removed, then there needs to be compensatory parking provided in its place. This is not possible in the short term, and appropriately, any capital investment in providing replacement parking should be considered as part of the proposed 2014 review of Nambour's parking needs.

The Council resolution from the Ordinary Meeting of 31 January 2013 endorsed the staged implementation of the following low cost parking management actions:

- i) *Initiate discussions regarding on-site student parking at Nambour State High School.*

This matter is a work-in-progress, with formal acknowledgement of discussions had with the principal of Nambour State High School. Agreement was reached on pursuing a possible joint project where Education Queensland may consider purchasing land near the High School; Council would construct the car park and associated road works with the land being vested with the State as road reserve. Transport Infrastructure Development Scheme (TIDS) funds may become available from the State to assist in funding the construction. This joint project could provide around 24 parking spaces. This potential will be progressed pending negotiation outcomes with Education Queensland.

ii) *Promote underutilised 2 hour parking areas.*

There are two areas identified for consideration, where 2 hour limits apply to parking, with low utilisation rates. The first is the on-street parking at the northern end of Short Street and, and the second, off-street parking at the corner of Howard and Sydney Streets. Conversion of some bays to all-day parking would provide 17 and 15 spaces respectively giving a total of 32. Both sites have a number of 2 hour limited parking available to cater for higher parking requirements, which are expected to possibly ease further with the impacts of the Coles and Aldi developments. The proposed parking changes are shown in **Appendix A – ‘Proposed changes to Sydney Street Car Park’** and **Appendix B – ‘Proposed changes to Short Street Car Parking’**. It is recommended that these parking bays be signed for all-day parking. **Attachment 1 – ‘Strategic Overview’**, provides a strategic overview of these two locations with respect to the proposed skate park. (The outcome of such a decision would be suitably assessed in the recommended 2014 Nambour parking survey.) Communication with the Nambour community will also need attention.

iii) *Manage time limits on high volume 2 hour parking areas in the CBD.*

The development of the skate park affects parking availability for spaces that have no time limit. To attempt to offset the loss through managing time limits where high turnover currently exists in 2 hour regulated areas is not seen as beneficial or applicable to the transferred parking demand.

iv) *Provide additional formalised car parking at Apex or Petrie Park.*

Apex Park has been selected for consideration due to its closer proximity to the affected site and hence, the area served by that car park. To include Petrie Park, is considered to be placing an unrealistic expectation on the distance to walk to a destination in the vicinity of the skate park.

It is understood that it is planned to remove the park embellishments from Apex Park due to under-utilisation and concerns around the safety of users. The current sealed car park adjacent to the park could be extended to take up approximately half the space to be made available, providing between 15-20 car spaces. Such additions should be considered for implementation following the proposed 2014 review, with options and costings for future capital investment put forward.

Further, two additional possibilities have been considered:

- Investigate car park availability of under-utilised private car parking.

Contact has been made with a business located in the Short Street precinct where car parking provision exceeds the current client demand. Parking is restricted to customers only. Negotiations to acquire 18 spaces is underway, with a position known in January / February 2014. It is likely to attract a commercial arrangement but it is yet too early to inform a budget requirement. This may prove to be a source of additional parking as opposed to a change to parking duration.

- Provision of Advisory Signs on Parking Options.

As part of the 2014 review of parking in Nambour, consideration will be given to the installation of signs advising of the location of car parks and the number of bays available. The signs would be erected at the various entry points to the CBD. Additional information relating to public and private car parks, as well as time restrictions applying, would also attract consideration. Visitors and newcomers would benefit from such signage and the number of vehicles wasting time looking for car parks would be reduced.

Legal

There are no legal implications associated with this report.

Policy

While there are no policy implications associated with this report, it is advised that the Sunshine Coast Council car parking review envisaged for 2014 will provide direction for future parking policy in Nambour.

Risk

There is a risk to Council in having parking spaces removed without the ability to provide immediate replacement. The extent of the risk to Council's reputation is unknown and will depend to some extent on how the communities of interest view the replacement of parking with a skate park for the town's youth

Previous Council Resolution**Council Resolution** (OM13/6)

That Council:

- (a) *receive and note the report titled "**Nambour District Skate Park, Site Selection**";*
- (b) *endorse the selected site for the development of a District Level Skate Facility and Youth Activity Precinct at Mathew Street adjacent to Quota Park in Nambour, subject to future funding consideration through the annual budget process;*
- (c) *endorse the staged implementation of the following low cost parking management actions:*
 - (i) *initiate discussions regarding onsite student parking at Nambour State High School;*
 - (ii) *promote underutilised 2 hour parking areas;*
 - (iii) *manage time limits on high volume 2 hour parking areas in the CBD; and*
 - (iv) *provide additional formalised car parking at the Apex or Petrie Park investigation areas;*
- (d) *before a final decision be made regarding the implementation of future car parking options, request the Chief Executive Officer to bring a report back to council, fully investigating the option/construction and funding of an above ground carpark above the proposed youth activity site for council consideration.*

Related Documentation

- Report to Council, 31 January 2013 – "**Nambour District Skate Park, Site Selection**" (OM 13/6).

Critical Dates

Once the site is handed to the contractor for construction of the skate park, the car spaces will be lost and the demand will be applied to the surrounding precincts. Granting of a tender is likely to occur in February 2014.

Implementation

- Changes to time-restricted parking at the proposed locations will apply immediately following Council's consideration and direction. The impact of the loss of parking will be monitored with a view to adjusting Council's response under observed conditions.
- The potential for a joint outcome with Education Queensland will continue to be negotiated, as will the access to underutilised private car parking capacity.

7.3 COMMUNITY SERVICES

7.3.1 FESTIVE SEASON PROGRAM 2014/2015

File No:	Statutory Meetings	
Author:	Coordinator Community Programs and Events Community Services Department	
Appendices:	App A - Community Event Matrix	155
	App B - Proposed Festive Season Banner and Tree Locations 2014	157
Attachments:	Att 1 - Festive Season Strategy funded events	161
	Att 2 - Community Grants	163
	Att 3 - Sponsorship Incoming 2013/14	165
	Att 4 - Events identified for partnering with Council (<i>Under Separate Cover</i>) - Confidential	Conf Att Pg 5

PURPOSE

This report seeks Council endorsement regarding the future delivery and funding of the Sunshine Coast Festive Season program, commencing in the 2014/2015 financial year.

EXECUTIVE SUMMARY

The Festive Season is described as that period from 1 December through to and including Australia Day.

For the past four years, Sunshine Coast Council has delivered and supported the Festive Season program of events and activities under the *Festive Season Strategy 2010-2015*.

Commencing in November, 2012 the *Festive Season Strategy 2010-2015* was reviewed, in consultation with stakeholders and the community, and resulted in a report being presented to Council in June, 2013.

At the Special Meeting in June, 2013, Council resolved to relinquish the *Festive Season Strategy 2010-2015* and instead deliver an annually endorsed Festive Season program of events and activities under the umbrella of Council's *Events Policy* and the *Community Events and Celebrations Strategy*.

At the Special Meeting in June, 2013 Council also requested inter alia that "the Chief Executive Officer to establish a Councillor and Council officer working group consisting of Councillors Baberowski; Dwyer; McKay; Cox and O'Pray to prepare a further report to Council refining option 3 of the Festive Season program of events and activities for consideration in the 2014/2015 budget process". The Festive Season working group met five times between July and October, 2013 to refine the preferred Option 3 which:

- describes a local approach to Council owned and supported Christmas carol events including a partnership program to grow established events
- allows for the opportunity to provide support to local business groups for Christmas decorations where decorated trees within a division have been consolidated to one
- sees Council deliver one regional New Year's Event, Australia Day Awards program and Citizenship Ceremony and
- conducts a formal flag raising ceremony at Kings Beach.

The Festive Season working group recommended that Option 3, with some refinement, would achieve a festive season of events in a way that would grow the much loved and meaningful program of events during this period in a way which is economically viable and accessible to more members of our Sunshine Coast community.

The revised option is anticipated to:

- Realise an initial saving of \$44,472 from the already reduced 2013/2014 adopted budget with a proposed budget of \$714,745 per annum +CPI and cost increases.
- Form strong partnerships with the community and develop the capacity for these groups to grow their events, attracting new audiences.
- Build on the region's reputation as an attractive, family friendly place to stay (residents and visitors) during this school holiday period.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Festive Season program 2014/2015"**
- (b) endorse a community event matrix (Appendix A) to assist the equitable allocation of grants, donations and sponsorship by Council for community Festive Season events and activities**
- (c) seek community partnerships and offer sponsorship arrangements for Carols on Kings and Carols at Cotton Tree at \$30,000 each event**
- (d) request the Chief Executive Officer to approach the organisers of identified, high profile, established community Christmas Carol events to offer sponsorship arrangements**
- (e) approve the continuation of one signature New Year's Eve event for the region based at Mooloolaba and continue ongoing strategic investigations into additional revenue streams**
- (f) approve the ongoing delivery of the three Australia Day civic event programs consisting of the Sunshine Coast Australia Day Awards and the Sunshine Coast Australia Day Citizenship ceremony (to be held at a different location across the region annually) and one formal Australia Day flag raising ceremony at Kings Beach**
- (g) endorse the installation and decoration of existing Christmas trees and banners across the region (Appendix B), while working with divisional Councillors to seek further opportunities to reduce the number of Council funded trees via the establishment of sponsorship and partnership programs with businesses and community groups**
- (h) develop an annual grants program, in consultation with divisional Councillors, aimed at encouraging business groups to take on the responsibility of lighting and decorating business centres**
- (i) request the Chief Executive Officer ensure the planning and delivery of the Maroochydore Principal Regional Activity Centre be considerate of future Festive Season programming in relation to safety and competition with already existing festive season events**
- (j) request the Chief Executive Officer to investigate the establishment of festive season entry statements**
- (k) request the Chief Executive Officer to refer the funding for the Festive Season program as outlined in this report to the 2014/2015 budget and**

- (l) request the Chief Executive Officer to review the Festive Season delivery model in three years and report back to councillors.

FINANCE AND RESOURCING

The following table outlines the adopted budget for 2013/2014 and the proposed three year budget commencing 2014/2015. Costs outlined do not include staff time.

Delivery of the Festive Season program, including event management and community liaison, support and capacity building is managed through Community Services' Civic and Community Events team which comprises five (5) full time equivalent staff and a number of volunteers. The 2013/2014 salary budget for this team is \$380,796, however, it is noted that the team are not exclusive to the Festive Season program, but also conduct other events during the year such as citizenship ceremonies etc.

It is further noted that this budget does not include administration of the Community Grant Program (Festive Season Category) which is managed by the Community Connections team as part of a broader grants program.

Over the past two years, the Festive Season program budget has reduced from \$975,000 in 2011/2012 to \$828,823 for 2013/2014. These savings have been realised by increasing Council's sponsorship revenue, decreasing some of our costs such as marketing and entertainment spend, and engaging with both businesses and the community to help produce these events and activities.

The recommended revised model of delivery would realise an initial saving of \$44,472 from the 2013/2014 adopted budget. The savings are as a result of changes to the funding model for the two Council owned Carols events; a redesign of the Australia Day community event; and the non-renewal of Festive Season Strategy funding agreements which finish in 2013/2014. The model proposes a budget of \$714,745 per annum +CPI and some cost increases of 10% for three years commencing 2014/2015.

Table 1: Proposed Festive Season budget commencing 2014/2015

	Adopted Budget (not actuals) 2013/14	Proposed Program Budget 2014/15	Proposed Program Budget 2015/16	Proposed Program Budget 2016/17
Festive Activity	\$	\$	\$	\$
Tree decorations (allow 10% cost increase pa) ¹	163,500	135,000	148,500	163,350
Divisional business allocation (5 divisions x \$5000)	0	25,000	25,000	25,000
Street banners (allow ~4% CPI)	25,000	26,000	27,040	28,122
Festive marketing and surveying	15,000	15,000	15,000	15,000
Carols at Cotton Tree, Maroochydore	35,944	30,000	30,000	30,000
Carols on Kings, Caloundra	39,860	30,000	30,000	30,000
Community Event #1	0	10,000	10,000	10,000
Community Event #2	0	10,000	10,000	10,000
Community Event #3	0	10,000	10,000	10,000
Mooloolaba New Year's Eve Event	273,888	273,000	273,000	273,000
Australia Day Awards	25,887	25,000	25,000	25,000

	Adopted Budget (not actuals) 2013/14	Proposed Program Budget 2014/15	Proposed Program Budget 2015/16	Proposed Program Budget 2016/17
Australia Day Citizenship Ceremony	16,861	20,000	20,000	20,000
Australia Day Kings Beach	34,924	10,000	10,000	10,000
Community events funded by the endorsed Strategy ^{1,2} (Refer Attachment 1)	107,959	50,745	52,775	0
Community Grants Program Festive Season allocation (Refer Attachment 2)	90,000 ³	45,000	45,000	45,000
Total Expenditure (ex GST) ⁴	828,823	714,745	731,315	694,472

Notes

¹ This program is affected by Noosa de-amalgamation. Reduction in Noosa costs are not considered savings.

² Reduced budget also includes savings through non-renewal of strategy funding agreements finishing in 2013/2014.

³ \$45,000 redirected to 2013/2014 Festive Season category of the grants program, following suspension of the second half of 2012/2013 Community Grants program.

⁴ The total expenditure budget does not include possible incoming revenue streams or actual costs. It is anticipated that 2013/2014 revenue through sponsorship support totals \$97,690 in cash and in-kind support, and actual cost to deliver is expected to come under budget across the board.

Noosa de-amalgamation costs removed from future budgets

BUDGET SAVINGS ANTICIPATED 2014/15 (from 2013/2014)	\$	\$
Total reduction in budget achieved (incl. Noosa costs)		114,078
Noosa costs:		
>Noosa LGA - FS strategy funding commitments*	41,854	
>Noosa LGA - tree decorations and install (six trees)	27,752	
LESS: Total Noosa costs		69,606
Total savings anticipated for 2014/2015 (excluding reduction in budget due to Noosa de-amalgamation)		44,472

*Funding commitments:

	\$
> Noosa Carols by the River (strategy funded)	11,099
> Noosa Carols by the River (annual sponsorship request)	5000
> Festive Fridays Noosa Junction (strategy funded)	5000
> Christmas in Cooroy (strategy funded)	5237
> NYE Noosa Marina (strategy funded)	10,473
> Aust Day Noosa Local Legends (strategy funded)	5045
	41,854

It is noted that following a complete review (organisational wide) of the impact of de-amalgamation at the end of the 2013/14 financial year, a further review of expenditure for Festive Season activities may be required.

Community Grant program Festive Season category

The budget amount allocated to each category of the Community Grant Program (including the Festive Season Category) in each financial year is dependent on the budget allocated by Council.

Festive Season Allocations 2013/2014 to date:

Major Grants (round 1)	\$23,600
Minor Grants (round 1)	\$20,935
TOTAL	\$44,535

The original budget for the Festive Season category for 2012/2013 was \$45,000. The timing of this grant allows for groups to apply for funding and prepare for their Festive Season activities over the course of the calendar year. However, the 2012/2013 funding was not available due to the suspension of the community grants program. Community groups were encouraged to continue planning for their Festive Season activities and advised that a retrospective grant program would be available in the first half of 2013/2014 financial year. Now, in the 2013/2014 financial there will be two funding allocations for the Festive Season, one retrospectively funding the 2013 Festive Season and one that will open for applications in February 2014 via the Community Grants Program for Festive Season events 2014.

Current budget 2013/2014	\$90,000
Less expenditure to date	(\$44,535) (Round 1 Major and Minors total)
Balance available Round 2	\$45,465 (Majors and Minors)

Sponsorship

In the 2013/2014 financial year Council secured a total of \$97,690 in both cash (\$25,200) and in-kind (\$72,490) sponsorship for varying components of the program. The sponsorship agreements are with 22 different businesses.

This is an increase of \$25,440 in sponsorship for this program when compared to the 2012/2013 financial year when we negotiated \$72,250 in sponsorship.

The Festive Season sponsorship breakdown for 2013/2014 is detailed in Attachment 3.

CORPORATE PLAN

Corporate Plan Theme: *Innovation & Creativity*

Emerging Priority: 3.1 - Partnerships and alliances that drive innovation

Strategy: 3.1.1 - Foster partnerships with governments, business and the community to encourage innovation and sustainability

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.3 - A sense of identity and belonging

Strategy: 5.3.3 - Support community and neighbourhood celebrations, events and local festivals

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.6 - An informed and engaged community

Strategy: 8.6.3 - Keep the community informed about Council's activities through a wide range of communication tools

CONSULTATION

Internal Consultation

In developing this report, the following areas were consulted:

- Councillors
- Community Services Department (Community Relations and Community Facilities & Planning)
- Executive Office (Economic Development - Tourism Events Reporting)
- Finance and Business (Corporate Governance).

External Consultation

Formal and informal discussions have been conducted by Council with various business groups and community organisations to seek interest in partnering with or sponsoring Council's Festive Season events.

Community Engagement

An extensive public awareness campaign (direct and indirect) and community engagement was undertaken as part of the Festive Season Strategy review and informed the report to Council in June 2013. This report takes into account the previous community engagement.

PROPOSAL

Background

The Festive Season is described as that period from 1 December through to and including Australia Day.

For the past four years, Sunshine Coast Council has delivered and supported the Festive Season program of events and activities under the *Festive Season Strategy 2010-2015*.

Commencing in November, 2012 the *Festive Season Strategy 2010-2015* was reviewed, in consultation with stakeholders and the community, and resulted in a findings and options report presented to Council in June, 2013.

The review was timely in that it allowed Council the lead in time required to plan and make changes to the delivery of events and activities, while also considering the impacts of four major changes faced by Council:

- de-amalgamation
- constraints of the 2013/2014 budget
- the current economic climate – in relation to partnership and sponsorship opportunities and
- the suspension of the 2012/2013 Community Grants Program (including Festive Season category).

At the Special Meeting in June 2013, Council resolved to relinquish the *Festive Season Strategy 2010-2015* and instead deliver an annually endorsed Festive Season program of events and activities under the umbrella of Council's *Events Policy* and the *Community Events and Celebrations Strategy*.

Festive Season Working Group

At the Special Meeting in June, 2013 Council requested inter alia that *“the Chief Executive Officer to establish a Councillor and Council officer working group consisting of Councillors Baberowski; Dwyer; McKay; Cox and O’Pray to prepare a further report to Council refining option 3 of the Festive Season program of events and activities for consideration in the 2014/2015 budget process”*.

As per the Council resolution, the Festive Season working group was established consisting of the following Councillors and officers:

- Councillor Jenny McKay, Division 5 and portfolio holder for Community Policy and Programs
- Councillor Rick Baberowski, Division 1
- Councillor Tim Dwyer, Division 2
- Councillor Peter Cox, Division 3
- Councillor Jason O’Pray, Division 8
- Manager, Customer Relations
- Acting Coordinator, Civic and Community Events
- Civic and Community Events Manager (September and October meetings only)

From July to October, 2013 the Festive Season working group met five times to refine Option 3 from the June 2013 Council report.

Option 3 as outlined in the report to Council at the Special Meeting on the 5 June, 2013 contained the following proposals:

- a local approach to Council owned and produced Christmas Carol events where Council partners, as a sponsor only, a local community group to deliver up to five carol events in the region.
- three coastal and two hinterland events with two of the locations to be Kings Beach Park, Caloundra (home of the current Council produced Carols on Kings); and Cotton Tree Park, Maroochydore (home of the current Council produced Cotton Tree Carols).
- approaching local church groups as potential partners.
- support for already established community carols event.
- Council decorate one Christmas tree only in each division, using Council owned decorations i.e. decorations will not be hired. The location of each tree will be selected in consultation with the divisional Councillor and Council’s Parks and Gardens staff.
- an annual \$5000 grant per division be provided to business groups to contribute to the purchase of appropriate Christmas decorations for use in business areas on private land.
- The banners will continue to be installed at current locations.
- There is no Festive Season grants program under this option.
- Mooloolaba New Year’s Eve, Australia Day Awards and Australia Day Citizenship ceremonies and events remain the same.
- the Australia Day celebration will activate Kings Beach Park as a family gathering space with a low key flag raising ceremony and the possibility of a live broadcast of Australian music.
- Option 3 Council could anticipate a \$300,000 saving when compared to the current model’s budget.

Outcomes following workshop deliberations

The working group discussed each element of Option 3 to better understand its implications to this program of community celebration and to ensure that the concerns of and impacts on local communities were addressed.

As a result, the proposed model (Option 3) concept of building community capacity to partner with council in the delivery of the program was retained and expanded upon to include requesting the Chief Executive Officer to:

- ensure the planning and delivery of the Maroochydore Principal Regional Activity Centre be considerate of future Festive Season programming in relation to safety and competition with already existing festive season events;
- investigate the establishment of festive season entry statements (i.e.: one significant tree or lights installed on a bridge/structure at the point of entry of the Sunshine Coast Council area in the hinterland and/or coast); and
- review the Festive Season delivery model in three years and report back to Councillors.

In addition, the following elements were refined.

- **Community Event Matrix**

The working group discussed and agreed to the recommendation for Council to endorse a Community Event Matrix (Appendix A) to assist the equitable allocation of grants, donations or sponsorship by Council on community Festive Season events and activities, including Christmas, New Year's Eve and Australia Day.

This matrix will be used to establish suitable sponsorship packages and assist the allocations of funds under the Community Grants program for not only the Festive Season category but more broadly for general community event applications.

The matrix is based on the adopted Event Category Matrix described with the *Sunshine Coast Major and Regional Events Strategy 2013-2017* and adapted to align with the characteristics of community events.

- **High profile community Christmas events identified for partnering with Council**

Council's Event Officers analysed the demographics, location and characteristics of the 50+ Christmas-specific activities and events, in accordance with the Community Events Matrix, to identify three high profile community-run events to seek to partner with.

The identified events are in addition to the current Council-run community carols events – Carols at Cotton Tree and Carols on Kings each attracting in excess of 6000+ and 10,000+ patrons respectively which are proposed to be divested to the community to own and partner with Council to deliver.

Partnership funding of three identified events remain 'commercial in confidence' and were specially discussed in the Festive Season working group of Councillors.

If the Officer's recommendation is endorsed, discussions with organisers of the nominated community events will commence in earnest in February.

- **Potential partners to divest Council's Christmas Carols events**

Formal and informal discussions have been conducted by Council with various business groups and community organisations to seek interest in partnering with or sponsoring Council's Festive Season events.

Ongoing discussions with interested parties in relation to partnership opportunities for 2014 and beyond are ongoing and awaiting the resolution of this report to Council.

These potential partnerships present an exciting opportunity to further enhance and develop the five high profile community Christmas Carols events across the region.

Legal

There are no legal ramifications relevant to this report. Current funding agreements under the recently relinquished *Festive Season Strategy 2010-2015* will continue until the end of their respective terms. The last agreement will expire in June 2016 (Attachment 1).

Policy

The *Sunshine Coast Events Policy* articulates Council's role in supporting, partnering, facilitating and delivering events across the region. This Policy, the *Community Events and Celebrations Strategy* and the relinquished *Festive Season Strategy 2010-2015* have been referenced to produce this report and develop the different options.

Risk

Reputation

Any decision to reduce a Council program or service, particularly one that includes free entertainment, carries with it the risk of Council being criticised by the community.

However, the risk to reputation is also high if Council continues to fund the program of free entertainment and activities while reducing other essential services and programs to achieve budget savings.

The aim is to provide a program of free festive season entertainment and activities in such a way that the financial costs are shared rather than carried solely by Council, and that the activities are aimed at a level that is palatable to the community.

The key to communicating the decision of Council on this matter should be closely linked to the provision of core services to the community and the cost to Council of providing these services in the current economic environment.

Non-realisation of partners

Should Council not be successful in divesting ownership of the two carols events (Cotton Tree and Kings Beach), Council will deliver and work to the proposed reduced budget of \$30,000 per event and continue to seek sponsorship to enhance the entertainment and marketing components of each programs. Council officers will also continue to seek partners for these popular and well attended events.

Previous Council Resolution

Council Resolution (SM13/9) – Special Meeting date: 5 June 2013

That Council:

- (a) *receive and note the report titled "Festive Season Strategy "*
- (b) *refer the proposed 2013/2014 funding for the Festive Season program of events and activities to the 2013/2014 budget process (Appendix A)*
- (c) *relinquish the Festive Season Strategy 2010-2015 and instead deliver an annually endorsed Festive Season program of events and activities under the umbrella of the Sunshine Coast Council Events Policy and the Sunshine Coast Council Community Events and Celebrations Strategy and*

- (d) *request the Chief Executive Officer to establish a Councillor and Council officer working group consisting of Councillors Baberowski; Dwyer; McKay; Cox and O'Pray to prepare a further report to Council refining option 3 of the Festive Season program of events and activities for consideration in the 2014/2015 budget process.*

Council Resolution (OM12/175) – Ordinary Meeting date: 15 November 2012

That Council:

- (a) *receive and note the report titled "Festive Season Strategy 2010-2015 review";*
- (b) *endorse the draft Festive Season Strategy 2010-2015 – revised edition (updated November 2012) (Appendix A) for the purpose of consultation with stakeholders and the community; and*
- (c) *be provided with a further report in early 2013 that advises of the community and stakeholder consultation feedback and includes an updated draft Festive Season Strategy 2010-2015 for Council's consideration.*

Council Resolution (OM10/283) – Ordinary Meeting date: 27 October 2010

That Council:

- (a) *receive and note the report title "Events Policy, Community Events and Celebrations Strategy; and Festive Season Strategy;*
- (b) *adopt the Event Policy (Appendix A as amended);*
- (c) *endorse the Community Events and Celebrations Strategy (Appendix B as amended);*
- (d) *endorse the Festive Season Strategy (Appendix C as amended);*
- (e) *refer the Additional Budget Requirements (Appendix D as amended) funding request of the \$337,000 to the 2010/2011 Budget Review 2; and*
- (f) *acknowledge the significant range of celebratory and festive events support by community associations and businesses.*

Related Documentation

There are a number of related policies, strategies and legislation guiding and informing this report, including:

Sunshine Coast Council

- Corporate Plan 2009-2014
- Events Policy (2010)
- Community Events and Celebrations Strategy
- Festive Season Strategy 2010-2015 (relinquished June 2013)
- Major and Regional Events Strategy 2013-2017
- Volunteers Policy (2010)
- Community Engagement Policy (2009)
- Grants Policy (2009)
- Sponsorship Policy (2010)
- Brand Policy (2010)
- Placemaking Policy and Charter (2012)
- Open Space Strategy (2011)
- Access and Inclusion Plan 2011 - 2016
- Reconciliation Action Plan 2011 - 2016
- Cultural Development Policy (2012)
- Privacy Policy (organisational) (2010)

Queensland Government

- *Local Government Act 2009*
- *Aboriginal Cultural Heritage Act 2003*
- *Torres Strait Islander Cultural Heritage Act 2003*
- *Environmental Protection Act 1994*
- *Tourism and Events Queensland Act 2012*

Australian Government

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Burra Charter (1999)*

Critical Dates

The planning for the Festive Season program of activities and events for 2014/2015 will commence in earnest from February 2014.

Following Council's deliberation of this report and associated recommendations, officers will source and confirm community partners for the delivery of some components of the festive season program of activities and events.

Council's decision on a Community Grants program (Festive Season) for 2014/2015 will provide the lead-in time required for either:

- the promotion of the program, assessment of applications and event planning for the successful candidates or
- targeted advice regarding the absence of the grants program to those community groups that have, in the past, received a grant annually via this program so that they have the opportunity to consider contingencies for their event.

Implementation

Community Services Department will be responsible for implementing the Festive Season program of events and activities as follows:

2014/2015*January 2014*

Round 2 of the Community Grants program (Festive Season Category- major and minor) opens to the community to support 2014/2015 Festive Season events and activities.

February 2014 - June 2014

Officers will continue ongoing discussions with business and community organisations to negotiate the ownership of the festive season components described as requiring devolvement from Council and progressing partnership opportunities.

Budget, process, guidelines and permits will be put into place to support the endorsed service delivery model for the 2014/2015 Festive Season.

June 2014

Council will be required to consider and endorse the budget for the new service delivery model for implementation of the 2014/2015 Festive Season program.

July 2014

If Council endorses a Community Grants Program (Festive Season Category) for 2014/2015 financial year, work will continue in July to advise the community groups of its availability and second opportunity to apply for funding to support 2014/2015 events and activities.

If Council does not endorse Community Grants Program (Festive Season Category) for 2014/2015, work will start in July to advise the community groups generally, and more specifically, community groups identified as being reliant on the funding for their festive season events, that the grant program is no longer available.

July 2014 - January 2015

Council officers plan, manage and deliver the Council endorsed Festive Season program of events and activities.

Council officers will also work closely with newly established partners and support the delivery of events through guidance and event management advice (if sought).

Council officers will deliver the Council owned components of the Festive Season program of events and activities including the provision of advice and support to community groups taking on the devolved components of the program.

2015/2016

June 2015 – December 2016

Council officers will review the adopted, three year model of delivery and report back to Council with a recommendation for 2017/2018 and beyond.

7.3.2 PEST SURVEY PROGRAMS

File No: Pest Survey
Author: Coordinator Healthy Places
Community Services Department

PURPOSE

To gain approval by council resolution for one Pest Survey Program to control declared pests within the boundaries of the Sunshine Coast region in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002* (the Act). Council's endorsement of these programs is required in order to meet our legislative responsibilities under the Act.

EXECUTIVE SUMMARY

Sunshine Coast Regional Council has been undertaking approved Pest Survey Programs for a number of years in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002* (the Act). These programs involve investigating declared pest plants on private property in accordance with the Act and the objectives of the Sunshine Coast Local Government Area Pest Management Plan 2012-2016.

An approved Pest Survey Program enables council officers to enter private property to facilitate the control of declared pests and monitor compliance under the Act. Section 241 (1) of the Act provides for the development of an approved Pest Survey Program as follows:

The chief executive of a pest operational board, or a local government by resolution, may approve a program (a "pest survey program") under which authorised persons appointed by the chief executive, pest operational board or the chief executive officer of the local government may enter places to monitor compliance with the Act.

Section 241(4)(f) of the Act states a Pest Survey Program must be no longer than three (3) months' duration. The three month program is proposed to occur from 1 April, 2014 to 30 June, 2014 in the localities of Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek and Glasshouse Mountains.

OFFICER RECOMMENDATION

That Council:

- (a) receive and approve the report titled "Pest Survey Program" and**
- (b) approve the following Pest Survey Program for the Sunshine Coast Regional Council in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002*, Section 241:**
 - (i) Survey Program 1: 01/04/14 to 30/06/14 for the localities of Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek, Glasshouse Mountains.**

FINANCE AND RESOURCING

The proportion of the Land Protection 2013/2014 budget estimated specifically for Pest Survey Programs is \$385,762 which is made up of:

- Salaries \$246,826
- Materials and internal costs \$ 82,296
- Vehicles and plant \$ 56,640

Sufficient funds remain in the 2013/2014 budget to support Survey Program 1 from 01/04/14 to 30/06/14. Please note that these projections include supervisory costs, administration and other internal overheads up to the coordinator level.

CORPORATE PLAN

Corporate Plan Theme: *Ecological Sustainability*

Emerging Priority: 2.2 - Our natural environment preserved for the future

Strategy: 2.2.4 - Take a proactive approach to the protection of our natural environment including the use of statutory powers

Corporate Plan Theme: *Ecological Sustainability*

Emerging Priority: 2.4 - Healthy waterways and foreshores

Strategy: 2.4.2 - Maintain and improve the quality of beaches, waterways, lakes, rivers, canals and wetlands

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.1 - Safe and healthy communities

Strategy: 4.1.1 - Manage community health risks and improve community health standards

CONSULTATION

Internal Consultation

There are no internal consultation implications associated with this report.

External Consultation

There are no external consultation implications associated with this report.

Community Engagement

There are no community engagement implications associated with this report.

PROPOSAL

A council resolution is required to approve the Pest Survey Program for the period 1 April, 2014 to 30 June, 2014 to ensure that relevant officers act in accordance with legislation, particularly with regard to powers of entry. This will facilitate a coordinated approach to land protection across the region.

Properties over 4,000 square metres will be selected from the council's property database for inspection. Properties less than 4,000 square metres that have been identified during these inspections with declared pest plant infestations will also be inspected.

Legal

The approval of the proposed Pest Survey Program is in accordance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002*.

Due to the impact of declared pests upon the environment and potentially public health, the Act provides considerable powers to authorised persons to require compliance. An approved pest survey program enables authorised council officers to enter property at a reasonable time of the day or night to monitor the control of declared pests (either animals or plants) within the property.

Policy

Local governments in Queensland have a responsibility to control declared pests within their boundaries in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002*.

The nominated pest survey programs contribute to the outcomes of the Sunshine Coast Local Government Area Pest Management Plan 2012-2016.

Risk

With increasing numbers of residents moving to the Sunshine Coast hinterland with sometimes limited understanding of rural lifestyles, declared pests can present a problem on large and small acreage as well as urban fringe areas.

Failure to deliver the nominated pest survey programs will put at risk the control of declared pest plants and animals throughout the region, causing environmental damage, loss of biodiversity, threat to stock and domestic animals, loss of agricultural productivity and loss of community amenity.

Previous Council Resolution

Ordinary Meeting 28 March 2013 – Council Resolution OM13/44

That Council:

- (a) receive and note the report titled “Pest Survey Programs” and
- (b) approve the following pest survey programs for the Sunshine Coast Regional Council in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002, Section 241*:
 - (i) Survey Program 1: 14/04/13 to 30/06/13 for the localities of Maleny, Witta, Meridan Plains, Yandina, Yandina Creek, Ninderry, Pacific Paradise, Coolum, Mt Coolum, Valdora, Maroochy River, Twin Waters, Mudjimba and Marcoola.
 - (ii) Survey Program 2: 01/07/13 to 30/09/13 for the localities of Maleny, Witta, Meridan Plains, Yandina, Yandina Creek, Ninderry, Pacific Paradise, Coolum, Mt Coolum, Valdora, Maroochy River, Twin Waters, Mudjimba and Marcoola.
 - (iii) Survey Program 3: 01/10/13 to 31/12/13 for the localities of Maleny, Witta, Meridan Plains, Yandina, Yandina Creek, Ninderry, Pacific Paradise, Coolum, Mt Coolum, Valdora, Maroochy River, Twin Waters, Mudjimba, Marcoola, Kin Kin, Cootharaba and Pinbarren.
 - (iv) Survey Program 4: 01/01/14 to 31/03/14 for the localities of Kin Kin, Cootharaba and Pinbarren.

Related Documentation

- *Land Protection (Pest and Stock Route Management) Act 2002*
- Sunshine Coast Local Government Area Pest Management Plan 2012-2016

Critical Dates

The Pest Survey Program has been scheduled from 1 April, 2014 to 30 June, 2014.

Implementation

A copy of the Pest Survey Program will be available at all Customer Service Centres and each program will be advertised in the Sunshine Coast Daily prior to its implementation.

The survey program will be implemented by council's Pest and Vector Control Officers (Healthy Places Unit) in tandem with council land management schedules. This ensures an efficient delivery for maximal benefit to both community and council's assets.

Council's Pest and Vector Control Officers will seek voluntary compliance and collaborate with landholders wherever possible to facilitate the control of declared pests.

A number of resources including booklets, fact sheets and public notices will be provided to rural and peri-urban landholders via mail outs, public notices and surveys. Information is also available online at council's website.

Where pests are located on a property and a pest control notice is served, an attached fact sheet will be sent to the owner outlining the requirements of the legislation and advising of the option to develop a voluntary pest management plan for the property.

A property owner/occupier electing to develop such a plan will be provided with support on the development of a suitable plan.

If a property owner fails to comply (or the occupier fails to allow the owner to comply) the Act provides for the property to be entered by a council contractor to undertake the work as required.

Costs can be recovered from the person that has failed to comply with the notice. If the owner is responsible for the failure to comply, the debt can be recovered via council rates if necessary as per section 142 of the *Local Government Act 2009*.

7.3.3 NAMING RIGHTS SPONSORSHIP - QUAD PARK PRECINCT

File No:	ECM
Author:	Coordinator Major Venues Community Services Department
Attachments:	Att 1 - Quad Park Precinct177

PURPOSE

The purpose of this report is to seek Council endorsement to develop and implement a process for the selection of a Naming Rights Sponsorship partner for the Quad Park precinct through an expression of interest process.

EXECUTIVE SUMMARY

The Quad Park precinct (Attachment 1, excluding Kawana Aquatic Centre) has multiple sporting facilities which have successfully attracted world championship events, state and national titles in various sports and regular local competition fixtures. The precinct also hosts many business and recreational events such as the Sunshine Coast Home and Caravan Show and major touring events such as Nitro Circus and Color Run.

Stockland Properties have recognised the benefits of sponsoring the precinct over the past seven years, having entered into two Naming Rights Sponsorship Agreements with the former Quad Park Corporation. The latest Agreement expires on 30 June 2014. The process for the selection of a future Naming Rights Sponsorship partner would be developed according to Sunshine Coast Council Procurement Policy as Council now directly manages the Quad Park precinct.

Council is authorised to undertake an expression of interest (EOI) process before inviting written tenders in accordance with section 228 of the *Local Government Regulation 2012*. It is anticipated that the EOI process would commence in early 2014, allowing interested organisations to provide submissions before undertaking a tender selection process. The process will be undertaken by Community Services working in partnership with Council's Legal Services and Procurement & Contract Services teams.

Once the preferred Naming Rights Sponsorship partner is identified, a further report would be presented to Council for a decision on the successful sponsor. Once endorsed, media releases would be arranged giving the opportunity for the Naming Rights Sponsorship partner and Sunshine Coast Council to make the significant announcement.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Naming Rights Sponsorship - Quad Park precinct”
- (b) invite of expressions of interest for the Naming Rights Sponsorship – Quad Park precinct in accordance with section 228 of the *Local Government Regulation 2012*
- (c) note that it is in the public interest to invite expressions of interest before inviting written tenders for the following reasons:
 - (i) to facilitate a dynamic industry driven response to interest in the Naming Rights Sponsorship for the Quad Park precinct
 - (ii) to facilitate discussion and negotiation with persons who submit an expression of interest
 - (iii) to enable a tailored and unique sponsorship agreement between Council and the successful respondent that realises the best outcome for Council and
- (d) authorise the Chief Executive Officer to prepare a shortlist of the persons who submit an expression of interest and invite tenders from that shortlist.

FINANCE AND RESOURCING

The financial implications for the selection process for a Naming Rights Sponsorship partner will be met within the existing operational budget and administrative arrangements of Quad Park.

The Naming Rights Sponsorship level will ultimately be driven by the marketplace and better understood as a result of the EOI process.

Money received as a result of the sponsorship will be used for facility development, maintenance costs, venue/event promotion and regional sporting team support.

CORPORATE PLAN

Corporate Plan Theme: *Robust Economy*

Emerging Priority: 1.1 A Broad Economic Base

Strategy: 1.1.2 Build alliances and partnerships to develop the economy of the region with businesses and government agencies

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.4 - Advocate and explore funding opportunities and new models of funding for local government

CONSULTATION

Internal Consultation

- Division 3 Councillor
- Procurement & Contract Services

External Consultation

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

Community Engagement

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

PROPOSAL

Attachment 1 (excluding Kawana Aquatic Centre) provides a diagram of the Quad Park precinct - an area of 45 hectares with multiple sporting facilities including a national standard playing field, a 1050 seat stadium and associated facilities, 10 sports fields and Lake Kawana. The facilities are home to two regional teams playing in state and national competitions and up to 50 other local sporting user groups.

The precinct has successfully attracted world championship events, state and national titles in various sports and regular local competition fixtures. The precinct also hosts many business and recreational events such as the Sunshine Coast Home and Caravan Show and major touring events such as Nitro Circus and Color Run.

The activity that occurs at Quad Park provides fantastic exposure for sponsors in the market looking for local, state, national and worldwide brand exposure. This exposure is generated through all forms of media as well as the many thousands of patrons who attend activities at the precinct. During the last financial year over 210,000 spectators and patrons used the precinct, with over 5500 bookings. The main facilities are located on Nicklin Way at Warana which has approximately 30,000 vehicles utilising the road network each day.

Since 2007, the Quad Park precinct has been sponsored by Stockland Properties. The benefits Stockland Properties have received through the Naming Rights Sponsorship Agreements include:

- Exclusivity to precinct naming rights
- All precinct signage to incorporate sponsors logo/brand, particularly large signage on Nicklin Way and the stadium building
- Signage at all entry points to the precinct
- Integration of sponsor's logo's on all leatherheads, business cards, media advertising, website, Facebook, event marketing and all promotional material and
- Corporate hospitality at all major events held at the precinct.

Under section 228 of the *Local Government Regulation 2012*, a local government can invite written tenders for a valuable non-current asset contract via an expression of interest process if the local government:

- decides, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders and
- records its reasons for making the resolution in the minutes of the meeting at which the resolution was made.

An EOI process before inviting written tenders is considered to be in the public interest for this matter for the following reasons:

- to facilitate a dynamic industry driven response to interest in the naming rights sponsorship for the Quad Park precinct
- to facilitate discussion and negotiation with persons who submit an EOI
- to enable a tailored and unique sponsorship agreement between Council and the successful respondent that realises the best outcome for Council.

The current Naming Rights Sponsorship Agreement with Stockland Park expires on 30 June 2014. The process to determine a new sponsor for the precinct is required to be undertaken at the earliest opportunity to ensure ongoing revenue for Council for this precinct. It is proposed that an EOI process be undertaken and then prepare a shortlist of applicants to invite a tender.

The term of the Agreement will be dependent upon the request of the successful applicant.

The successful applicant will also be responsible for sign installation and removal at the site which will be stated in the new agreement going forward.

Legal

Section 228 of the *Local Government Regulation 2012* states:

228 Tender process

- (1) *This section is about how a local government must invite written tenders for-*
 - (a) *A large-sized contractual arrangement; or*
 - (b) *A valuable non-current asset contract.*
- (2) *The local government must either –*
 - (a) *Invite written tenders under subsection (4); or*
 - (b) *Invite expressions of interest under subsection (5) before considering whether to invite written tenders under subsection (6)(b).*
- (3) *However, the local government may invite expressions of interest under subsection (5) only if the local government –*
 - (a) *Decides, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders; and*
 - (b) *Records its reasons for making the resolution in the minutes of the meeting at which the resolution was made.*
- (4) *The invitation for tenders must –*
 - (a) *Be made by an advertisement in a newspaper that circulates generally in the local government area; and*
 - (b) *Allow written tenders to be given to the local government for at least 21 days after the advertisement is published.*
- (5) *The invitation for expressions of interest must –*
 - (a) *Be made by an advertisement in a newspaper that circulates generally in the local government area; and*
 - (b) *Allow written expressions of interest to be given to the local government for at least 21 days after the advertisement is published.*
- (6) *If the local government invites expressions of interest under subsection (5), the local government may –*
 - (a) *Prepare a short list from the persons who respond to the invitation for expressions of interest; and*
 - (b) *Invite written tenders from those persons.*
- (7) *If –*

- (a) *An invitation to tender under subsection (4) or (6)(b) states that the local government might later invite all tenderers to change their tenders to take into account of a change in the tender specifications; and*
- (b) *The local government does change the tender specifications;*
The local government may invite all the persons who submitted a tender to change their tender to take account of the change, before making a decision on the tenders.
- (8) *A local government may decide not to accept any tenders it receives.*
- (9) *However, if the local government does decide to accept a tender, the local government must accept the tender most advantageous to it, having regard to the sound contracting principles.*

The Expression of Interest process will be undertaken by Community Services working in partnership with Council's Legal Services and Procurement & Contract Services teams in accordance with the requirements of the *Local Government Act 2009*.

Policy

- Strategic Policy – Procurement Policy
- Strategic Policy – Sponsorship
- Sponsorship Received by Council (Incoming) Organisational Guideline

Risk

There is a low risk to Council that a suitable sponsor will not come forward during the EOI process, resulting in a loss of revenue for Council after the 30 June 2014.

Previous Council Resolution

There is no previous council resolution relevant to this report.

Related Documentation

- Strategic Policy – Procurement Policy
- Strategic Policy – Sponsorship
- Sponsorship Received by Council (Incoming) Organisational Guideline
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Statutory Bodies Financial Arrangements Act 1982*
- *Public Sector Ethics Act 1994*

Critical Dates

The entire process of EOI, invitation for tender and decision is required to be finalised by 30 June 2014 as this marks the end of the current Naming Rights Sponsorship Agreement with Stockland Properties.

Implementation

The table below details the proposed implementation if this report is endorsed by Council.

February 2014	<ul style="list-style-type: none"> • Discuss with Council's Legal Services that a new Naming Rights Sponsorship Agreement will be required commencing 1 July 2014. • Develop EOI documents and selection process with Council's Procurement & Contract Services. • Advertising for EOI over a three week period for Naming Rights Sponsorship submissions via the following outlets: <ul style="list-style-type: none"> ○ Council media release ○ Sponsorship News website ○ Courier Mail tenders ○ The Australian tenders section ○ Sunshine Coast Daily tenders ○ Caloundra, Kawana and Maroochydore weekly papers ○ Councils website ○ Letters to prospective companies, including the existing partner Stockland Properties.
March 2014	<ul style="list-style-type: none"> • EOI period closes. • Consideration of submissions by senior staff from Community Facilities & Planning and Contracts & Procurement. • Shortlisting of applicants who will be invited to tender for Naming Rights Sponsorship of the Quad Park precinct.
April 2014	<ul style="list-style-type: none"> • Selection of recommended sponsorship partner through tender process of shortlisted applicants.
May 2014	<ul style="list-style-type: none"> • Report to Council for approval of Naming Rights Sponsor of Quad Park precinct. • Media Release with Council and Sponsorship partner.
July 2014	<ul style="list-style-type: none"> • Naming Rights Sponsorship Agreement commences 1 July 2014.

**7.3.4 SUNSHINE COAST CULTURAL HERITAGE REFERENCE GROUP
MEMBERSHIP 2014/2015**

File No:	Statutory Meetings
Author:	Coordinator Learning and Heritage Services Community Services Department
Attachments:	Att 1 - Information and Nomination Package 185

PURPOSE

The purpose of this report is to seek endorsement for the proposed membership of the Sunshine Coast Cultural Heritage Reference Group (SCHRГ) for 2014/2015.

EXECUTIVE SUMMARY

The Sunshine Coast Cultural Heritage Reference Group (SCHRГ) is a community reference group which provides advice to council on the delivery of the Cultural Heritage Levy, and offers strategic advice on preserving and accessing cultural heritage in the Sunshine Coast region. SCHRГ is chaired by the Community Programs Portfolio Councillor.

Members are elected annually through a formal process and are appointed for a maximum of two years, with an option to step down after one year.

Originally established by Council resolution on 22 April, 2010 the reference group is selected through a public Expression of Interest process. Members are chosen on the basis of demonstrated skills and experience across various sectors including community, education, tourism, place, and museum and built heritage to ensure a wide range of knowledge and perspectives.

The Expression of Interest period was from 15 October, 2013 to 13 November, 2013 resulting in 16 nominations, including two invited nominations from the Kabi Kabi and Jinibara Aboriginal groups. This report provides the details of that process, and of the applicants who have been successful in their nomination, pending Council endorsement, for membership of SCHRГ 2014/2015.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Cultural Heritage Reference Group Membership 2014/2015” and
- (b) endorse the nominated applicants as the members of the Sunshine Coast Heritage Reference Group .

FINANCE AND RESOURCING

The Cultural Heritage Levy budget allocated funding of \$2000 for the meeting and administrative support of SCHRГ.

CORPORATE PLAN

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.3 - A sense of identity and belonging

Strategy: 5.3.4 - Facilitate social history programs to increase awareness of our local heritage

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.2 - The heritage and character of our communities is protected

Strategy: 7.2.2 - Protect heritage places, values and significant regional landscapes in the planning scheme

Corporate Plan Theme: *Great governance*

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

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

CONSULTATION

Internal Consultation

The selection panel appointed to the process for SCHRG 2014/2015 was comprised of:

- Learning and Heritage Services Manager, Community Services
- Cultural Heritage Curator, Community Services
- Planning Officer, Community Services

Consultation was also held with:

- Director, Community Services
- Manager Community Relations, Community Services Branch
- Portfolio Councillor for Community Programs, Cr Jenny McKay

External Consultation

Existing members of the SCHRG 2010/2013 were advised of the requirement under the SCHRG Terms of Reference to conduct a formal selection process to appoint a new reference group. Existing members were invited to stand for nomination if their tenure was within the timeframe established by the Terms of Reference.

A formal invitation to nominate a representative for SCHRG was issued to both Jinibara and Kaki Kabi Peoples. The invitation for membership was separate to the public expressions of interest selection process.

Community Engagement

A public awareness program was undertaken to promote the opportunity for representation on SCHRG and the formal Expression of Interest process. This included:

- an advertisement calling for Expressions of Interest for SCHRG membership was published in the Sunshine Coast Daily
- Media release on 15 October, 2013
- An information package, including nomination forms, was made available through the Council website
- Notification regarding the nomination process for representation on SCHRG was circulated to the wider heritage network of the Sunshine Coast during October and November 2013.

PROPOSAL

Background

At the Ordinary Meeting on 22 April, 2010, council endorsed the implementation of a Cultural Heritage Levy of \$5 per annum on all rateable properties. At that time it also endorsed the formation of the Sunshine Coast Cultural Heritage Reference Group (SCHRГ).

The SCHRГ is a community reference group of heritage working with council by providing strategic advice on preserving and accessing cultural heritage in the Sunshine Coast region, including matters associated with the delivery of the Cultural Heritage Levy. SCHRГ membership includes cultural heritage specialists and members of the community.

SCHRГ works to:

- Raise the profile of cultural heritage in the region
- Contribute to a shared vision for cultural heritage that is inclusive, relevant and innovative
- Support the development of a regional network of individuals, organisations and museums in the heritage sector
- Identify partners and opportunities to preserve, access and enhance cultural heritage across the region
- Assist in forming strategic priorities for expenditure of the Cultural Heritage Levy.

SCHRГ Membership

Membership comprises of no more than ten (10) members appointed through a selection and Expression of Interest process. Members are selected on the basis of demonstrated skills and experience across various sectors including community, education, tourism, place, and museum and built heritage to ensure a wide range of knowledge and perspectives. A minimum of four members are selected from the community heritage sector (active in regional museums).

Members are appointed for a maximum of two (2) years with an option to stand down after one (1) year. SCHRГ meets four times each year. SCHRГ is chaired by the Community Programs Portfolio Councillor and supported by the Learning and Heritage Services Co-ordinator and Cultural Heritage Curator who act in an ex-officio capacity.

It should be noted that the inaugural SCHRГ was established in 2010. A further selection process was held in September, 2011. This membership was formally invited to further extend their tenure, as appropriate, in light of the de-amalgamation process being undertaken throughout 2013.

Representation by Aboriginal groups

Commencing in 2014, representatives of two traditional peoples groups (the Jinibara and Kabi Kabi Peoples) have been invited to nominate one representative per group for mandatory membership of the reference group. This invitation was extended outside the formal selection process and was managed by the Cultural Heritage team. The aim of this process is to ensure inclusive representation for Aboriginal groups of the Sunshine Coast.

Selection process

The selection process was undertaken in accordance with established corporate compliance requirements. This includes the:

- placing of Expression of Interest notices in the Sunshine Coast Daily
- distribution of Information and Nomination packages through the regional heritage network database maintained by council (Attachment 1)
- nomination packages were distributed to all nominees and included information relating to SCHRG terms of reference, aims, membership, tenure and responsibilities
- convening of a selection panel to undertake the selection process.

Outcome

Successful nominees, awaiting council endorsement, for membership of SCHRG 2014/2015 are detailed in the table below:

Name	Representation/ Organisation	Experience
Ken Murphy	Jinibara Peoples	Identified traditional custodians; Aboriginal cultural heritage
Kerry Jones	Kabi Kabi Peoples	Identified traditional custodians; Aboriginal cultural heritage
Lenore Meldrum	Kenilworth Museum	Museum management; historian
Prue Cawley	Buderim Historical Society (Pioneer Cottage)	Museum management; historic houses; cultural heritage tourism
Dorothy Gauntlett	Landsborough Museum	Museum management; volunteer management
Wendy Birrell	Discover Eumundi	Museum management; cultural heritage tourism
Roger Todd	Friends of Caloundra Lighthouse	Heritage architecture and places, heritage planning; advocacy
Raymond Kerkhove	Historian	Indigenous history, interfaith, local research
Adrian Just	Architect, Heritage	Heritage architecture and places
Cr Jenny McKay	Chair, Sunshine Coast Council	Portfolio Councillor

Legal

There are no legal implications to this report.

Policy

- Council's Corporate Plan 2009-2014
- The Strategic Policy – Heritage Levy

Risk

There is no significant risk associated with this report.

Previous Council Resolution

Council Resolution (SM10/21) Special Meeting date: 22 April 2010

That Council:

- (a) receive and note the report entitled "Introduction of a heritage levy on all rateable land across the Council region" and consider in their budget deliberations on all rateable land in the council region, for the:
 - (i) promotion of heritage values and strategies across the region;*
 - (ii) implementation of heritage programs and projects across the region;*
 - (iii) recording and preserving the history of the region including its oral and social history;*
 - (iv) establishing partnerships that have the capacity to enhance preservation of heritage facilities and resources;*
 - (v) identification, recording and protection of cultural heritage including Aboriginal heritage, landscape heritage, historical heritage and collections;**
- (b) support \$5.00 rates notice for the 2010/2011 year with the amount reviewed in the 2011/2012 year;*
- (c) note the prepared program scope included in the Sunshine Coast Heritage Levy Program (Attachment A)*
- (d) support the formation of a regional Cultural heritage Reference group to provide support and advice and appoint Cr Anna Grosskreutz as portfolio councilor of Social Policy to chair the group;*
- (e) endorse the commitment of the remaining funds of the Northern Area Heritage Levy to a relevant and eligible project in the Noosa area; and*
- (f) continue discussion with the State Government and traditional owners and Aboriginal people of the region to strengthen Council's response to Aboriginal heritage on the Sunshine Coast.*

Council Resolution (SM/35)

At the Special (Budget) Meeting on 16 May 2011, Council made the following resolution (SM 11/35) in relation to the Cultural Heritage Levy.

That Council:

- (a) receive and note the report titled "Heritage Levy Progress Report";*
- (b) endorse the indicative program of Cultural Heritage Projects outlined in the Heritage Levy Progress Report (Appendix A) for implementation in 2011/2012;*
- (c) acknowledge and thank the members of the Sunshine Coast Cultural Heritage Reference Group for their work in relation to the Heritage Levy;*
- (d) endorse the criteria for assessing and prioritising items for expenditure in relation to the Heritage Levy developed by the Cultural Heritage Reference Group and Council's Cultural Heritage and Collections Unit;*
- (e) endorse the indicative program of Cultural Heritage projects for implementation in 2011/2012; and*
- (f) support a \$5.00 Heritage Levy per rates notice for the 2011/2012 rates notice with the amount to be reviewed in the 2012/2013 year.*

Related Documentation

- Sunshine Coast Council Corporate Plan 2009 – 2014
- Sunshine Coast Council Strategic Policy – Heritage Levy

Critical Dates

In order to provide advice to Council on the Heritage Levy in a timely manner and before the 2014/2015 budget considerations are finalised, it is preferred that the new group be operational by February 2014.

Implementation

Coordination and implementation of SCHRAG is overseen by Council's cultural heritage staff within the Community Relations Branch, Community Services Department.

7.4 INFRASTRUCTURE SERVICES**7.4.1 SEALING OF DELICIA ROAD MAPLETON****File No:** ECM**Author:** Coordinator Transport and Traffic Project Investigator
Infrastructure Services Department**Attachments:** Att 1 - Locality Plan - Delicia Road 197

PURPOSE

On August 20 2013 a petition was submitted to council, requesting that council seal approximately one kilometre of Delicia Road from the intersection of McLeod Road to the intersection of Daymar Road.

Cr Rogerson tabled the petition at the Ordinary Meeting on 22 August 2013. Council resolution OM13/166 states that the petition is to be referred to the Chief Executive Officer for consideration and a report back to council.

EXECUTIVE SUMMARY

An investigation, preliminary estimate and priority scoring has been completed for a project to seal the section of Delicia Road, Mapleton (between McLeod Road and Daymar Road, approximately 1.1km) and the following points need to be considered:

- This section of the road services 5 residences within this section of Delicia Road and a further 5 residences in Daymar Road
- Delicia Road is not a through road and services approximately 50 additional properties not all with residential buildings
- Delicia Road is identified as one of the access routes to the Mapleton National Park
- Maintenance grading of Delicia Road is undertaken on average 3 times per year
- Cost to seal this section of Delicia Road has been estimated at approximately \$1.1million
- This section of Delicia Road does not support a school bus service.
- The average daily traffic volume is estimated to be 250 vehicles per day.

Council staff and divisions 1,5,7,9 & 10 councillors, in whose divisions the majority of unsealed roads are located, are engaged in developing a strategic plan for presentation to council in 2014 to recommend an achievable approach to upgrading the highest priority unsealed roads over a defined time frame. The highest priority unsealed roads being considered consist of approximately 100km of the total unsealed road network length of 700km.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sealing of Delicia Road Mapleton ” and
- (b) note that the sealing of Delicia Road Mapleton is not identified in Council’s ten year Capital Road Works program and that consideration of the project be deferred until the Unsealed Road Strategic Plan has been presented and considered by council in 2014.

FINANCE AND RESOURCING

The project to seal Delicia Road is currently unfunded and not identified in council’s ten year capital works program. The project comprises upgrading of a 1.1km section of Delicia Road from McLeod Road to Daymar Road to a 6m wide sealed traffic lanes and 1m sealed shoulders standard at a preliminary estimated cost of \$1.1 million.

The total allocation for sealing gravel roads in the 2013/2014 Capital Roadworks Budget was \$1.76 million. Prioritisation of projects is undertaken in accordance with council’s adopted scoring system.

The unsealed section of Delicia Road is currently maintained on average by grading 3 times per year at an approximate total cost of \$15,000 per km per year.

CORPORATE PLAN

Corporate Plan Theme: *Accessibility and connectedness*

Emerging Priority: 6.1 - A transport system that allows ease of movement

Strategy: 6.1.1 - Develop and implement an integrated transport strategy for both existing and new communities

CONSULTATION

Internal Consultation

- Senior Capital Works Program Planning Coordinator – funding in the 10 year capital works program
- Works Superintendent – maintenance history of Delicia Road, frequency of visits, significant issues, problems
- Division 10 councillor

External Consultation

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

Community Engagement

No community engagement is required for this report however the report responds to the community petition.

PROPOSAL

A petition was tabled at council's Ordinary Meeting on 22 August 2013 requesting council seal 1.1km of Delicia Road from McLeod Road to Daymar Road. The petition was received from a resident of Daymar Road. Correspondence was also received on 9 September directly from the Teralba Association Hostel for Disabled Men, Daymar Road, in support of the petition.

There are 5 residences on this section of Delicia Road and an additional 5 residences on Daymar Road. Since 2010 council has received 10 direct requests for sealing of Delicia road from three residents of Delicia Road and three residents from Daymar road. Two of the Daymar Road requests were received from the Teralba Association at 6 Daymar Road.

Delicia Road is a partially unsealed road in Mapleton servicing approximately 60 properties, not all with residential buildings. Delicia Road is approximately 10km long and is not a through road. It is sealed for the first 1.4km from the Obi Obi Road to McLeod Road and unsealed from McLeod Road to the end.

Delicia Road does not support a school bus service.

There is no recorded vehicle crash history.

Delicia Road is identified as an access route to the Mapleton National Park – Sunshine Coast Hinterland Great Walk and Mapleton National Park – Gheerulla Trail Bike track.

The Teralba Association Hostel for Individuals with a disability is located in Daymar Road. The facility supports 10 individuals with a disability and generates traffic due to up to seven staff change overs per day as well as by family contact, supplier deliveries and advocacy meetings etc.

The Mapleton Cemetery is located along Delicia Road.

It is estimated that the traffic volume along the unsealed section of Delicia Road, which is the subject of the request, is of the order of 250 vehicles per day. Traffic counts have been arranged to confirm this.

Maintenance grading of Delicia Road is undertaken, on average, 3 times per year.

Council has investigated the scope of works required to upgrade to a sealed standard the section of Delicia Road from McLeod Road to Daymar Road. A preliminary estimate of cost has been determined and given that upgrading of this section would involve substantial heavy clearing, earthworks and drainage works it is considered that the cost would be in the vicinity of \$1million per km – total \$1.1million. The estimated cost takes note of the extensive clearing, earthworks and drainage structures required. The project priority has been assessed at 59 which is a moderate priority under council's adopted scoring system, and the project has been entered in councils future works database (Capital Works ID 16844).

The project to seal Delicia Road is currently unfunded and is not on councils ten year capital works program.

Council staff and divisions 1,5,7,9 & 10 councillors, in whose divisions the majority of unsealed roads are located, are engaged in developing a strategic plan for presentation to council in 2014 to recommend an achievable approach to upgrading the highest priority unsealed roads over a defined time frame. The highest priority unsealed roads being considered consist of approximately 100km of the total unsealed road network length of 700km.

As part of this strategic plan development, a modified prioritisation assessment methodology is being developed and validated. The modified prioritisation assessment methodology takes a more focused approach to unsealed roads which generally have lower traffic volumes.

Validation of the modified prioritisation system has not yet been completed, however some roads, such as Delicia Road, are being seen as having a higher priority for upgrading under the modified system compared to the conventional project prioritisation system.

A crucial part of the strategic plan, which is being developed for council consideration, is a funding proposal to enable the upgrading of the highest priority unsealed roads to be achieved within an adopted time frame.

If the strategic plan is adopted by council in 2014, it will form the basis for the review and development of the 10 year Capital Road Works Program.

It is recommended that consideration of the funding of a project to upgrade Delicia Road between Mcleod Road and Daymar Road be deferred until the business plan has been presented and considered by council in 2014.

Legal

There are no legal implications relevant to this report.

Policy

There are no policy implications relevant to this report.

Risk

There are no risk implications relevant to this report. The unsealed section of Delicia Road is maintained in accordance with council's road maintenance regime.

Previous Council Resolution

Ordinary Meeting 22 August 2013 - Council Resolution OM13/166

That Council resolve the petition tabled by Councillor G Rogerson in relation to the upgrade of Delicia Road, Mapleton to be received and referred to the Chief Executive Officer for consideration and a report back to Council

Related Documentation

Locality Plan (refer attached)

Critical Dates

There are no critical dates relevant to this report.

Implementation

There is no implementation relevant to this report.

7.5 CORPORATE STRATEGY AND DELIVERY**7.5.1 SUNSHINE COAST ECONOMIC FUTURES BOARD**

File No:	Statutory Meetings
Author:	Acting Coordinator Corporate Strategy and Policy Corporate Strategy and Delivery Department
Appendices:	App A - Charter of the Sunshine Coast Economic Futures Board 213
Attachments:	Att 1 - Leadership Group Options Research Report (<i>Under Separate Cover</i>)..... Att Pg 55 Att 2 - Remuneration Guidelines for Part-time Chairs and Government Boards, Committees and Statutory Authorities (Qld Government) (<i>Under Separate Cover</i>) Att Pg 79

PURPOSE

This report seeks council's approval to establish the Sunshine Coast Economic Futures Board as an advisory committee of council, to guide the progress and implementation of the *Sunshine Coast – The Natural Advantage: Regional Economic Development Strategy 2013-2033*.

The report also seeks council's endorsement of the proposed Charter and arrangements for finalising the membership of the Sunshine Coast Economic Futures Board ("the Board").

EXECUTIVE SUMMARY

At the Ordinary Meeting of 19 September 2013, council endorsed (OM13/191) "*Sunshine Coast – The Natural Advantage: Regional Economic Development Strategy 2013-2033*" ("the Strategy"). This evidence-based Strategy was developed by the Sunshine Coast Economic Development Strategy Taskforce ("the Taskforce") – comprising representatives of leading business and industry organisations and council – and was informed by extensive consultations with major business and industry representative bodies in the region and feedback from the general public.

The Strategy provides a 20-year vision and blueprint for the region's long-term, sustainable economic growth and a five-year program of action to help build a more resilient and prosperous regional economy. The Strategy was launched on 24 September 2013 and implementation commenced on 1 October 2013.

Six key actions within the Strategy's Implementation Plan-2013-2018 are identified as the top priorities for Year 1. The first action in Year 1 of the Strategy commits to "*Establish and support a regional economic leadership board to guide the transitions to, and build the identity of, the New Economy*". A small sub-group of the Taskforce has considered a variety of models for a regional economic leadership board (see **Attachment 1**) as the part of the deliberations to inform the recommendations in this report.

The formation of a regional economic leadership board is seen as critical to maintaining the momentum and partnerships with business and industry generated through the Strategy development process and ensuring a vigorous focus on implementation. The Board will guide the progress and implementation of the Strategy's actions, including the marshalling of business and industry input and cooperation to ensure the successful delivery of those

actions. The Board will also oversee the development of an annual report to the Sunshine Coast community on overall progress in delivering the actions contained in the Strategy. The first report on Year 1 activities from 1 October 2013 to 30 June 2014 is due at the end of July 2014.

As part of its resolution endorsing the Strategy on 19 September 2013, council also authorised the Chief Executive Officer, in conjunction with business and industry groups represented on the Taskforce, to develop an appropriate governance and operating model for the Board for further consideration by council.

The sub-group of the Taskforce considered the key threshold principles and expectations nominated by council in relation to the operation of the proposed Board and examined the legal, structural and operational requirements for six different board models. These included independent legal entities, auspiced formal and informal bodies and formal or informal independent bodies (see **Attachment 1**). The sub-group also considered different operational aspects such as the size and composition of the Board, Chairing arrangements, remuneration of members, recruitment and selection models and the Board's functions.

The model that is proposed for council's consideration is to establish an advisory committee of Council under section 264 of the *Local Government Regulation 2012*.

The operational requirements, functions and composition of the Board - reflecting the above principles and characteristics - have been reflected in the Charter document at **Appendix A**.

To expedite the establishment of the Board and the implementation of its Charter and functions in a strategic and informed manner, it is considered necessary to appoint an interim Chairperson with a 'hand-over' to a new Chairperson at an appropriate time - but no later than 1 July 2014. It is recommended therefore, that the inaugural Chairperson of the Board be the Mayor - who also chaired the Sunshine Coast Economic Development Strategy Taskforce.

The inaugural Chairperson will take the role as an interim measure to 30 June 2014 to see the Board established and operational, with a clear transition in place to hand over to an ongoing Chairperson from the membership of the Board. Once this occurs, the Mayor would remain an ex-officio member of the Board, with provision for a deputy member to attend Board meetings when the Mayor is unable to do so. It is proposed the Deputy Mayor be the deputy member for the Mayor on the Board.

To move the formation of the Board forward, it is also recommended that council delegate authority to the Chief Executive Officer - in consultation with the Mayor, Deputy Mayor and relevant Portfolio Councillors (currently Councillor Cox, Councillor O'Pray and Councillor Robinson) - to recruit the membership of the Board. With the establishment of this Board, it is also proposed that the existing Sunshine Coast Economic Development Advisory Board (which was formed following the wind-up of Sunshine Coast Enterprises in April 2011) be disbanded. The Sunshine Coast Economic Development Advisory Board members support this approach.

The establishment of the Board will be promoted to the Sunshine Coast community and broader markets through communication strategies identified in the "Economic Development Strategy Communication Plan 2013-2033". This Communication Plan provides an overarching communication strategy for the duration of the Strategy and was included in the Strategy documentation approved at the Ordinary Meeting of 19 September 2013.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Sunshine Coast Economic Futures Board” and
- (b) approve the establishment of the Sunshine Coast Economic Futures Board as an advisory committee of council under section 264 of the *Local Government Regulation 2012*
- (c) endorse the Charter for the Sunshine Coast Economic Futures Board (Appendix A) as the regional economic leadership board referred to in the “*Sunshine Coast – The Natural Advantage: Regional Economic Development Strategy 2013-2033*”
- (d) delegate authority to the Chief Executive Officer - in consultation with the Mayor, Deputy Mayor and relevant Portfolio Councillors - to recruit, select and appoint the members of the Sunshine Coast Economic Futures Board
- (e) endorse the appointment of the Mayor as inaugural Chairperson of the Sunshine Coast Economic Futures Board in accordance with the Charter for the Sunshine Coast Economic Futures Board (Appendix A)
- (f) resolve to discontinue the Sunshine Coast Economic Development Advisory Board (SCEDAB) given the proposed establishment of the Sunshine Coast Economic Futures Board
- (g) endorse the appointment of the Mayor as an ex-officio member of the Sunshine Coast Economic Futures Board and the appointment of the Deputy Mayor as the deputy member for the Mayor on the Board and
- (h) determine whether remuneration – in the form of sitting fees – should be payable to the Chair and members of the Sunshine Coast Economic Futures Board.

FINANCE AND RESOURCING

The establishment of the Board is identified as a top priority for action in Year 1 of the Strategy and is scheduled for completion in January 2014. Provision of \$30,000 has been made in funding from within the Economic Development Branch 2013-2014 Budget to support the implementation of this action.

Remuneration of Board members

Given the calibre of the candidates that are to be sourced as potential members of the Board, the sub-group considered some form of remuneration may be appropriate. If council considers that some form of remuneration should be made available to the members of the Board, then the Queensland Government’s “*Remuneration Guidelines for part-time chairs and members of government boards, committees and statutory authorities*” (“the Guidelines”) provide a basis for determining the value and conditions of any remuneration.

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

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

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

Assuming that a 7-member Board would meet for a half day on a quarterly basis, this would incur a minimum annual cost of \$3,384.00 for 6 ordinary members (at a rate of \$141.00 per half day) in addition to sitting fees for the Chair of \$668.00 (at a rate of \$167.00 per half day). Recurrent costs under this scenario total \$4,052.00 per annum and this does not accommodate the cost of appointment of additional specialists to the Board for time-limited periods, or travel expenses for members living outside the Sunshine Coast region. Holding six meetings per annum under this scenario would represent a total cost of \$6,078 per annum, not allowing for the potential additional expenses outlined above.

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

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

Remuneration considerations around travel expenses for members who live outside the Sunshine Coast would be based on existing council travel booking and expenses policies and procedures. These council policies provide guidance on the class of travel and bookings, domestic travel allowances and the use of private motor vehicles.

Special assignment fees for Board commitments (not related to meetings), would only be paid with the prior formal approval by the Chair and council Chief Executive Officer. Special assignment fees are not payable for dinners, functions, openings, ceremonies or social engagements. Only formal commitments such as consultations or investigations related to the core work of the Board would be applicable or considered for payment of a special assignment fee.

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

While the calibre of the potential candidates for the Board and its importance in driving the implementation of the Strategy are salient considerations on whether to remunerate the Board members. Currently the Audit Committee and Urban Design Advisory Committee are the two instances where committees of council receive remuneration. The provision of remuneration to the Sunshine Coast Economic Futures Board could set a precedent for other strategic regional Boards and could generate unintended comparisons with other council Boards comprising full voluntary membership (eg. Sunshine Coast Events Board).

Under a 'no remuneration' option, Board members would be reimbursed only for out-of-pocket expenses incurred through travel from outside the Sunshine Coast to attend meetings. Council's travel booking and expenses policies would apply under this scenario.

CORPORATE PLAN

Corporate Plan Theme: *Robust Economy*

Emerging Priority: 1.1 - A broad economic base

Strategy: 1.1.2 - Build alliances and partnerships to develop the economy of the region with businesses and government agencies

Corporate Plan Theme: *Robust Economy*

Emerging Priority: 1.1 - A broad economic base

Strategy: 1.1.6 - Work with partners to develop initiatives that attract investment, business, careers and jobs to the region

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.5 - Advocacy and partnerships

Strategy: 8.5.1 - Establish strong partnerships with all levels of government and create alliances with peak bodies and the community

CONSULTATION

Internal Consultation

The following were consulted throughout the development of the proposed model and Charter for the Board:

- Mayor Jamieson
- Deputy Mayor
- Chief Executive Officer
- Director, Corporate Strategy and Delivery

External Consultation

Members of the Taskforce were invited to nominate to be part of a sub-group to help develop options for the governance, business model, expertise mix and membership of the Board, for subsequent consideration by council. Taskforce member organisations that elected to participate in the sub-group include:

- Sunshine Coast Economic Development Advisory Board
- Property Council Sunshine Coast
- Sunshine Coast Business Council

Other key external groups consulted on governance and business models and potential membership include:

- University of the Sunshine Coast
- Queensland Government representatives of the Department of State Development, Infrastructure and Planning; Queensland Treasury and Trade; the Department of Tourism, Major Events, Small Business and the Commonwealth Games.

Community Engagement

A broadscale community engagement process was conducted during 22 May 2013 to 19 June 2013 as part of the Strategy development process. This provided the opportunity for individual members of the community and community organisations to put forward their views

on the goals, pathways, priorities and actions in the then draft strategy. This was in addition to the targeted engagement with business and industry groups and government representatives. There has been no specific, broadscale community consultation on the formation of the Board.

PROPOSAL

Background

At the Ordinary Meeting of 19 September 2013, council endorsed (OM13/191) "*Sunshine Coast – The Natural Advantage: Regional Economic Development Strategy 2013-2033*" ("the Strategy"). This evidence-based Strategy was developed by the Sunshine Coast Economic Development Strategy Taskforce ("the Taskforce") – comprising representatives of leading business and industry organisations and council – and was informed by extensive consultations with major business and industry representative bodies in the region and feedback from the general public.

The Strategy provides a 20-year vision and blueprint for long-term, sustainable economic growth and a five-year program of action to help build a more resilient and prosperous regional economy that is better able to deliver enduring employment and new investment. The Strategy was launched on 24 September 2013 and implementation commenced on 1 October 2013.

The Strategy's Implementation Plan contains 15 actions for implementation in Year 1 (which concludes at the end of June 2014). Of these 15 actions, six actions have been identified as top priorities for Year 1 to kick-start the Strategy and provide the foundations for, or help initiate, other Strategy actions. The first action for which council has responsibility is to "*Establish and support a regional economic leadership board as a business, industry and government partnership to guide the transitions to, and build the identity of, the New Economy*".

The formation of the Board is seen by the Taskforce as critical to maintaining the momentum and building on the partnerships that have been established between business, industry and council in the Strategy development process and to ensure there is a vigorous focus on implementation. It is intended the Board will guide and inform the progress and implementation of actions in the Strategy through the specialist expertise of its membership (eg. capital raising and global market intelligence) and their extensive business and industry networks to help marshal business and industry engagement and cooperation in the delivery of the Strategy.

The Board will also oversee the development of an annual report to the Sunshine Coast community on overall implementation progress and, in doing so, include recommendations for any amendments to the Implementation Plan that it may consider necessary to accommodate changes in economic conditions and/or unforeseen implementation issues. The first annual report is due by the end of July 2014.

Leadership Board Model

At its Ordinary Meeting on 19 September 2013, council endorsed the following key functions of the Board:

- guiding the transitions to, and building the identity of, the New Economy;
- overseeing the progress of the Implementation Plan for the Strategy and the development of project plans for each action;

- assessing progress in the delivery of the Strategy to ensure outcomes and performance measures are met;
- overseeing the development of an annual report on the delivery of actions contained in the Strategy; and
- advocating the region's competitive strengths to secure new investment.

As part of the council resolution endorsing the Strategy, council also delegated authority to the Chief Executive Officer to develop (in conjunction with business and industry groups represented on the Taskforce), an appropriate governance and operating model for the Board, for further consideration by council.

Taskforce members were invited to nominate to participate in a smaller sub-group to help develop options for the governance, business model, expertise mix and membership of the board, for consideration by council. This sub-group comprised: the Mayor; Council's Chief Executive Officer; Director, Corporate Strategy and Delivery; and representatives from the Property Council-Sunshine Coast, Sunshine Coast Business Council and Chair of the Sunshine Coast Economic Development Advisory Board. The University of the Sunshine Coast also provided input.

As council is the key vehicle for funding and supporting the operation of the Board, council representatives specified threshold principles and expectations in relation to the model for the Board. Members of the sub-group generally agreed with council's threshold principles, these being:

- The Board model must be both effective and affordable within current fiscal constraints.
- It's role and functions must be clearly specified and be focused on maintaining the collaboration and contribution of business, industry and council.
- Board membership must reflect a broad range of characteristics – most notably based on specific skills and expertise; appropriate consideration of age, gender and geographic location; being active participants - and having current investments - in business and industry.
- The full membership of the Board should not be representationally based (ie. the membership is not to solely comprise nominees of existing business and industry associations).
- There is scope retained for a representative of the Noosa Shire Council area to join the Board.
- The recommended model may be transitional and would be reviewed for its effectiveness and adjusted before the end of 2014-2015 - in line with the measures specified in the Strategy's Implementation Plan.

As part of its deliberations, the sub-group considered a detailed research report outlining the legal, structural and operational arrangements, as well as possible benefits and disadvantages, for six different but comparable board models (see **Attachment 1**). The six models considered were:

- A not-for-profit company established by council where council is the sole member (eg. Brisbane Marketing)
- A not-for-profit company initially established by council but which is open to broader membership (e.g. Sunshine Coast Destination Limited and Townsville Enterprise Limited)
- An incorporated association under the *Associations Incorporation Act 1985*.

- An advisory board to council established under section 264 of the *Local Government Regulation 2012* (e.g. Sunshine Coast Economic Development Advisory Board and the Sunshine Coast Events Board)
- A steering committee/project management committee.
- A formal or informal partnership with documented functions, roles, responsibilities and contributions from partners assigned leadership roles.

The sub-group considered each of the governance models to determine which represented the optimal vehicle for driving the implementation of the Strategy. Generally, the preferred Board structure or model is to establish an advisory committee to Council under section 264 of the *Local Government Regulation 2012*. This model was considered to be the most appropriate to undertake the core functions of the Board and represented a cost effective and expeditious option for implementation. It was also considered that this model would not unnecessarily consume the time of Board members or incur extensive costs associated with management and compliance with the governance arrangements that would apply to either a company or incorporated association.

It was envisaged that the initial model adopted to establish the Board may be a transitional arrangement – with amendments to structures or membership made over time to reflect changing regional requirements and/or emerging skills needs required to drive the Strategy. For this reason, the model for the operation of the Board would be reviewed and adjusted, if necessary, in Years 2 and 4 of its operation – similar to what has occurred in relation to the Sunshine Coast Economic Development Advisory Board.

The sub-group also considered different operational aspects of the Board such as:

- group size
- membership mix or composition
- duration of appointment
- frequency of meetings
- compensation for sitting members
- group functions and
- recruitment and selection approach.

Sub-group members expressed varying views on each of these operational aspects, but agreed on council's threshold principles (referenced above) and the following characteristics for the operation of the Board:

- the importance of the Board being outcome focused not agenda driven; building credibility and respect for the region; and focusing on financial and human capital investment as well as domestic and global connections
- the Board must be 'high-powered' and include persons of high calibre to enable it to command respect in various markets
- members' skill sets must be clearly articulated and could include experience in: high-value industries, investment, economic analysis, infrastructure financing, global operations or export and successful business practice
- the Board Chair must be connected to the region and, in the first instance, should be an experienced Chair to guide the initial structuring, composition and potential membership of the Board
- membership can include appropriate persons from outside the region - but not a majority of members

- the Board must have clear roles, responsibilities and accountabilities in terms of informing delivery and providing input to the Strategy's actions
- the process for establishment should be time efficient.

Sub-group members also indicated:

- the frequency of meetings should be quarterly or up to six meetings per annum and
- varied views on the provision of remuneration for sitting members, including from providing sitting fees to only covering members expenses in relation to attending meetings.

Charter

Following an assessment of all sub-group contributions, a Charter for the operation of the Board – including its proposed composition, functions and operational guidelines - has been developed (see **Appendix A**) for consideration by council. The Charter document aims to ensure a balanced membership mix, high-calibre and appropriately skilled Board members and a set of clearly articulated, outcome-focused responsibilities.

Membership Mix

It is proposed that the Board:

- will comprise seven members - including the Chair and an ex-officio member (see "Chairperson and Transitional Arrangements" below).
- members will possess specific skills, expertise and extensive business networks and across a combination of the following disciplines:
 - targeted high-value industry development and innovation
 - international and national finance and investment markets
 - regional development
 - business development
 - trade and overseas market development, particularly in Asia
 - education, skills and training
 - commercial marketing and communications.
- contain a balanced membership mix which takes appropriate consideration of gender, diversity and representation of different geographic locations on the Sunshine Coast.
- be appointed for an initial term to 31 December 2015 to bed down the implementation arrangements and reporting on the Strategy. Members would be eligible for reappointment.
- subject to council endorsement, be eligible to be remunerated by way of the payment of sitting fees and out-of-pocket expenses in line with council travel expenses policies and the Queensland Government's "Remuneration arrangements for part-time chairs and members of government boards, committees and statutory authorities" (see discussion of this matter under Finance and Resourcing).

Chairperson and Transitional Arrangements

To expedite the establishment of the Board and the implementation of its Charter and functions in a strategic and informed manner, it is considered necessary to appoint an interim Chairperson with a 'hand-over' to a new Chairperson at an appropriate time (no later than 1 July 2014).

It is recommended therefore, that the inaugural Chairperson of the Board be the Mayor - who also chaired the Sunshine Coast Economic Development Strategy Taskforce. The inaugural Chairperson will take the role as an interim measure to 30 June 2014 to see the Board established and operational, with a clear transition in place to hand over to an ongoing Chairperson from the membership of the Board. Once this occurs, the Mayor would remain an ex-officio member of the Board, with provision for a deputy member to attend Board meetings when the Mayor is unable to do so. It is proposed the Deputy Mayor be the deputy member for the Mayor on the Board.

The ongoing Chairperson will need to have well-established leadership credentials and able to garner tangible support and participation from a range of political, industry, business and community leaders.

Recruitment and Selection of Board Members

The calibre, capacity, leadership and networking capabilities of Board members will be critical to guiding the implementation of Strategy and to strengthening and growing the Sunshine Coast economy and its reputation in key markets. The selection of Board members must be focused on the required skills and expertise, business networks and appropriate membership mix outlined previously. In addition, it is critical that members have the capacity to attend meetings and are committed to representing the region's best interests in external markets and in contributing their expertise and business intelligence to support and further the implementation of Strategy actions.

To move the formation of the Board forward, it is recommended that council delegate authority to the Chief Executive Officer - in consultation with the Mayor, Deputy Mayor and relevant Portfolio Councillors (currently Councillor Cox, Councillor O'Pray and Councillor Robinson) - to recruit the membership of the Board. An extensive list of potential candidates for the Board has been developed comprising people with the desirable skills and expertise and who would be able to advance the strategic objectives of the Board. Potential candidates from this list will be directly canvassed to establish their interest in participating in the Board.

Subsequent vacancies for Board members will be filled through an expression of interest process managed by the Chief Executive Officer. The selection and recruitment of these subsequent vacancies would be made by the Chief Executive Officer in consultation with the Chair of the Board, the Mayor and the Councillors nominated for consultation on the inaugural appointments. Advice on any subsequent appointments to the Board will be provided to council.

Sunshine Coast Economic Development Advisory Board

The Sunshine Coast Economic Advisory Board (SCEDAB) was established by council to provide strategic advice on issues and opportunities to support business investment and growth and to broaden the economic base of the region. SCEDAB was formed following the wind-up of Sunshine Coast Enterprises in April 2011. SCEDAB members have fully participated in the Taskforce to develop the Strategy, and on the sub-group to provide advice on the establishment of the Board. SCEDAB members believe that they have fulfilled the role that was originally envisaged for them and that given the establishment of the new Board, they support the discontinuation of SCEDAB.

Legal

No significant legal issues have been identified at this time.

Policy

The proposed model for the Board is consistent with the action nominated in the *Sunshine Coast – The Natural Advantage: Regional Economic Development Strategy 2013-2033* and with arrangements put in place for other council advisory boards and committees.

Risk

Key risks considered as part of developing this proposal have been assessed and are considered to be manageable.

The risks considered and proposed treatment strategies are:

- Inability to attract appropriate members – This is being managed by sourcing potential candidates from leading investment, trade and industry specialists and through appropriate leads and contacts.
- Lack of endorsement of the Board from the Sunshine Coast business community – Representatives of the Property Council, Sunshine Coast Business Council and the University of the Sunshine Coast have been consulted on the model for the Board.
- Cost of the Board becomes prohibitive – subject to council endorsement, Board members would only be offered sitting fees in line with established government arrangements and the annual quantum of these fees is accommodated within the current budget for the Economic Development Branch.

Previous Council Resolution

At its Ordinary Meeting on 19 September 2013, council resolved (OM13/191) as follows:

That Council:

- (a) *receive and note the report titled “**Draft Economic Development Strategy**”*
- (b) *endorse the “Sunshine Coast – The Natural Advantage – Regional Economic Development Strategy 2013-2033” (Appendix A) and the associated Research Compendium (Appendix B)*
- (c) *approve the “Sunshine Coast – The Natural Advantage – Regional Economic Development Strategy 2013-2033” replacing the “Sunshine Coast Economic Development Strategy 2010-2014”*
- (d) *delegate authority to the Chief Executive Officer, in consultation with the Mayor, to make any minor amendments as required to finalise the “Sunshine Coast – The Natural Advantage – Regional Economic Development Strategy 2013-2033” for public release prior to the end of September 2013*
- (e) *approve the formation of a regional economic leadership board referred to in the “Sunshine Coast – The Natural Advantage – Regional Economic Development Strategy 2013-2033”, with its functions to include:*
 - (i) *guiding the transitions to, and building the identity of, a new economy*
 - (ii) *overseeing the progress of the Implementation Plan for the Strategy*
 - (iii) *assessing progress in the delivery of the Strategy to ensure outcomes and performance measures are met*
 - (iv) *providing key advice and intelligence to inform, guide and enable delivery of specific actions and*
 - (v) *advocating the region’s competitive strengths to secure new investment*
- (f) *delegate authority to the Chief Executive Officer to develop with business and industry groups represented on the Sunshine Coast Economic Development Strategy*

Taskforce, an appropriate governance and operating model for the regional economic leadership board for further consideration by council.

At its Special Meeting on 14 May 2013, council resolved (SM13/4) as follows:

That Council:

- (a) *receive and note the report titled “**Draft Sunshine Coast Economic Development Strategy**” and*
- (b) *endorse the release of the draft “Sunshine Coast: The Natural Advantage - Sunshine Coast Economic Development Strategy” with minor editorial amendments, for public consultation (Appendix A).*

Related Documentation

- Sunshine Coast – The Natural Advantage: Regional Economic Development Strategy 2013-2033
- Sunshine Coast Economic Development Strategy: Leadership Group Options Research Report (2013)
- Remuneration of part-time chairs and members of government boards, committees and statutory authorities: Categories and fees (Queensland Government)
- Remuneration of part-time chairs and members of government boards, committees and statutory authorities: Remuneration procedures (Queensland Government, Approved 26 February 2012 and updated 3 June 2013).
- Brisbane Marketing: About Us. (2010)
- City of Ryde Economic Development Advisory Committee, Terms of Reference, Version 1.3 (2010)
- Fraser Coast Council, Fraser Coast Opportunities Latest News (23 January 2013)
- Lithgow City Council, Economic Development Advisory Committee Terms of Reference (Updated 14 September 2009)
- *Local Government Regulation 2012 (Qld)* (Current as at 9 August 2013)
- Regional Leadership: Parramatta Partnership Forum. Parramatta City Council (2013)
- Townsville Enterprise, 2011/12 Annual Report (2013)
- Constitution of Townsville Enterprise Limited, 7 October 2011
- Advance Cairns: New Structure - Online PowerPoint
- City of Melbourne - Enterprise Melbourne Advisory Board, Terms of Reference- September 2009 to August 2012
- Sunshine Coast Destination Limited Annual Report – 2011/12 (2012).

Critical Dates

It is necessary to have the model and arrangements for the Board endorsed by the end of January 2014 to meet expectations and performance measures associated with the implementation of this action under the Strategy.

Implementation

Following council’s consideration of this report:

- the Board will be established.
- Board members will be recruited, selected and appointed by March 2014.
- the first meeting of the Board will take place before the end of March 2014.

7.6 OFFICE OF THE MAYOR AND THE CEO

Nil

8 NOTIFIED MOTIONS**9 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

10 CONFIDENTIAL SESSION**10.1 CORPORATE SERVICES****10.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - QUARTERLY
PROGRESS REPORT - QUARTER 2, 2013/2014****File No:** Statutory Meeting**Author:** Coordinator Corporate Plan Reporting and Risk
Corporate Services Department

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

**10.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - HERITAGE PRECINCT
NAMBOUR****File No:** ECM**Author:** Coordinator Property, Projects and Development
Corporate Services Department

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

10.2 REGIONAL STRATEGY AND PLANNING**10.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL
CHEVALLUM****File No:** MCU11/0076 & LEG246**Authors:** Principal Planner (Appeals)
Regional Strategy & Planning Department
Solicitor
Office of the Mayor and Chief Executive Officer

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

10.3 COMMUNITY SERVICES

Nil

10.4 INFRASTRUCTURE SERVICES

Nil

10.5 CORPORATE STRATEGY AND DELIVERY**10.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - CAR PARKING****File No: Statutory Meeting****Author: Director Corporate Strategy and Delivery
Corporate Strategy and Delivery 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 it.

10.6 OFFICE OF THE MAYOR AND THE CEO

Nil

11 NEXT MEETING

The next Ordinary Meeting will be held on 27 February 2014 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

12 MEETING CLOSURE