

# Agenda

## **Ordinary Meeting**

**Thursday, 17 October 2019**

**commencing at 9:00am**

**Council Chambers, Corner Currie and Bury Streets, Nambour**



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**1 DECLARATION OF OPENING**

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

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

That the Minutes of the Ordinary Meeting held on 19 September 2019 be received and confirmed.

**5 INFORMING OF PERSONAL INTERESTS****5.1 MATERIAL PERSONAL INTEREST**

Pursuant to Section 175C of the *Local Government Act 2009*, a Councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees must –

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

**5.2 CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST**

Pursuant to Section 175E 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.

The other Councillors must then decide

- (a) whether the Councillor has a real conflict of interest or perceived conflict of interest in the matter and
- (b) if they decide the Councillor has a real conflict of interest or perceived conflict of interest in the matter
  - (i) whether the Councillor must 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, or
  - (ii) that the Councillor may participate in the meeting in relation to the matter, including by voting on the matter.

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



**8 REPORTS DIRECT TO COUNCIL****8.1 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE OF PREMISES (EXTENSION TO EXISTING SERVICE STATION) AT 2-6 LAVARACK CRES, BUDERIM**

File No: MCU18/0216

Author: Senior Development Planner  
Customer Engagement & Planning Services Group

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**Link to Development.i:**

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber%3DMCU18%252F0216%26GetOnlyInViewport%3Dfalse%26ExcludeProperty%3Dfalse%26ExcludeApplication%3Dfalse>

<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	Buderim Fuel Supplies Pty Ltd Tte
<b>Owner:</b>	Buderim Fuel Supplies Pty Ltd Tte
<b>Consultant:</b>	Adams & Sparkes Town Planning
<b>Proposal:</b>	Development Permit for Material Change of Use of Premises (Extension to Existing Service Station)
<b>Properly Made Date:</b>	21 August 2018
<b>Public Notification Period:</b>	8 February – 1 March 2019
<b>Number of Submissions:</b>	374 total (303 properly made, 71 not properly made): <ul style="list-style-type: none"> <li>• 268 in support</li> <li>• 35 against</li> </ul>
<b>State Referral Agencies:</b>	Department of State Development, Manufacturing, Infrastructure and Planning – Transport matters
<b>PROPERTY DETAILS</b>	
<b>Division:</b>	7
<b>Property Address:</b>	2-4 & 6 Lavarack Cres BUDERIM
<b>RP Description:</b>	Lot 1 & 2 RP90687
<b>Land Area:</b>	1,849m <sup>2</sup>
<b>Existing Use of Land:</b>	Lot 1 on RP90687 currently contains an existing Service Station and a mechanical workshop and car wash facilities. Lot 2 on RP90687 comprises an existing dwelling house and swimming pool
<b>STATUTORY DETAILS</b>	
<b>Planning Scheme:</b>	Sunshine Coast Planning Scheme (29 June 2018)

<b>SEQRP Designation:</b>	Urban Footprint
<b>Strategic Framework Land Use Category:</b>	Urban
<b>Local Plan Area:</b>	Buderim local plan
<b>Zone:</b>	Lot 2 - Low density residential zone (Protected Housing Area) Lot 1 - Local centre zone
<b>Assessment Type:</b>	Impact

## PURPOSE

The purpose of this report is to seek Council's determination of an application for a Development Permit for Material Change of Use of Premises (Extension to Existing Service Station) at 2-6 Lavarack Cres, Buderim.

The application is before Council at the request of Councillor C Dickson due to the level of community interest.

## EXECUTIVE SUMMARY

The application seeks to redevelop the site with an expansion and relocation of the existing Matilda Blue service station and mechanic workshop on the site. The proposed redevelopment would provide for three fuel bowsers and a new building with a gross floor area of 353m<sup>2</sup> which is comprised of a shop, mechanic workshop, office and store room. Ingress and egress is proposed via King Street.

The development site comprises land in the Low density residential zone and the Local centre zone (not within a full service activity centre). The proposal is therefore subject to Impact Assessment.

The application has been assessed against the *Sunshine Coast Planning Scheme 2014*. The proposal does not comply with a number of relevant assessment benchmarks contained within the planning scheme, including the strategic framework and planning scheme codes given it:

- would result in the expansion of centre uses beyond the allocated zoned area.
- has not demonstrated that the use cannot be provided within appropriately zoned land.
- conflicts with the primary purpose of the Low density residential zone and Protected housing area which is for residential activities, resulting in adverse amenity impacts.
- has not demonstrated that there is sufficient overall planning need that would warrant encroachment into residential zoned land.
- is of a scale which results in a zoning conflict and noncompliance with a number of aspects of the Service station code.
- has not demonstrated the proposal will not adversely impact upon the amenity of adjacent residential dwellings.

The application is recommended for refusal.



**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Development Application for a Material Change of Use of Premises (Extension to existing Service Station) at 2-6 Lavarack Cres, Buderim”
- (b) REFUSE application No. MCU18/0216 for a Development Permit for Material Change of Use of Premises for an extension to an Existing Service Station at 2-4 & 6 Lavarack Crescent, Buderim for the following reasons:
  - (i) The development would result in the expansion of centre uses beyond the allocated zoned area. The proposed development therefore departs from the following relevant assessment benchmarks of the *Sunshine Coast Planning Scheme 2014*:
    - (a) Strategic Framework 3.3. Settlement pattern: Element 3 – Efficient and functional urban form section 3.3.4.1 (d)
    - (b) Strategic Framework 3.4 Economic development Element 1 – Natural (competitive) advantage and key economic sectors section 3.4.2.1 (b) (i)
    - (c) The *Buderim local plan code* overall outcome (h)
  - (ii) The location of development in the Local Centre (not full service) zone inappropriately expands centre activities outside of the activity centre and proposes a higher order and larger scale use than intended for the particular activity centre, and therefore undermines the Sunshine Coast Activity Centre Network. The proposed development therefore departs from the following relevant assessment benchmarks of the *Sunshine Coast Planning Scheme 2014*:
    - (a) The Purpose of the *Local centre zone code* (section 6.2.8.2 (1))
    - (b) The following overall outcomes of the *Local centre zone code*; (b), (e) and (m)
    - (c) Strategic Framework 3.3 Settlement pattern: Element 5 – Enterprise corridor and activity centres section 3.3.6.1 (a)
  - (iii) The proposal has not demonstrated there is a latent unsatisfied demand for additional service station facilities in the catchment area that cannot be met by the *Sunshine Coast Planning Scheme 2014* in its present form
  - (iv) The proposed development has not demonstrated that amenity of residential neighbours will not be impacted. The amenity impacts resulting from the proposed 4.5m high acoustic barrier is unacceptable, where it is located within Low Density Residential zoned land and is located within 2 metres of an existing adjoining dwelling with no landscape buffering. The proposed development therefore departs from the following relevant assessment benchmarks of the *Sunshine Coast Planning Scheme 2014*:
    - (a) Performance Outcomes 2, 3, 9 & 10 and the Purpose and Overall Outcomes of the *Service station code*
    - (b) The following overall outcomes of the *Low density residential zone code*; (a), (e), (g), (h) and (o)
  - (v) The proposal would continue the historical creep of commercial uses into Buderim’s residential areas and erodes Council’s efforts to contain commercial uses in the planned zones and prevent future creep

- (vi) The proposed development is inconsistent with reasonable community expectations for development at the premises which does not support a service station use in a low density residential zone. Such expectations are informed by, among other things, existing developments and the *Sunshine Coast Planning Scheme 2014*
- (vii) The departures from the assessment benchmarks above are not capable of being addressed or mitigated by conditions of approval
- (viii) The departures from the assessment benchmarks and the relevant matters discussed above support refusal of the proposed development
- (ix) Compliance with some assessment benchmarks and the submission of relevant matters advanced by the Applicant and submitters are not, on balance, material, and should be given little weight and do not otherwise sufficiently support approval of the proposed development and
- (x) Refusal of the proposed development advances the purposes of the *Planning Act 2016* because the development fails to maintain physical and social wellbeing of people and communities due to its negative impacts on residential amenity of adjacent residential properties.

## FINANCE AND RESOURCING

If Council were to approve this development, Council's Transport and Infrastructure Policy Branch has determined that infrastructure charges would not be payable as credits would apply for the existing uses on the site.

## CORPORATE PLAN

**Corporate Plan Goal:** *Service excellence*

**Outcome:** 4.4 - Service quality assessed by our performance and value to customers

**Operational Activity:** 4.4.2 - Deliver Planning and Development Services to ensure statutory requirements are met to achieve positive customer experiences and maintain strong industry engagement.

## CONSULTATION

### Councillor Consultation

The Divisional Councillor E Hungerford has been briefed on a number of occasions throughout the application process, while all Councillors were provided with a briefing following completion of the public notification process.

### Internal Consultation

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

- Development Engineer, Engineering and Environment Assessment
- Landscape Officer, Engineering and Environment Assessment
- Environmental Health Officer, Engineering and Environment Assessment
- Urban Designer, Planning Assessment
- Strategic Planning Branch
- Transport and Infrastructure Policy Branch
- Economic Development Branch.

### External Consultation

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning for concurrence agency assessment in relation to State transport corridors (King Street).

The department responded by letter dated 4 October 2018 imposing conditions that must attach to any development approval (refer to **Attachment 1**).

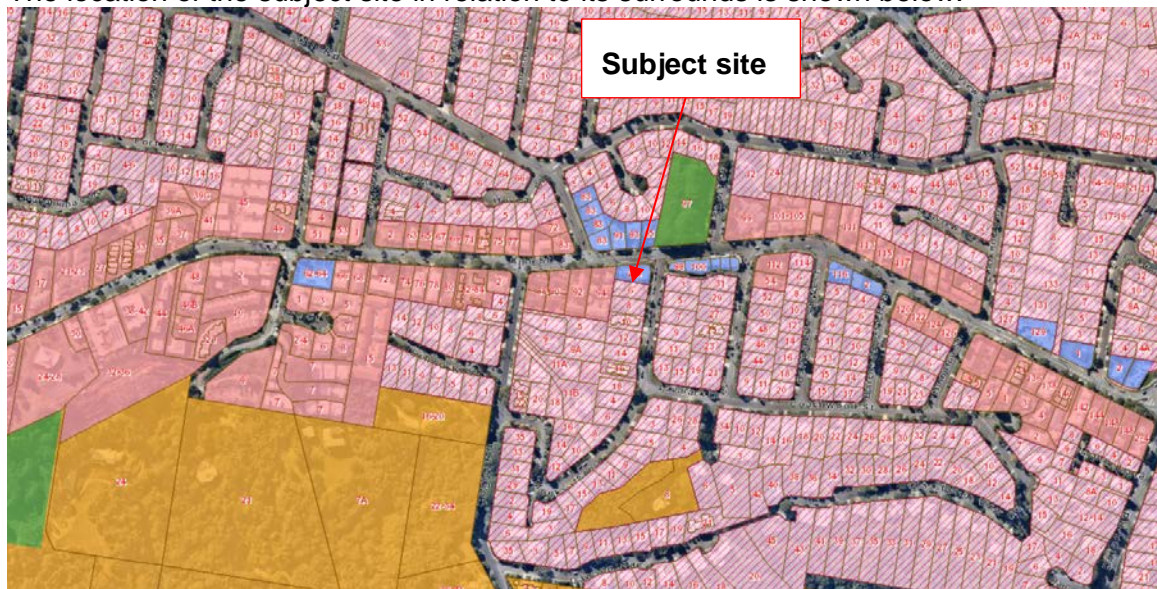
### Community Engagement

This impact assessment development application was subject to a public notification period of 15 business days between 8 February 2019 and 1 March 2019 in accordance with the requirements of the *Planning Act 2016*. A total of 374 submissions were received, of which 303 were determined to be 'properly made' in accordance with the *Planning Act 2016*. There were 268 submissions in support of the proposal and 35 submissions against the proposal.

A summary of the issues raised by submitters together with a response is provided in the Detailed Assessment Report (**Attachment 2**). Refer to **Attachment 3** for a map indicating the location of submitters and whether they were for or against the proposal.

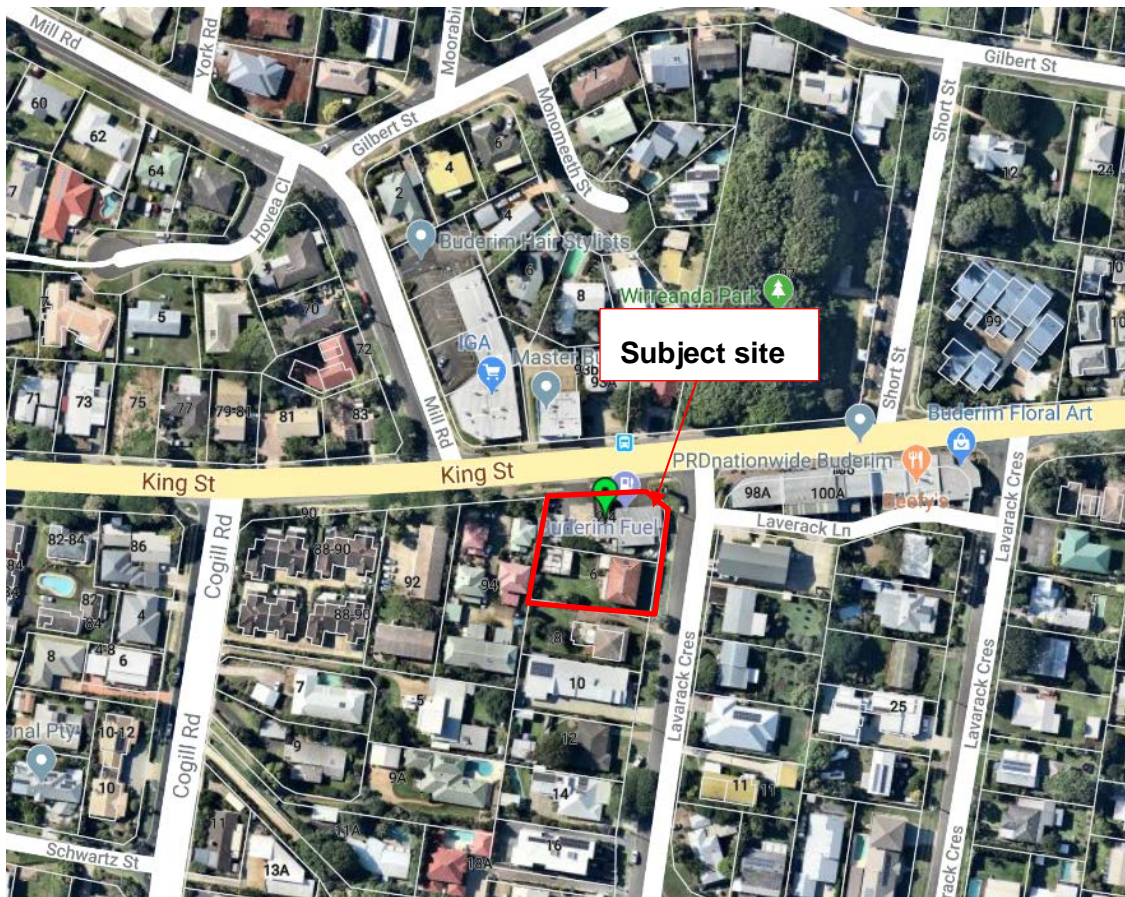
### PROPOSAL

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



Locality/zoning map





**Aerial Photo**

The applicant seeks approval for an extension to an existing service station. The site comprises two lots, one being zoned Local Centre (fronting King Street) the other being Low Density Residential (fronting Lavarack Crescent). The proposal is subject to Impact Assessment. The land at 2-4 Lavarack Crescent is currently improved by an existing Service station and ancillary vehicle repair workshop and car wash, while 6 Lavarack Crescent comprises a Dwelling house and ancillary structures. The Gross Floor Area (GFA) of the existing Service station is 220m<sup>2</sup>.

The proposed redevelopment would provide for the following:

- Three (3) fuel bowsers to accommodate six (6) vehicles refuelling at any one time. The underground fuel storage tanks would provide a total volume of 40,000L and require refuelling once per week. The movements of these heavy service vehicles have been accommodated within the overall design of the development.
- A total building Gross Floor Area (GFA) of 353m<sup>2</sup>, as follows:
  - Service Station shop floor – 160m<sup>2</sup>
  - Workshop – 140m<sup>2</sup>
  - Office – 40m<sup>2</sup> and,
  - Store room – 13m<sup>2</sup>.
- Ingress and egress via King Street and removal of two (2) vehicle crossover points on Lavarack Crescent.
- 15 car parking spaces, inclusive of two (2) tandem staff parking bays.

The application states that the proposed service station would operate between the hours of 6am and 8pm, 7 days a week.

The architectural drawings for the proposed service station are provided at **Attachment 4**.

## ASSESSMENT

A detailed assessment of the proposal has been undertaken and is included at **Attachment 2**. The proposal does not comply with a number of relevant assessment benchmarks contained within the *Sunshine Coast Planning Scheme 2014*, including the strategic framework and planning scheme codes.

The relevant codes are the assessment benchmarks for the proposed development. In addition, impact assessment may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise. Examples provided in the *Planning Act 2016* of any other relevant matters include:

- a planning need (e.g. public benefit)
- the current relevance of the assessment benchmarks in the light of changed circumstances
- whether assessment benchmarks or other prescribed matters were based on material errors.

Upon review of the assessment benchmarks and relevant matters, the application has been found to conflict with one or more elements of the planning scheme and cannot be conditioned to comply.

Essentially, the expansion of the service station development into the Low density residential zone and protected housing area would result adverse planning outcomes and would not provide a sufficient overall planning need without burdening residential zoned land and unacceptable impacts on residential amenity.

The proposal represents an 'inconsistent use' within the Local centre and Low density residential zones and departs from the Overall outcomes of these zoning codes and the requirements of the Strategic Framework for the following reasons:

- The proposal would result in the expansion of centre uses beyond the allocated zoned area and outside of the planned activity centre network resulting in extended and greater impacts to surrounding residential premises.
- The proposal has not demonstrated that there is sufficient overall planning need that would warrant encroachment into residential zoned land.
- The proposed scale of the use (including mechanical workshop, three fuel bowsers and a 160m<sup>2</sup> retail component) is resulting in the residential zoning conflict and non-compliances with the Service station code (discussed below). It is considered a smaller scale proposal could potentially satisfy any unmet need in the catchment for fuel supplies.
- The proposal conflicts with the primary purpose of the Low density residential zone and protected housing area which is for residential activities, noting that the expansion would materially increase the capacity and encroachment of the service station land use in a residential zoned area, thereby creating new residential neighbours to an incompatible use type.
- There is appropriately zoned land (District Centre Zone) for service stations within the Buderim catchment to satisfy any unmet demand as a code assessable and consistent use type for the zone. While there are limited vacant sites within the Buderim District Centre, there are sites with redevelopment potential which could potentially accommodate a service station use.
- The proposal would result in continued incremental creep of commercial uses in residential areas of Buderim. There is concern that if the proposal were to be approved

it could result in other commercial uses along King Street seeking to expand into residential zoned land.

- It is intended that development within the Local centre zone in this location continues to function as a local (not full service) activity centre and does not undermine or compromise the Sunshine Coast Activity Centre Network either by inappropriately establishing centre activities outside of the activity centre or proposing a higher order or larger scale of uses than intended for the activity centre.
- Despite being supported by an Economic Needs Analysis, the proposal would conflict with the Specific Outcomes sought under 3.4.3. Sunshine Coast Activity Centre Network, which identifies that Buderim provides for Local activity centres (not full service). Specifically, the proposed expansion of the existing service station use would extend into the Low density residential zone and protected housing area and inappropriately locate centre activities outside of the activity centre, resulting in extended and greater impacts to surrounding residential premises.
- The Buderim local plan code seeks to incorporate uses in the Local centre zone that are of a scale, which is compatible with and reinforces the village character of Buderim, by retaining local centres as local (not full service) activity centres providing for the basic convenience needs of residents.
- The proposed development has not demonstrated that amenity of residential neighbours will not be impacted in accordance with the requirements of the Service station code. The amenity impacts resulting from the proposed 4.5m high acoustic barrier is unacceptable, where it is located within Low Density Residential zoned land and is located within 2 metres of an existing adjoining dwelling with no landscape buffering.

#### *Assessment conclusion*

The proposed development does not comply with, nor can it be conditioned to comply with the requirements of the Planning Scheme. There are no other relevant matters applicable to the application that justify approving the proposed development despite the non-compliances described in this report. As such, the application is recommended for refusal.

#### **Legal**

There are currently no legal implications relevant to this report, however this matter can be appealed to the Planning and Environment Court by the applicant. Council will proceed with any required actions resulting from any legal action.

#### **Policy**

The application has been assessed against the *Sunshine Coast Planning Scheme 2014* and all relevant Council policies.

#### **Risk**

This matter can be appealed to the Planning and Environment Court by the applicant or a submitter. Council will proceed with any required actions arising from any legal action.

#### **Previous Council Resolution**

There is no previous Council resolution relevant to this report.

**Related Documentation**

A copy of the Department of State Development, Manufacturing, Infrastructure and Planning concurrence agency response is provided as **Attachment 1** to this report.

A copy of the officers' full and detailed assessment report is included as **Attachment 2** to this report. The detailed assessment report contains all the specific assessment details under the planning scheme considered in Council's assessment of this application.

A copy of the Submissions Map indicating the location of submitters and whether they were for or against the proposal is provided as **Attachment 3** to this report.

A copy of the proposed architectural drawings are provided as **Attachment 4** to this report.

**Critical Dates**

Council's decision for the application is due on 29 October 2019.

**Implementation**

Council officers will communicate the outcome of Council's resolution to the applicant and submitters as appropriate.





## 8.2 AMENDMENT TO MASTER PLAN NO. 104 (SITE DEVELOPMENT PLAN - DETAILED PLANNING AREA 2 - PRECINCT 8) 2018 - RGD SEANNA APARTMENTS

<b>File No:</b>	MPC18/0004.01
<b>Author:</b>	Senior Development Planner Customer Engagement & Planning Services Group
<b>Appendices:</b>	App A - Amended Detailed Planning Area Plan - Approval Conditions .....5/287 App B - Amended Site Development Plan - Approval Conditions .....19/287
<b>Attachments:</b>	Att 1 - Proposed Amended Site Development Plan (Master Plan No. 104) .....47/287 Att 2 - 3D Renders of Proposed Development .....111/287 Att 3 - Architectural Plans .....115/287 Att 4 - Proposed Amended Detailed Planning Area Plan (Master Plan No. 44) .....127/287 Att 5 - Detailed Assessment Report .....265/287

### Link to Development i:

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MPC18/0004.01>

<b>SUMMARY SHEET</b>	
<b>APPLICATION DETAILS</b>	
<b>Applicant/Owner:</b>	Stockland Kawana Waters Pty Ltd
<b>Developer:</b>	RGD Group
<b>Consultant:</b>	RPS Group for the applicant / owner and, Project Urban for the site developer
<b>Proposal</b>	<ul style="list-style-type: none"> <li>Approval of amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015</li> <li>Approval of Amended Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) – 63 Multiple Dwellings and 816m<sup>2</sup> of ground floor retail/food outlet</li> </ul>
<b>Received Date:</b>	31/05/2019
<b>Request for Further Particulars Date:</b>	24/06/2019
<b>Duly Made Date:</b>	02/09/2019
<b>Decision Due Date</b>	12/10/2019 (40 calendar days, DCP-1)
<b>Number of Submissions</b>	Nil
<b>PROPERTY DETAILS</b>	
<b>Division:</b>	3
<b>Property Address:</b>	Wurley Dr BOKARINA QLD 4575
<b>RP Description:</b>	Lot 905 SP 302188
<b>Land Area:</b>	3,977m <sup>2</sup>
<b>Existing Use of Land:</b>	Vacant

STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014
SEQRP Designation:	Urban Footprint
Strategic Framework Land Use Category:	Urban
Planning Area / Locality:	Kawana Waters
Planning Precinct / Zone:	Land Subject to Development Control Plan 1
Assessment Type:	Site Development Plan.

## PURPOSE

The purpose of this report is to seek:

- Council's determination of the application for approval of Amended Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) 2018. The Amended Site Development Plan (Site Development Plan) is intended to facilitate the development of an 8 storey mixed use development comprising 63 dwelling units and 816m<sup>2</sup> of retail/food outlet,
- Council's recommendation to the Minister for Natural Resources, Mines and Energy that the application for associated minor amendments to Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved; and
- a delegation to the Chief Executive Officer to determine any future amendments to Master Plan No. 104).

The Department of Natural Resources, Mines and Energy is the approving authority for amendments to the Detailed Planning Area Plan (Detailed Planning Area Plan (DPAP)). Council is the approving authority for the proposed Site Development Plan (Site Development Plan).

The report is before Council to request that Council delegate to the Chief Executive Officer the authority to consider consequential amendments to both master plans.

## EXECUTIVE SUMMARY

An application has been received from Stockland for an amended Site Development Plan (SDP) for Precinct 8 of the Bokarina Beach Detailed Planning Area (DPA) as well as associated amendments to the Detailed Planning Area Plan (DPAP) for Bokarina Beach. The precinct is a landmark site within Bokarina Beach at the corner of Bokarina Boulevard and Longboard Parade.

The original Site Development Plan for the site was approved by Council in August 2018 and featured a different development concept.

The amended Site Development Plan is intended to facilitate the development of an 8 storey mixed use development comprising 63 dwelling units and 816m<sup>2</sup> of shops and food outlets. The amendments to the Detailed Planning Area Plan (DPAP) are proposed to ensure the Site Development Plan (proposed to be amended) is consistent with the Detailed Planning Area Plan (DPAP).

The land is identified as Precinct 8 of Detailed Planning Area 2. The Site development plan comprises the site specific development approval, similar to a Material Change of Use development approval.

Council officers have assessed the proposed site development plan and Detailed Planning Area Plan (DPAP) amendments against all applicable statutory controls. The proposal complies with all applicable requirements. The key issues for consideration relate to the

proposed built form, the impact of the development on turtles, the through-site pedestrian link, car parking allocation and stormwater. These issues can be satisfactorily managed with the imposition of conditions.

It is recommended that the proposed Site Development Plan and amended Detailed Planning Area Plan (DPAP) be approved subject to conditions.

## OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Amendment to Master Plan No. 104 (Site Development Plan - Detailed Planning Area 2 - Precinct 8) 2018 - RGD Seanna Apartments”
- (b) recommend to the Minister for Natural Resources, Mines and Energy that the amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved, subject to conditions contained in Appendix A
- (c) upon approval of the amended Master Plan No. 44 by the Minister for Natural Resources, Mines and Energy, approve the amendment to Master Plan No. 104 (Site Development Plan - Detailed Planning Area 2 - Precinct 8) 2018 - RGD Seanna Apartments, subject to conditions contained in Appendix B
- (d) with respect to (b) above, delegate authority to the Chief Executive Officer to recommend to the Minister for Natural Resources, Mines and Energy to approve, approve subject to conditions or refuse any application for minor or administrative amendments resulting from the implementation of Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 and
- (e) with respect to (c) above, delegate authority to the Chief Executive Officer to approve any further amendments to Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) 2018.

## FINANCE AND RESOURCING

There are no Council related Financial Contributions triggered with this amended Site Development Plan application

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>Service excellence</i></b>
<b>Outcome:</b>	4.4 - Service quality assessed by our performance and value to customers
<b>Operational Activity:</b>	4.4.2 - Deliver Planning and Development Services to ensure statutory requirements are met to achieve positive customer experiences and maintain strong industry engagement.

## CONSULTATION

### Councillor Consultation

Officers have discussed the proposed development with Divisional Councillor P Cox on a number of occasions. Consultation occurred at the pre-lodgment advice phase, prior to Council issuing a request for further particulars and once the application was in the decision phase. A briefing memo on the application was also provided to all Councillors on 13 September 2019.

### Internal Consultation

The application was forwarded to the following internal Council specialists:

- Senior Development Engineer, Development Services Branch
- Landscape Officer, Development Services Branch
- Environment Officer, Development Services Branch
- Principal Architect, Strategic Planning Branch
- Conservation Officer, Environmental Operations Branch (turtle specialist).

Their assessment forms part of this report.

### External Consultation

The application did not require referral to any referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*.

Unitywater was consulted as part of the assessment of the proposed Site Development Plan. They have provided conditions which are recommended for inclusion on Council's Notice of Determination.

### Community Engagement

As the land is subject to the Kawana Waters Development Agreement and the Master Planned Community Development Process, public notification was not required for this application.

All master plan applications are publicly available via Council's Development.i system.

## PROPOSAL

### Site Information

The site comprises a 3,977m<sup>2</sup> land parcel located on the corner of Bokarina Boulevard and Longboard Parade, Bokarina. The precinct comprises a landmark site within Bokarina Beach and is located adjacent to the new beach access and opposite the future surf lifesaving club site and village park.

### Proposed Amended Site Development Plan

The proposed Site Development Plan (**Attachment 1**) is intended to facilitate the development of an 8 storey mixed use development comprising 63 dwelling units and 816m<sup>2</sup> of retail/food outlet uses at ground level.

The proposal is a completely new development concept from that approved by Council for the site in August 2018, which comprised the original version of the Site Development Plan approval for the site.

The original development proposal comprised of 63 Multiple Dwellings and 500m<sup>2</sup> of retail/food outlet at the ground level. The development would have comprised 8 storeys and a total building height of 28m.

The new development proposal for the site has a total building height of 28m. The podium of the building covers the majority of the site and the tower has a site cover of 42% (30.1% if open walkways and balconies are excluded).

The ground level of the building comprises the reception/lobby, shops and food outlets (816m<sup>2</sup>) and car parking. The residential entry foyer can be accessed from either Longboard Parade or Bokarina Boulevard, via open walkways into the site. The northern frontage and part of the eastern frontage is activated by retail and food outlet tenancies. The tenancy on the north eastern corner is specifically designed to accommodate a food and drink outlet.

A through-site pedestrian link is proposed between Bokarina Boulevard and Kombi Street along the western boundary of the site. The northernmost 15m of this link also includes an active frontage.

The residential units are located on levels 2 – 8 and comprise:

- 14 x 2 bedroom units
- 49 x 3 bedroom units

Vehicular access is proposed from a two way driveway crossover to Kombi Street and an in-only driveway from Longboard Parade. The Kombi Street access is located at the end of an 8.5m access handle, which incorporates a 7.5m wide shared driveway / pedestrian path and a 1m wide landscaping strip.

The proposed units are provided with private open space areas in the form of balconies or terraces, which range in size from 23m<sup>2</sup> to 70m<sup>2</sup>.

The proposal also includes a podium level communal open space area to service residents of the development, comprising 779m<sup>2</sup> (19.5% of the site area). The area includes a swimming pool, sun terrace, covered BBQ area, toilets and landscaping beds around the perimeter.

In addition to landscaping on the podium level, ground level sections of landscaping are proposed to the non-active frontage portion to the eastern boundary (deep planting) on either side of the in-only driveway, along the side of the access handle to Kombi Street and three feature trees to the Bokarina Boulevard frontage.

A total of 179 on-site parking spaces are proposed, 115 of which are proposed within the basement, 33 at ground level and 31 at the mezzanine level. Thirty-three (33) of the spaces are allocated to staff/customers, 18 to visitors, and the remainder to residents.

The proposed Site Development Plan will permit the proposed uses as well as associated Operational Works to occur.

3D renders of the proposed development are provided in **Attachment 2** and floor plans and elevations in **Attachment 3**.

#### Proposed Amendments to the Detailed Planning Area Plan

In conjunction with the proposed Site Development Plan, the applicant also seeks approval for a number of minor amendments to the Detailed Planning Area Plan (DPAP) (Master Plan No. 44) relating to the subject site (**Attachment 4**).

The proposed amendments reflect the design of the proposed development, and ensure it is consistent with the higher order master plan.

Amendments are proposed in relation to the proposed in-only driveway from Longboard Parade, maximum tower site cover and the maximum height of the podium (in storeys).

#### **Statutory Process**

Pursuant to the *Sunshine Coast Planning Scheme 2014* the subject site is located in an area identified as “Land within Development Control Plan 1 – Kawana Waters” being also subject to the Kawana Waters Development Agreement.

The *Sunshine Coast Planning Scheme 2014* identifies that Section 316 (Development control plans under repealed Act) of the *Planning Act 2016* provides that the repealed Act, the transitional planning scheme and any transitional planning scheme policies continue to apply to the extent necessary to administer Development Control Plan 1 – Kawana Waters (DCP-1).

The *Sunshine Coast Planning Scheme 2014* therefore requires that all land included within the DCP-1 designation default to the provisions of DCP-1, as contained within the Caloundra City Planning Scheme 1996.

The DCP-1 outlines the master planning process and the Development Documents and higher order master plans against which master plan applications are to be assessed.

The officers' full and detailed assessment report is provided in **Attachment 5** to this report. The detailed assessment report contains all the specific details considered in Council's assessment of the application.

### Assessment of Amendments to Detailed Planning Area Plan

In conjunction with the amended Site Development Plan, the applicant proposes the following amendments to the Detailed Planning Area Plan (DPAP):

- Amendment to Map 7 to show an "in-only" driveway to the site from Longboard Parade.

The "in-only" driveway will improve legibility for customers and visitors to the site arriving by car. Movements have been limited to "in-only" to reduce conflicts with pedestrians as much as possible. The driveway is located outside the active frontage section of the boundary to Longboard Parade. Council's engineering specialists advise the driveway has sufficient sightline and separation from corners/intersections to operate safely.

- Amendment to Maps 13A and 13B to increase the tower site cover applying to the subject site (Precinct 8) from 40% to 42%.

This minor increase is considered acceptable as the building complies with all required setbacks and provides a high quality architectural outcome for the site (refer to built-form comments below)

- Amendment to Map 13C to enable a podium on the subject site (Precinct 8) to comprise more than one storey, where it appears as a single storey from the street frontages, and does not exceed the existing maximum height of 6m.

This change is supported as it enables additional flexibility in the design of the podium component of development on the site whilst not affecting the visual appearance from the street frontages.

### Assessment of Site Development Plan

The proposed Site Development Plan has been assessed against the Kawana Waters Development Documents and the applicable higher order master plans, in particular the Detailed Planning Area Plan (DPAP) for Bokarina Beach, Master Plan No. 44.

#### Key Development Parameters

The proposed development complies with all of the key quantifiable requirements including yield, height, setback, site cover, open space and car parking requirements, as summarised in the table below (the highlighted rows identify master plan requirements that are the result of alternations proposed as part of this application):

Parameter	Requirement	Proposal	Complies
Residential yield	Maximum 135 Dwelling Units	63	✓
Commercial yield	Maximum combined total across precincts 5 to 8 of 7,500m <sup>2</sup>	816m <sup>2</sup>	✓
Height	Maximum 8 storeys	8	✓
podium setback to western boundary	Minimum 4.5m (this is also the maximum setback for the active laneway frontage component)	4.5m	✓
Podium setback to and eastern active frontages	Between 0m and 0.5m	0	✓
Podium setback to non-active portion of eastern boundary	Minimum 2m	2m	✓

Podium height	Maximum 1 storey / 6m or 6m where the podium appears as a single storey from Bokarina Blvd. and Longboard Pde.	6m (2 storeys but only 1 visible form street frontages)	Acceptable
Tower site cover	Maximum 42%	42%	Acceptable
Tower built form projecting towards Bokarina Boulevard	Maximum 80% of the length of the site	72%	✓
Tower built form projecting towards Longboard Parade	Maximum 40% of the width of the site	40%	✓
Tower setback to western boundary	Minimum 9m	9m	✓
Tower setback to northern and eastern boundaries (within specified maximum lengths)	Minimum 3m	3m	✓
Tower setback to remainder of eastern boundary	Minimum 30m	39m	✓
Active frontage length to northern boundary (Bokarina Boulevard)	Full length of frontage	Full length	✓
Active frontage length to eastern boundary (Longboard Parade)	Minimum 27m (approx.)	29m	✓
Active frontage length to laneway	Minimum 15m	15m	✓
Awning width to Bokarina Boulevard)	Minimum 4m	4m	✓*
Awning width to Longboard Parade (to length of active frontage)	Minimum 3m	3m	✓*
Communal open space	Minimum 25% of the site	19%	X*
Private open space	Minimum 9m <sup>2</sup> for 1 bedroom units and 16m <sup>2</sup> for all other units	All units have more than 16m <sup>2</sup> .	✓
Commercial car parking spaces	Minimum 41	33	X^
Resident car parking spaces	Minimum 75	129	✓
Visitor car parking spaces	Minimum 16	16	✓
Resident bicycle parking spaces	Minimum 63	63	✓
Visitor/customer/staff bicycle parking spaces	Minimum 20	22	✓

\*discussed in report below

^conditions recommended to address this issue

The Site Development Plan complies or can be conditioned to comply with all applicable requirements. The key issues arising from the assessment are discussed below.

### Built Form

The building design has achieved a high degree of articulation through the following measures:

- The appearance of three separate towers when viewed from the public realm is achieved through open verandas servicing differing apartment layouts on each floor.
- The eastern tower uses vertical batten screens to the balconies that incorporate a variety of colours and are operable which increases visual interest.

- The northern tower uses a feature colour spandrel edge treatment in a non-uniform way to break down the scale and bulk of the façade.
- The western tower utilises differential shading and spandrel detailing plus the use of operable vertical batten screening of various colours.
- The use of a grey coloured base building and brightly coloured feature details provides visual depth and interest.
- The building silhouette has been visibly articulated when viewed from a distance of more than 100m by providing different roof forms to each tower.
- The ground plane – public realm treatment:
  - Has a transparency and lightness that gives the appearance of floating towers above. This has been achieved through higher than normal ground floor ceilings, black glazing mullions and suspended awnings with podium planting elements that offer greater visual transition between the public and semi-public spaces.
  - The use of site planting through feature trees and proposed podium planting will also soften the bulk and form of the building when established.
  - The use of retail laneways and wide stairs to the podium level offer a sub-tropical response and invite the general public into and through the site.

The design of both the commercial and residential areas have achieved the sub-tropical design requirements of Master Plan No. 44 by providing the following:

- Residential
  - Single stack unit layouts that are able to be ventilated through the use of a ‘beach room’ at the main entry to each unit. This enables the occupants the opportunity to have opening windows facing the public walkway without a loss of privacy.
  - Generous private open space through larger than normal decks.
  - Screening devices to decks that are operable giving the occupant control over sun and weather.
  - All windows that are not shaded by decks are adequately screened to provide shading and weather protection for the majority of summer.
  - Windows are able to be opened without the need for fall protection by having the sill of the opening portion above 1.5m to meet Building Code of Australia requirements.
- Commercial
  - The use of full height glass, double height voids and retail laneways brings natural light and space into deep retail space that could have been dark and cramped.
  - The ability to open most walls of the retail spaces gives a sub-tropical feel to the dining/shopping experience.
  - Incorporation of trees/planting within the ground plain retail space and retail laneways helps achieve a sub-tropical sense of place.

### Turtles

The impact of the overall development of Bokarina Beach on the nesting of Loggerhead Turtles on the beach was extensively considered as part of the assessment and approval of the higher order Detailed Planning Area Plan (DPAP), which was approved in April 2016.

Prior to approval of the Detailed Planning Area Plan (DPAP) Stockland undertook a referral under the *Environmental Protection and Biodiversity Conservation Act (1999)* (EPBC) for



impacts on Matters of National Environmental Significance. Marine turtles including the loggerhead turtle are Matters of National Environmental Significance listed under the EPBC Act. While the development of Bokarina Beach does not impact on the sand dunes or beach, the impact of potential light spill on turtle nesting was assessed. On 14 July 2015 the Commonwealth advised Stockland the development was deemed not to be a controlled action.

Foreshore cross-section surveys undertaken during the assessment of the Detailed Planning Area Plan (DPAP) application determined that only a small portion of the top floor of the eight storey buildings on Precinct 8 and 9 would be visible from the beach in front of the development site. The large dunal system provides a considerable physical buffer between the foreshore and development sites, thereby reducing the level of impact of lighting on turtle nesting areas.

The Detailed Planning Area Plan (DPAP) contains specific development criteria and conditions in relation to minimising the potential impact upon turtle nesting that development must be complied with.

Council's Urban Lighting Master Plan also provides recommendations regarding lighting impacts on turtle nesting sites that are applicable to private developments. Additionally, the State Government Sea Turtle Sensitive Area Code provides guidance to Local Government on regulating the impact of development on turtles.

It is noted that the majority of applicable lighting requirements relating to turtles within the above-mentioned documents are operational in nature. As a result, compliance cannot be determined based on the submitted architectural plans and the requirements must instead be conditioned. A comprehensive set of conditions are recommended.

Council's urban design specialist advises the white colour proposed for the soffits and decks facing south and east may increase reflected light towards the beach at night. A condition is recommended requiring submission of amended plans to address this issue.

#### Building Height

The site has a maximum height limit of 8 storeys. Whilst the proposed development has 9 levels (excluding the basement) it only has 8 storeys. This is because the mezzanine car park level does not extend below any of the residential tower elements of the building. As such, a vertical section taken at any point through the development would only include 8 levels.

A condition is recommended requiring submission of certification by a licensed surveyor that the completed building complies with the maximum height limit.

#### Through-site pedestrian link

The proposal includes provision of a through-site pedestrian link connecting Bokarina Boulevard with Kombi Street along the western boundary of the site, as required by the Detailed Planning Area Plan (DPAP). The laneway is to be open and accessible to the public at all times. A condition is recommended requiring a public access easement be registered over it.

The northern part of this laneway is a pedestrian only zone intended to facilitate outdoor dining and active shop-front activities. Service plant and equipment and bicycle parking have been relocated within the laneway to minimise disruption to through pedestrian traffic.

The southern part of the laneway is a shared zone with the vehicular access driveway into the development. Conditions are recommended to ensure the shared space minimises conflict between vehicles and pedestrians.

#### Communal Open Space

The podium level communal open space area is 779m<sup>2</sup> or 19% of the site, which is below the minimum 25% recommended by Master Plan No. 44. However, in this case the proposed

communal open space is considered sufficient for residents and their visitors to engage in communal activities, enjoy private and semi-private spaces for the following reasons:

- The proposed area is highly embellished with a swimming pool, BBQ area, covered seating, toilets and changing rooms.
- The site is located in close proximity to a 4ha Village park system, the beach, coastal pathway and Lake Kawana.
- Some additional public/communal spaces and landscaping are also provided at ground level (if these are included, the total increases to 23% of the site).

#### Car parking allocation

The proposed development has a surplus of total parking spaces, but has deficit of eight (8) parking spaces for the retail component. This is to enable each residential unit to have two parking spaces. The applicant submits the retail parking shortfall is justifiable on the basis that customers are likely to park once and visit several shops within the precinct, and there will be a high proportion of walk-in customers due to the site's proximity to higher density residential development.

A condition is recommended requiring allocation of the parking spaces in accordance with the master plan requirements (e.g. convert 8 resident spaces to retail spaces). The following points are noted:

- The applicant's key argument for providing a driveway access to Longboard Parade was to enable retail customers to easily find parking on the site.
- The retail spaces will need to cater for staff as well as customers.
- The retail parking rate was already rationalised as part of the original approval for the site (approved by Council in August 2018).

#### Street Awnings

Master Plan No. 44 requires provision of continuous cantilevered awnings to the full length of the site's active frontage to Longboard Parade and Bokarina Boulevard.

The proposed development provides awnings as required but proposes gaps at the entry point to each breezeway into the site. This is to enable establishment of feature trees in these locations, which is a fundamental design feature of the development.

The proposed awning gaps are supported as the feature trees will provide significant shade and amenity to the street. It is noted that regardless of the awning design on this site, there will be awning gaps between development sites along the street where building setbacks are required.

#### Stormwater

The proposed bio-basin on the mezzanine car parking level is undercover and will not work as plants will not have access to sufficient sunlight. A condition is recommended requiring rectification of this issue.

#### **Legal**

There are no legal implications with respect to this report. Council does however have a legal obligation pursuant to the Development Agreement to make a determination with respect to the Master Plan applications within the specified timeframes.

#### **Policy**

There are no policy implications arising from this report.

**Risk**

Council is required to assess and make a decision in regards to the Site Development Plan in accordance with the contractual requirements of the Kawana Waters Development Agreement.

**Previous Council Resolution****Ordinary Meeting 16 August 2018 (OM18/130)**

*That Council:*

- (a) *recommend to the Minister for Natural Resources, Mines and Energy that the amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved, subject to conditions contained in Appendix A*
- (b) *upon approval of the amended Master Plan No. 44 by the Minister for Natural Resources, Mines and Energy, approve **Master Plan No.104 (Site Development Plan - Detailed planning Area 2 - Precinct 8) 2018**, subject to conditions contained in Appendix B*
- (c) *with respect to (b) above, delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) 2018*
- (d) *delegate authority to the Chief Executive Officer to decide future Site Development Plan Master Plans for Precincts 5-7 and 9-16 of Detailed Planning Area 2 – Bokarina Beach and*
- (e) *request the Chief Executive Officer to establish a design review panel of interested Councillors to oversight the design principles and built form on matters arising in recommendation (d).*

**Ordinary Meeting 25 February 2016 (OM16/23)**

*That Council:*

- (a) *receive and note the report titled “**Bokarina Beach Master Plans**”*
- (b) *recommend to the Minister for the Department of Natural Resources and Mines that the proposed Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved subject to:*
  - (i) *the conditions contained in Appendix A, as amended, namely*

*Amend Condition 31*

31. *The Nicklin Way pedestrian/cycle underpass must be delivered prior to the registration of the first development lot within the Detailed Planning Area. The underpass must be constructed using reinforced concrete box culverts with minimum dimensions of 3.6 metres wide by 2.7 metres high as nominated in the submitted Engineering Services Report. ‘Disabled access compliant’ pathway connections must be provided between the underpass and the pathway along the Nicklin Way verge.*

*Amend Condition 43*

43. *The local street network within the Detailed Planning Area, including intersections, indented parking bays, and cycle lanes, must be provided generally in accordance with the details in the Master Plan and the supporting Local Area Traffic Network Study, except where varied as follows:*
  - a) *The intersection where the proposed ‘Beach Frontage’ street connects to the existing Wurley Drive/Oceanic Drive South corner must be designed so that the priority movement is along Wurley Drive/Oceanic Drive, with the ‘Beach Frontage’ leg of the T-intersection being a single lane carriageway*

*which provides for one-way vehicle movement out of the proposed development only.*

- b) The proposed new roundabout in Beach Drive must be designed to achieve an appropriate amount of 'deflection' at each approach to manage the speed of approaching vehicles. The existing kerb and channel on the northern side of Beach Drive at the eastern approach must be realigned as necessary to achieve this, and if necessary the road reserve in this area must be widened (by re-aligning the northern boundary of DPA2) to provide an appropriate verge width on the southern side of Beach Drive. Threshold treatments and signage must be provided on the northern (Glentree Street) and eastern (Beach Drive) legs of the roundabout to highlight the 'local access' functions of those streets, and to discourage use by non-local traffic.*
- c) Road reserve widths for internal streets within the Detailed Planning Area must be increased if necessary (as determined at the time of operational works design) so that the verges to be able to accommodate all infrastructure (pathways, underground services, street light poles, etc) in addition to streetscape plantings as required by the Master Plan.*
- d) At the existing Baroona Street and Orringa Street intersections with Wurley Drive, threshold treatments must be installed, in addition to signage, to highlight the 'local access' function of those streets and to discourage their use by other than local traffic. These works must be completed in conjunction with the earliest stage of the development which includes a street connection to Wurley Drive.*

*Amend Condition 58*

- 58. To minimise the impact of development of the Detailed Planning Area on turtle nesting sites, the following actions are required to be undertaken in the construction and operational phases of the development:*

*Construction Phase*

- a) Construction works are to be restricted to daylight hours during the turtle nesting and hatching season (October to April).*
- b) Restrict the use of flood lighting from October to April (turtle nesting and hatching season).*
- c) For the construction of the coastal pathway connections, delineation of a works area to be surveyed by an appropriately qualified and experienced fauna spotter/catcher for the presence of active turtle nests prior to works within that area commencing.*
- d) Where the works area cannot avoid the identified nest, all eggs within identified nests are to be relocated by the fauna spotter/catcher to a suitable habitat.*

*Operational Phase*

- a) Maintain directional light shades on street lights within 100m of the western boundary of the foreshore reserve and replace faulty directional lighting shades accordingly.*
- b) Provide interpretive signage within the Bokarina Beach development to inform visitors to the foreshore that the beach is an active nesting and hatching site for turtles. The signage should advise visitors not to deviate from pathways, to minimise disturbance to the dunes, and to ensure domestic pets are kept under effective control.*
- c) Provide interpretive signage throughout the residential areas, including the Tourist Node and Residential B precincts, outlining measures to mitigate*

*the impacts of lighting on the active turtle nesting and hatching sites. The signage should include months of the year when external light emissions should be minimised and mitigation measures (e.g. turning off lights when not in use and closing blinds/curtains after dark).*

- (ii) *the Master Developer accepting and implementing the conditions provided by the Department of Transport and Main Roads on 8 February 2016 contained in Appendix B*
- (c) *with respect to (b) above, delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of the Detailed Planning Area Plan and*
- (d) *delegate authority to the Chief Executive Officer to approve Master Plan No. 69 (Site Development Plan – Detailed Planning Area 2 – Precincts 1-4) 2015.*

### **Related Documentation**

A copy of the proposed amended Site Development Plan is provided as **Attachment 1** to this report.

A copy of the 3D renders of the proposed development are provided as **Attachment 2** to this report.

A copy of the proposed floor plans and elevations are provided as **Attachment 3** to this report.

A copy of the proposed amendments to the Detailed Planning Area Plan (Master Plan No. 44) relating to the subject site is provided as **Attachment 4** to this report.

A copy of the officers' full and detailed assessment report is provided as **Attachment 5** to this report. The detailed assessment report contains all the specific details considered in Council's assessment of the application.

### **Critical Dates**

Council is required to make a determination within 40 days after the application is taken to be duly made pursuant to section 7.6.3 of DCP-1.

### **Implementation**

Council is required to issue both the Master Developer (Stockland) and the Department of Natural Resources Mines and Energy (DNRME) a Notice of Determination within ten (10) working days of Council making its determination.

Council's approval of the Site Development Plan will only take effect upon approval of the Detailed Planning Area Plan (DPAP) by Department of Natural Resources Mines and Energy (DNRME).



### 8.3 MASTER PLAN NO. 110 (SITE DEVELOPMENT PLAN - DETAILED PLANNING AREA 2 - PRECINCT 9) 2019 ("OCEANUS" 100 MULTIPLE DWELLING UNITS)

<b>File No:</b>	<b>MPC19/0005</b>
<b>Author:</b>	<b>Senior Development Planner Customer Engagement &amp; Planning Services Group</b>
<b>Appendices:</b>	<b>App A - Amended Detailed Planning Area Plan - Approval Conditions .....5/267 App B - Site Development Plan - Approval Conditions ..... 19/267</b>
<b>Attachments:</b>	<b>Att 1 - Proposed Site Development Plan (Master Plan No. 110) .....37/267 Att 2 - 3D Renders of Proposed Development .....85/267 Att 3 - Architectural Plans .....87/267 Att 4 - Proposed Amended Detailed Planning Area Plan (Master Plan No. 44) ..... 111/267 Att 5 - Detailed Assessment Report .....249/267</b>

**Link to Development-i:**

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MPC19/0005>

<b>APPLICATION DETAILS</b>	
<b>Applicant/Owner:</b>	Stockland Kawana Waters Pty Ltd
<b>Developer:</b>	Walter Iezzi Property Group
<b>Consultant:</b>	RPS Group for the applicant / owner and, Project Urban for the site developer
<b>Proposal:</b>	<ul style="list-style-type: none"> <li>Approval of amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015</li> <li>Approval of Master Plan No. 110 (Site Development Plan – Detailed Planning Area 2 – Precinct 9) 2019 – 100 Multiple Dwellings</li> </ul>
<b>Application Received:</b>	24/04/2019
<b>Information Request Date:</b>	14/05/2019
<b>Duly Made Date:</b>	03/07/2019
<b>Decision Due Date:</b>	17/09/2019 (40 calendar days, DCP-1) (decision stage suspended for 35 calendar days at applicants request for draft conditions discussions)
<b>Number of Submissions:</b>	Nil
<b>PROPERTY DETAILS</b>	
<b>Division:</b>	3
<b>Property Address:</b>	Bokarina Bvd BOKARINA QLD 4575
<b>RP Description:</b>	Lot 21 SP 299790
<b>Land Area:</b>	3,314m <sup>2</sup>
<b>Existing Use of Land:</b>	Vacant
<b>STATUTORY DETAILS</b>	
<b>Planning Scheme:</b>	Sunshine Coast Planning Scheme 2014
<b>SEQRP Designation:</b>	Urban Footprint
<b>Strategic Framework Land Use Category</b>	Urban

<b>Local Plan Area:</b>	Kawana Waters
<b>Zone:</b>	Land subject to Development Control Plan No. 1
<b>Assessment Type:</b>	Site Development Plan

## PURPOSE

The purpose of this report is to seek:

- Council's determination of the application for approval of Master Plan No. 110 (Site Development Plan – Detailed Planning Area 2 – Precinct 9) 2019. The Site Development Plan is intended to facilitate the development of an 8 storey, 100 unit residential development by Walter Iezzi Property Group;
- Council's recommendation to the Minister for Natural Resources, Mines and Energy that the application for associated minor amendments to Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved;
- delegation to the Chief Executive Officer to make recommendations to the Minister for Natural Resources, Mines and Energy in relation to future applications for minor or administrative amendments to Master Plan No. 44;
- a delegation to the Chief Executive Officer to decide any amendments to Master Plan No. 110.

The Department of Natural Resources, Mines and Energy is the approving authority for amendments to the Detailed Planning Area Plan. Council is the approving authority for the proposed Site Development Plan.

The report is before Council to request that Council delegate to the CEO the authority to consider consequential amendments to both master plans.

## EXECUTIVE SUMMARY

An application has been received from Stockland for a Site Development Plan for Precinct 9 of the Bokarina Beach Detailed Planning Area as well as associated amendments to the Detailed Planning Area Plan for Bokarina Beach. The precinct is a landmark site within Bokarina Beach along the beachfront street (Longboard Parade).

The Site Development Plan is intended to facilitate the development of an eight storey residential development comprising 100 dwelling units. The amendments to the Detailed Planning Area Plan are proposed to ensure the Site Development Plan is consistent with the Detailed Planning Area Plan and to improve the landscaping requirements for development on the site.

The land is identified as Precinct 9 of Detailed Planning Area 2. The Site Development Plan comprises the site specific development approval, similar to a Material Change of Use development approval.

Council officers have assessed the proposed Site Development Plan and Detailed Planning Area Plan amendments against all applicable statutory controls. The proposal generally complies with all applicable requirements. The key issues for consideration relate to the proposed built form, the impact of the development on turtles, building setbacks and stormwater. These issues can be satisfactorily managed with the imposition of conditions.

It is recommended that the proposed Site Development Plan and amended Detailed Planning Area Plan be approved subject to conditions.

Precincts 1-4, 8, 13, 14 and 15 of Bokarina Beach already have approved Site Development Plans and this report seeks approval of a Site Development Plan for Precinct 9.



**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Master Plan No. 110 (Site Development Plan - Detailed Planning Area 2 - Precinct 9) 2019 ("Oceanus" 100 multiple dwelling units)”
- (b) recommend to the Minister for Natural Resources, Mines and Energy that the amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved, subject to conditions contained in Appendix A
- (c) upon approval of the amended Master Plan No. 44 by the Minister for Natural Resources, Mines and Energy, approve Master Plan No. 110 (Site Development Plan - Detailed planning Area 2 - Precinct 9) 2018, subject to conditions contained in Appendix B
- (d) with respect to (b) above, delegate authority to the Chief Executive Officer to recommend to the Minister for Natural Resources, Mines and Energy to approve, approve subject to conditions or refuse any application for minor or administrative amendments resulting from the implementation of Master Plan No. 44 (Detailed Planning Area plan – Detailed Planning Area 2 – Bokarina Beach) 2015 and
- (e) with respect to (c) above, delegate authority to the Chief Executive Officer, to approve, approve with conditions or refuse any application for amendments to Master Plan No. 110 (Site Development Plan – Detailed Planning Area 2 – Precinct 9) 2019.

**FINANCE AND RESOURCING**

There are no Council related Financial Contributions triggered with this Site Development Plan application.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>Service excellence</i></b>
<b>Outcome:</b>	4.4 - Service quality assessed by our performance and value to customers
<b>Operational Activity:</b>	4.4.2 - Deliver Planning and Development Services to ensure statutory requirements are met to achieve positive customer experiences and maintain strong industry engagement.

**CONSULTATION****Councillor Consultation**

Officers have discussed the proposed development with the Divisional Councillor P Cox on a number of occasions. Consultation occurred at the pre-lodgment advice phase, prior to Council issuing a request for further particulars and once the application was in the decision phase. A briefing on the application was also provided at the 30 May 2019 Council Planning Portfolio update to Councillors for Divisions 4 (Councillor J Connolly) and 6 (Councillor C Dickson).

### Internal Consultation

The application was forwarded to the following internal Council specialists:

- Senior Development Engineer, Engineering and Environment Assessment
- Landscape Officer, Engineering and Environment Assessment Unit
- Environment Officer, Engineering and Environment Assessment Unit
- Principal Architect, Strategic Planning Branch
- Conservation Officer, Environmental Operations Branch (turtle specialist)

Their assessment forms part of this report.

### External Consultation

The application did not require referral to any referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*.

Unitywater was consulted as part of the assessment of the proposed Site Development Plan. They have provided conditions which are recommended for inclusion in Council's Notice of Determination.

### Community Engagement

As the land is subject to the Kawana Waters Development Agreement and the Master Planned Community Development Process, public notification was not required for this application.

All master plan applications are publicly available via Council's Development i system.

## PROPOSAL

### Application Details

#### Site Information

The precinct is a landmark site within Bokarina Beach and is located on the beachfront street (Longboard Parade), opposite the dunes. The site is in close proximity to the new beach access and future surf lifesaving club site and the two hectare Village Park.

#### Proposed Site Development Plan

The proposed Site Development Plan (**Attachment 1**) is intended to facilitate the development of an 8 storey residential development comprising 100 dwelling units. The proposed development has a total building height of 26m and a site cover of 49.3% (38.5% if open walkways and balconies are excluded). Two basement levels of car parking area also proposed.

The proposed units are configured as follows:

- 8 x 1 bedroom units
- 73 x 2 bedroom units
- 19 x 3 bedroom units

The total number of car parks proposed on the site is 211, including 25 visitor spaces. Vehicular access is proposed from a two way driveway crossover to Kombi Street on the western boundary of the site.

The proposal also includes a ground level communal open space area to service residents and their visitors, which includes a communal sun terrace, swimming pool, covered BBQ area, gym, toilet and shower facilities.

Landscaping strips are proposed to all site boundaries, including a 2m wide deep planting strip to the Longboard Parade frontage of the site.

3D renders of the proposed development are provided in **Attachment 2** and floor plans and elevations in **Attachment 3**.

#### Detailed Planning Area Plan

In conjunction with the proposed Site Development Plan, the applicant also seeks approval for a number of minor amendments to the Detailed Planning Area Plan (Master Plan No. 44) relating to the subject site (**Attachment 4**).

The proposed amendments reflect the design of the proposed development, and will ensure it is consistent with the higher order master plan.

In particular, the following amendments are proposed:

- Increase in the tower site cover applying to Precinct 9 (the subject site). The site cover is proposed to be increased from 40% to 49%
- Increase in the podium level (being the section of the basement that protrudes out of the ground by up to 1m) setback to Longboard Parade to enable 2 metres of deep planting along this frontage.

A discussion of the rationale and merits for these amendments is provided in the assessment section of this report and also outlined in the officers' full and detailed assessment report (**Attachment 5**). The detailed assessment report contains all the specific details considered in Council's assessment of the application.

#### **Statutory Process**

Pursuant to the *Sunshine Coast Planning Scheme 2014* the subject site is located in an area identified as "Land within Development Control Plan 1 – Kawana Waters" being also subject to the Kawana Waters Development Agreement.

The *Sunshine Coast Planning Scheme 2014* identifies that Section 316 (Development control plans under repealed Act) of the *Planning Act 2016* provides that the repealed Act, the transitional planning scheme and any transitional planning scheme policies continue to apply to the extent necessary to administer Development Control Plan 1 – Kawana Waters (DCP-1).

The *Sunshine Coast Planning Scheme 2014* therefore requires that all land included within the DCP-1 designation default to the provisions of DCP-1, as contained within the Caloundra City Planning Scheme 1996.

The DCP-1 outlines the master planning process and the Development Documents and higher order master plans against which master plan applications are to be assessed.

#### **Assessment of Amendments to Detailed Planning Area Plan**

The proposed amendments to the Detailed Planning Area Plan have been assessed against the Development Documents (including DCP-1) and the Kawana Waters Structure Plan.

The proposed additional site cover is supported on the basis that the applicant will provide a minimum 2m wide deep planting strip to the Longboard Parade frontage of the site. This was not an original requirement of the master plan, and it will significantly enhance the presentation of the development to the street by allowing for the establishment of feature trees and dense landscaping to the Longboard Parade frontage.

Additionally, the increased site cover is considered acceptable as the building will comply with all required setbacks and features an articulated design with naturally ventilated cores to reduce the visual bulk and scale of the development.

### Assessment of Site Development Plan

The proposed Site Development Plan has been assessed against the Development Documents and the applicable higher order master plans, in particular the Detailed Planning Area Plan for Bokarina Beach, Master Plan No. 44.

#### Key Development Parameters

The proposed development complies with all of the key quantifiable requirements including yield, height, setback, site cover, open space and car parking requirements, as summarised in the table below (the highlighted rows identify the Master Plan requirements that are the result of alterations proposed as part of this application):

*Key Development Parameters Table:*

Parameter	Requirement	Proposal	Complies
Residential yield	Maximum 134 Dwelling Units	100 units	✓
Height	Maximum 8 storeys	8 storeys (26m)	✓
Site cover	Maximum 49%	49%	Acceptable
Built form projecting towards Longboard Parade	Maximum 45% of the length of the frontage	45%	✓
Setback to northern boundary	Minimum 9m	9m (except for ground level gym, communal open space toilets and pavilions – these are discussed below)	✓
Podium (basement) setback to eastern boundary	Minimum 2m	2m	Acceptable
Tower setback to eastern boundary (within specified maximum lengths)	Minimum 3m	3m (except for minor roof overhangs)	✓
Tower setback to remainder of eastern boundary	Minimum 30m	30m	✓
Setback to southern boundary	Minimum 3m	3m (except for minor roof overhangs)	✓
Setback to western boundary	Minimum 3m	3m	✓
Landscaping	Minimum 2m to both frontages	2m to Longboard Pde and Kombi St ( deep planting to Longboard Pde but not Kombi St)	✓
Communal open space	Minimum 25% of the site with each space having a minimum 4m dimension	829m <sup>2</sup> (25%)	✓
Private open space	Minimum 9m <sup>2</sup> for 1 bedroom units and 16m <sup>2</sup> for all other units	Min sizes provided for all units	✓
Resident car parking spaces	Minimum 122	186	✓
Visitor car parking spaces	Minimum 25	27	✓
Resident bicycle parking spaces	Minimum 100	100	✓
Visitor bicycle parking spaces	Minimum 25	25	✓

The Site Development Plan complies or can be conditioned to comply with all applicable requirements. The key issues arising from the assessment are discussed below.

### Built Form

Council's urban design specialist advises the design of the building meets all key master plan design requirements.

The building is well articulated and includes the use of colour to create visual interest. The double height soffits with timber look undersides will assist in emphasizing the roof form, and providing the building with a distinct skyline silhouette.

Two sliding balcony screens are proposed per unit. These will make the balconies more functional and create additional visual interest and variety in the building façade.

The naturally ventilated cores and window shading will assist the building in complying with the applicable sub-tropical design requirements.

### Turtles

The impact of the overall development of Bokarina Beach on the nesting of Loggerhead Turtles on the beach was extensively considered as part of the assessment and approval of the higher order Detailed Planning Area Plan, which was approved in April 2016.

Prior to approval of the Detailed Planning Area Plan Stockland undertook a referral under the *Environmental Protection and Biodiversity Conservation Act (1999)* (EPBC) for impacts on Matters of National Environmental Significance. Marine turtles including the loggerhead turtle are Matters of National Environmental Significance listed under the EPBC Act. While the development of Bokarina Beach does not impact on the sand dunes or beach, the impact of potential light spill on turtle nesting was assessed. On 14 July 2015 the Commonwealth advised Stockland the development was deemed not to be a controlled action.

Foreshore cross-section surveys undertaken during the assessment of the Detailed Planning Area Plan application determined that only a small portion of the top floor of the eight storey buildings on Precinct 8 and 9 would be visible from the beach in front of the development site. The large dunal system provides a considerable physical buffer between the foreshore and development sites, thereby reducing the level of impact of lighting on turtle nesting areas.

The Detailed Planning Area Plan contains specific development criteria and conditions in relation to minimising the potential impact upon turtle nesting that development must be complied with.

Council's Urban Lighting Master Plan also provides recommendations regarding lighting impacts on turtle nesting sites that are applicable to private developments. Additionally, the State Government Sea Turtle Sensitive Area code provides guidance to Local Government on regulating the impact of development on turtles.

It is noted that the majority of applicable lighting requirements relating to turtles within the above-mentioned documents are operational in nature. As a result, compliance cannot be determined based on the submitted architectural plans and the requirements must instead be conditioned. A comprehensive set of conditions are recommended.

One matter that can be shown on the plans is façade/colours and materials. This enables Council officers to assess the reflectivity of the building. The applicant has declined to provide this information to Council officers. As such, a condition is recommended requiring inclusion of this information on the development plans and re-submission to Council for endorsement. Once the information is provided, Council will assess it against the requirements of the above documents, and seek changes to reduce building reflectivity where necessary.

### Setbacks

The proposed development complies with all applicable building setbacks, except for the ground floor structures in the communal open space area (gym, toilets and shelter pavilions) which are located within the minimum 9m setback from the northern boundary of the site. These structures are considered acceptable as they are single storey, non-habitable parts of the development. They assist in making the communal open space area more functional and

are not considered to have a detrimental impact on the amenity of the streetscape or the adjoining development site to the north.

### Stormwater

Council's engineering specialist has recommended a condition requiring removal of the proposed proprietary device from the 2m wide deep planting strip to the Longboard Parade frontage of the site and replacing it with a bio-basin in the landscaped area above the basement.

In response to this issue, the applicant has proposed to remove all stormwater infrastructure from the deep planting strip, but retain a proprietary treatment device in lieu of a bio-basin.

A condition has been imposed to amend the Stormwater Management Plan and Post Development Stormwater Catchment Sketch and other plans as necessary to incorporate a bio-retention device treating the largest area of the site as practicable (minimum 50% of the site area) and the remainder of the site can be treated using a property stormwater treatment device.

### **Legal**

There are no legal implications with respect to this report. Council does however have a legal obligation pursuant to the Development Agreement to make a determination with respect to the Master Plan applications within the specified timeframes.

### **Policy**

There are no policy implications arising from this report.

### **Risk**

Council is required to assess and make a decision in regards to the Site Development Plan in accordance with the contractual requirements of the Kawana Waters Development Agreement.

### **Previous Council Resolution**

#### **Ordinary Meeting 16 August 2018 (OM18/130)**

*That Council:*

- (a) *recommend to the Minister for Natural Resources, Mines and Energy that the amended Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved, subject to conditions contained in Appendix A*
- (b) *upon approval of the amended Master Plan No. 44 by the Minister for Natural Resources, Mines and Energy, approve **Master Plan No.104 (Site Development Plan - Detailed planning Area 2 - Precinct 8) 2018**, subject to conditions contained in Appendix B*
- (c) *with respect to (b) above, delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of Master Plan No. 104 (Site Development Plan – Detailed Planning Area 2 – Precinct 8) 2018*
- (d) *delegate authority to the Chief Executive Officer to decide future Site Development Plan Master Plans for Precincts 5-7 and 9-16 of Detailed Planning Area 2 – Bokarina Beach and*
- (e) *request the Chief Executive Officer to establish a design review panel of interested Councillors to oversight the design principles and built form on matters arising in recommendation (d).*

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**Ordinary Meeting 25 February 2016 (OM16/23)**

*That Council:*

- (a) *receive and note the report titled "**Bokarina Beach Master Plans**"*
- (b) *recommend to the Minister for the Department of Natural Resources and Mines that the proposed Master Plan No. 44 (Detailed Planning Area Plan – Detailed Planning Area 2 – Bokarina Beach) 2015 be approved subject to:*
  - (i) *the conditions contained in Appendix A, as amended, namely*

*Amend Condition 31*

- 31. *The Nicklin Way pedestrian/cycle underpass must be delivered prior to the registration of the first development lot within the Detailed Planning Area. The underpass must gbe constructed using reinforced concrete box culverts with minimum dimensions of 3.6 meters wide by 2.7 meters high as nominated in the submitted Engineering Services Report. 'Disabled access compliant' pathway connections must be provided between the underpass and the pathway along the Nicklin Way verge.*

*Amend Condition 43*

- 43. *The local street network within the Detailed Planning Area, including intersections, indented parking bays, and cycle lanes, must be provided generally in accordance with the details in the Master Plan and the supporting Local Area Traffic Network Study, except where varied as follows:*
  - a) *The intersection where the proposed 'Beach Frontage' street connects to the existing Wurley Drive/Oceanic Drive South corner must be designed so that the priority movement is along Wurley Drive/Oceanic Drive, with the 'Beach Frontage' leg of the T-intersection being a single lane carriageway which provides for one-way vehicle movement out of the proposed development only.*
  - b) *The proposed new roundabout in Beach Drive must be designed to achieve an appropriate amount of 'deflection' at each approach to manage the speed of approaching vehicles. The existing kerb and channel on the northern side of Beach Drive at the eastern approach must be realigned as necessary to achieve this, and if necessary the road reserve in this area must be widened (by re-aligning the northern boundary of Detailed Planning Area 2) to provide an appropriate verge width on the southern side of Beach Drive. Threshold treatments and signage must be provided on the northern (Glen tree Street) and eastern (Beach Drive) legs of the roundabout to highlight the 'local access' functions of those streets, and to discourage use by non-local traffic.*
  - c) *Road reserve widths for internal streets within the Detailed Planning Area must be increased if necessary (as determined at the time of operational works design) so that the verges to be able to accommodate all infrastructure (pathways, underground services, street light poles, etc.) in addition to streetscape plantings as required by the Master Plan.*
  - d) *At the existing Barona Street and Iringa Street intersections with Wurley Drive, threshold treatments must be installed, in addition to signage, to highlight the 'local access' function of those streets and to discourage their use by other than local traffic. These works must be completed in conjunction with the earliest stage of the development which includes a street connection to Wurley Drive.*

*Amend Condition 58*

58. *To minimize the impact of development of the Detailed Planning Area on turtle nesting sites, the following actions are required to be undertaken in the construction and operational phases of the development:*

*Construction Phase*

- a) *Construction works are to be restricted to daylight hours during the turtle nesting and hatching season (October to April).*
- b) *Restrict the use of flood lighting from October to April (turtle nesting and hatching season).*
- c) *For the construction of the coastal pathway connections, delineation of a works area to be surveyed by an appropriately qualified and experienced fauna spotter/catcher for the presence of active turtle nests prior to works within that area commencing.*
- d) *Where the works area cannot avoid the identified nest, all eggs within identified nests are to be relocated by the fauna spotter/catcher to a suitable habitat.*

*Operational Phase*

- a) *Maintain directional light shades on street lights within 100m of the western boundary of the foreshore reserve and replace faulty directional lighting shades accordingly.*
  - b) *Provide interpretive signage within the Bokarina Beach development to inform visitors to the foreshore that the beach is an active nesting and hatching site for turtles. The signage should advise visitors not to deviate from pathways, to minimise disturbance to the dunes, and to ensure domestic pets are kept under effective control.*
  - c) *Provide interpretive signage throughout the residential areas, including the Tourist Node and Residential B precincts, outlining measures to mitigate the impacts of lighting on the active turtle nesting and hatching sites. The signage should include months of the year when external light emissions should be minimised and mitigation measures (e.g. turning off lights when not in use and closing blinds/curtains after dark).*
- (ii) *the Master Developer accepting and implementing the conditions provided by the Department of Transport and Main Roads on 8 February 2016 contained in Appendix B*
- (c) *with respect to (b) above, delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of the Detailed Planning Area Plan and*
  - (d) *delegate authority to the Chief Executive Officer to approve Master Plan No. 69 (Site Development Plan – Detailed Planning Area 2 – Precincts 1-4) 2015.*

**Related Documentation**

A copy of the proposed Site Development Plan is provided as **Attachment 1** to this report.

A copy of the 3D renders of the proposed development are provided as **Attachment 2** to this report.

A copy of the proposed floor plans and elevations are provided as **Attachment 3** to this report.

A copy of the amended Detailed Planning Area Plan (Master Plan No. 44) relating to the subject site is provided as **Attachment 4** of this report.



A copy of the officers' full and detailed assessment report is included as **Attachment 1** to this report. The detailed assessment report contains all the specific details considered in Council's assessment of the application.

**Critical Dates**

Council is required to make a determination within 40 days after the application is taken to be duly made pursuant to section 7.6.3 of DCP-1.

**Implementation**

Council is required to issue both the Master Developer (Stockland) and the Department of Natural Resources Mines and Energy a Notice of Determination within ten (10) working days of Council making its determination.

Council's approval of the Site Development Plan will only take effect upon approval of the Detailed Planning Area Plan by Department of Natural Resources Mines and Energy.

As the applicant is not seeking the inclusion of operational works as "permitted" development works in the Site Development Plan, a subsequent Development Permit for Operational Works will be required for the works associated with the proposed development.



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## 8.4 2019/2020 COMMUNITY GRANTS PROGRAM MAJOR GRANTS ROUND 1 AND HERITAGE LEVY GRANTS PROGRAM RECOMMENDATIONS

<b>File No:</b>	<b>Council meetings</b>
<b>Author:</b>	<b>Team Leader Community Connections Economic &amp; Community Development Group</b>
<b>Appendices:</b>	<b>App A - Major Grants Recommendations August 2019.....95 App B - Heritage Levy Grants Recommendations August 2019111</b>
<b>Attachments:</b>	<b>Att 1 - Internal Consultation .....115 Att 2 - Funding Comparisons - Major Grants .....119 Att 3 - Major Grants Recommendations August 2019 - Additional Information .....<i>Confidential 5/65</i> Att 4 - Heritage Levy Grants Recommendations August 2019 - Additional Information.....<i>Confidential 59/65</i></b>

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### PURPOSE

This report seeks Council consideration and endorsement of funding recommendations for the first round of the Community Grants Program Major Grants for 2019/20 and the 2019/20 Heritage Levy Grants Program.

### EXECUTIVE SUMMARY

#### Community Grants Program

Council's Community Grants Program provides a transparent governance framework that complies with statutory requirements for the distribution of grant funding to community organisations across the region.

The program reflects Council's priorities as described in current corporate strategies, plans and policy positions. It ensures equitable opportunity for community organisations to access Council funding for projects and programs, which meet identified community need and result in community benefit.

The Community Grants Program for 2019/20 Major Grants Round One closed on 26 August 2019. Council received 148 applications requesting a total of \$1,434,091 across seven categories:

- Community Development
- Community Events
- Community Facilities
- Cultural Development
- Cultural Heritage
- Economic Development
- Sport, Recreation and Healthy Living.

Funding totaling \$525,030 for 95 projects is recommended for Council's consideration and endorsement (Appendix A). The project budgets for the successful applications total more than \$2.1 million (based on figures supplied by applicants). This is four times greater than the Council contribution recommended.

Organisations recommended for funding in this round reported the engagement of 2,543 volunteers to deliver their funded projects and estimated 167,045 people would be direct beneficiaries of their projects (includes event patrons and/or participants).

### **Heritage Levy Grants Program**

Heritage Levy Grants are an initiative funded by Council's Cultural Heritage Levy for not-for-profit museums and heritage organisations within the Sunshine Coast local government area.

Forming part of Council's endorsed Cultural Heritage Levy Program for the year, the 2019/20 Heritage Levy Grants Program includes two stand-alone grant streams:

- Collection Care Grants – to support best practice though the care, storage and conservation of the region's heritage collections
- Exhibition and Public Programs Grants – to support best practice related to the region's cultural heritage in the areas of exhibitions, public programs and events.

The 2019/20 Heritage Levy Grants round closed on 26 August 2019. Council received a total of 12 applications requesting a total of \$74,586 across the two grant streams.

Funding totaling \$51,522 for 11 projects is recommended for Council's consideration and endorsement (Appendix B). The project budgets for the successful applications total more than \$132,914 (based on figures supplied by applicants). This is 2.5 times greater than the Council contribution recommended.

Organisations recommended for funding in this program reported the engagement of 104 volunteers to deliver their funded projects.

## **OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "2019/2020 Community Grants Program Major Grants Round 1 and Heritage Levy Grants Program Recommendations"**
- (b) endorse the Major Grant Recommendations August 2019 (Appendix A) and**
- (c) endorse the Heritage Levy Grant Recommendations August 2019 (Appendix B).**

## **FINANCE AND RESOURCING**

### **Community Grants Program**

The 2019/20 Community Grants Program includes:

- two Major Grant funding rounds
- four Minor Grant funding rounds
- Individual Development Grants (year-round) and
- Emergency Grants (year-round).

This report to Council is in relation to the first Major Grant round for the 2019/20 Community Grants Program. Council received 148 applications requesting a total of \$1,434,091 at the closure of the round on 26 August 2019.

The assessment panels recommend 95 applicants be funded a total of \$525,030. Details are provided in the Major Grant Recommendations August 2019 document (Appendix A).

**Budget Implications**

Community Grants Program projects recommended in this report are supported by two separate budgets as detailed in Table 1 below.

<b>BUDGETS – Major Grants</b>	<b>Community Grants Program Budget</b>	<b>Domestic Animal Management Budget*</b>	<b>TOTAL</b>
August 2019 Community Grants Program Recommendations	\$510,030	\$15,000	\$525,030

**Table 1. Budgets for Community Grants Program Recommended Projects**

\* One of the recommended applications under the Community Development category addresses the key objectives of Council's Domestic Animal (Cats and Dogs) Management Strategy (2014-2020) and will be funded through the Domestic Animal Management Strategy Budget (application MJCD191035 Cat Desexing Voucher Project).

The project budgets for the successful major grant applications total more than \$2.1 million (based on figures supplied by applicants). This is four times greater than the Council contribution recommended in this report.

**Heritage Levy Grants Programs**

There is one round of Heritage Levy Grants each year. The 2019/20 Heritage Levy Grants Program includes two stand-alone grant streams - Collection Care Grants; and Exhibition and Public Programs Grants.

Funding totaling \$51,522 for 11 projects is recommended for Council's consideration and endorsement (Appendix B).

Heritage Levy Grants Program projects recommended in this report are supported by the Heritage Levy Budget as detailed in Table 2 below.

<b>HERITAGE LEVY GRANTS PROGRAM BUDGET</b>	<b>Cultural Heritage Levy Budget</b>
August 2019 Heritage Levy - Collection Care Program recommendations	\$26,522
August 2019 Heritage Levy - Exhibition and Public Programs	\$25,000
<b>TOTAL August 2019 Heritage Levy Grants Program Recommendations</b>	<b>\$51,522</b>

**Table 2. Budget for Heritage Levy Grants Program Recommended Projects**

The project budgets for the successful Heritage Levy Program applications total more than \$132,914 (based on figures supplied by applicants). This is 2.5 times greater than the Council contribution recommended in this report.

**CORPORATE PLAN**

**Corporate Plan Goal:** *A strong community*  
**Outcome:** 2.2 - Resilient and engaged communities  
**Operational Activity:** 2.2.4 - Continue to ensure the manner in which Council distributes grant monies to community and not-for-profit organisations supports Council's social vision for the region

**CONSULTATION****Portfolio Councillor Consultation**

Councillor J McKay – Portfolio Councillor for Community and Environment.

Councillor R Baberowski – Portfolio Councillor for the Arts and Heritage

### **Internal Consultation**

Community Development Officers (Grants) attended assessment panels, reviewed outcomes and provided moderation across all grant categories to consistency.

Assessment panel membership for each category of the Community Grants Program and the Heritage Levy Grants Program was made up of a number of key staff from the relevant area of Council. In addition, Council officers with expertise relevant to specific applications were consulted and provided information and/or advice to inform assessment processes. Attachment 1 outlines the Council officers involved in each panel and additional staff consulted.

### **External Consultation**

Community Grants Development Officers and internal category experts liaised with community organisations across the Sunshine Coast Council Local Government Area via a range of community meetings and conversations to ensure a high level of awareness of the Major Grants Program and the Heritage Levy Grants Program and the application dates.

Assistance was provided for project development, preparation of application content and advice on application processes.

A wide range of traditional and social media tools were used to promote the Community Grants Program generally, and to invite applications.

The Heritage Levy Grants Program was promoted directly to eligible not-for-profit museums and heritage organisations through cultural heritage network events, Council e-Newsletters, workshops and direct communications.

### **Community Engagement**

Community engagement was not required to inform this report.

## **PROPOSAL**

Council recognises the vital contribution community organisations make to the economic, environmental, social and cultural wellbeing of Sunshine Coast communities.

Through the provision of community grants, Council is committed to supporting the implementation of community initiatives and partnerships that align with Council's strategic corporate priorities and demonstrate a purpose that is in the interests of the Sunshine Coast community.

The following principles provide a consistent approach to the administration of Council's Community Grants Policy and the delivery of Council's Grants Programs:

- Community organisations are provided with funding support to provide benefit to the Sunshine Coast community, in line with Council's strategic corporate priorities
- Vibrant, engaged and more resilient communities are developed through capacity building and partnerships
- Community organisations and volunteers are acknowledged for the positive contribution they make to the local community and Council's vision for the future
- Funds are distributed in an equitable and transparent manner that ensures good governance and adherence to the *Local Government Act 2009* and the *Local Government Regulation 2012*.

**COMMUNITY GRANTS PROGRAM**

The Community Grants Program Guidelines ensure an equitable, open and transparent process for applicants to seek financial assistance, and detail the specific aims and priorities of each category.

**Promotion and Support**

A wide range of media tools were used to promote the Community Grants Program and invite applications. This promotion included:

- Council's website
- Council's social media channels
- a media release
- spotlight print columns in local community newspapers
- spotlight radio advertisements
- Council's various e-newsletters
- features in Councillor columns
- grant information and writing sessions held at four locations, and
- flyers distributed in libraries and customer service centres.

Community Grants Development Officers and internal category specialists liaised widely with the community by:

- responding to enquiries
- providing assistance with project development
- providing advice on the preparation of application content and the application process
- linking applicants with other Council specialists, as appropriate, and
- assisting applicants with identifying other grant and funding opportunities.

**Applications**

A total of 148 applications were received across the seven grant categories of the 2019/20 Community Grants Program Major Grants Round One, requesting \$1,434,091 in funding.

**Assessment**

Council officers pre-assessed each application to determine eligibility. Assessment panels for each category were then established (as detailed in Attachment 1 and in the Internal Consultation section of this report). Panel members reviewed all eligible applications prior to the panel meeting and then met to assess the applications.

In accordance with Council's Community Grants Policy, any declaration of a panel member's conflict of interest must be recorded. That panel member must not be involved in the related deliberations. There were no conflicts of interest declared in the assessment of this Major Grants round.

Panel discussion focused on alignment to category aims and priorities, alignment to Council's strategic corporate priorities, community need and benefit, and the capacity of the organisation to achieve the project outcome. The panels also took into consideration the number of applications received and the amount of funding available. Panel members determined funding recommendations for Council's consideration.

Due to the large number of applications in each grant category, part funding was recommended in some instances.

In each case where part funding was recommended, the panel considered whether:

- the project could be successfully completed with the part funding allocated, and
- funding for stand-alone components of the project could be provided.

### Recommendation

Funding totaling \$525,030 for 95 projects is recommended for Council's consideration and endorsement as provided in Appendix A: Major Grant Recommendations August 2019.

Confidential Attachment 3: Major Grant Recommendations August 2019 - Additional Information provides further detail relating to the assessment of applications and is provided in confidence under Section 275 (h) of the *Local Government Act 2009*.

Table 3 is a summary of the applications and the recommended funding for each category.

Category	Applications received	Funding requested	Applications recommended	% Applicants recommended	Funding recommended (GST excl)
Community Development	36	\$268,238	25	69%	\$117,504
Community Events	21	\$199,986	20	95%	\$78,250
Community Facilities	50	\$611,401	25	50%	\$195,175
Cultural Development	6	\$44,465	5	83%	\$20,115
Cultural Heritage	7	\$52,056	3	42%	\$17,920
Economic Development	4	\$37,368	3	75%	\$18,500
Sport, Recreation and Healthy Living	24	\$220,577	14	58%	\$77,566
<b>Total</b>	<b>148</b>	<b>\$1,434,091</b>	<b>95</b>	<b>64%</b>	<b>\$525,030</b>

**Table 3. Major Grant Applications Summary and Recommended Funding**

The Funding Round Comparisons document at Attachment 2 details the funding comparison of the current round to previous Major Grant rounds.

The total cost of the recommended projects is valued over \$2.1 million (based on figures supplied by applicants). This is four times greater than the Council contribution recommended in this report.

### Program Evaluation

Ongoing evaluation of the Community Grants Program draws information from a variety of sources including:

- analysis of data provided by community organisations in application and acquittal reports
- engagement with community organisations, and
- consultation with internal stakeholders including category representatives.

### Benefits

Organisations recommended for funding in this round:

- reported the engagement of 2,543 volunteers to deliver their funded projects, and
- estimated 167,045 people would be direct beneficiaries of their projects (includes event patrons and/or participants).



## HERITAGE LEVY GRANTS PROGRAM

Heritage Levy Grants are an initiative funded by Council's Cultural Heritage Levy for not-for-profit museums and heritage organisations within the Sunshine Coast local government area.

Forming part of Council's endorsed Cultural Heritage Levy Program for the year, the 2019/20 Heritage Levy Grants Program includes two stand-alone grant streams:

- Collection Care Grants – to support best practice through the care, storage and conservation of the region's heritage collections
- Exhibition and Public Programs Grants – to support best practice related to the region's cultural heritage in the areas of exhibitions, public programs and events.

### Promotion and Support

The Heritage Levy Grants Program was promoted directly to eligible not-for-profit museums and heritage organisations through cultural heritage network events, Council e-Newsletters, workshops and direct communications.

### Applications

The 2019/20 Heritage Levy Grants round closed on 26 August 2019. Council received a total of 12 applications requesting a total of \$74,586 across the two grant streams.

### Assessment

Council officers pre-assessed each application to determine eligibility. The assessment panel set up to assess the Cultural Heritage category of the Community Grants Program's Major Grants (as detailed in Attachment 1 and in the Internal Consultation section of this report) also undertook the assessment of the Heritage Levy Grants Program applications. There were no conflicts of interest declared in the assessment of this Heritage Levy Grants round.

### Recommendation

Funding totaling \$51,522 for 11 projects is recommended for Council's consideration and endorsement (Appendix B).

Confidential Attachment 4: Heritage Levy Grants Recommendations August 2019 - Additional Information provides further detail relating to the assessment of applications and is provided in confidence under Section 275 (h) of the *Local Government Act 2009*.

Table 4 is a summary of the applications and the recommended funding for each stream.

Heritage Levy Grants Program Recommendations	Applications received	Funding requested	Applications recommended	% Applicants recommended	Funding recommended (GST excl)
Collection Care Program	7	\$41,509	6	85%	\$26,522
Exhibition and Public Programs	5	\$33,077	5	100%	\$25,000
<b>TOTAL</b>	12	\$74,586	11	91%	\$51,522

**Table 4. Heritage Levy Grant Applications Summary and Recommended Funding**

The project budgets for the successful applications total more than \$132,914 (based on figures supplied by applicants). This is 2.5 times greater than the Council contribution recommended in this report.

Organisations recommended for funding in this round reported the engagement of 104 volunteers to deliver their funded projects.

**Legal**

The recommendations contained within this report are in accordance with the Local Government Act 2009, Local Government Regulation 2012.

**Policy**

The recommendations contained within this report are in accordance with the adopted *Community Grants Policy*. Any requested changes to funding recommendations made by the panel need to be supported by evidence and that evidence recorded.

**Risk**

There may be some community concern in relation to the number of community groups that were unsuccessful in their application for funding under this program or were only part funded. The panels' considerations were thorough and in line with the *Community Grants Policy* and Community Grants Guidelines, as well as budget availability. In each case where part funding was recommended, the panel considered whether:

- the project could be successfully completed with the part funding allocated, and
- funding for stand-alone components of the project could be provided.

**Previous Council Resolutions****Ordinary Meeting 23 May 2019 (OM19/65)**

*That Council:*

- receive and note the report titled "2018/2019 Community Grants Program Major Grants Round 2 Recommendations" and*
- endorse the Major Grant Recommendations March 2019 (Appendix A).*

**Ordinary Meeting 29 January 2015 (OM15/5)**

*That Council:*

- receive and note the report titled "Community Grants and Partnership Funding Review 2014"*
- endorse Option 1 for Council support to community organisations for 2015/16 and beyond*
- endorse multi-year funding under the Community Partnership Funding Program to provide funding for periods of up to 3 years*
- note "Community Grants Program and Community Partnership Funding Program Review Report" (Appendix A)*

**Meeting 20 June 2013 (OM13/109)**

*That Council:*

- receive and note the report titled "**Community Grants Policy**"*
- adopt the Community Grants Policy (Appendix A)*
- note the Community Grants Guidelines (Appendix B) as amended by (f) below to implement the Community Grants Policy*
- adopt the Mayoral and Councillor Discretionary Funding Policy as amended (Appendix C)*
- note the Mayoral and Councillor Discretionary Funding Program Guidelines (Appendix D) and*
- amend the grants guidelines to include a clause that stipulates that each program is subject to annual budget allocations.*

**Related Documentation**

Related documentation includes funding agreements with successful community organisations.

Relevant policy and strategy documents include the following:

- Asset Management Policy (2010)
- Community Grants Guidelines (2017)
- Community Grants Policy (2013)
- Community Groups Occupying Council Owned and Council Controlled Land or Infrastructure Policy
- Environment and Liveability Strategy 2017
- Events Policy (2010)
- Heritage Levy Policy (2010)
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Statutory Bodies Financial Arrangements Act 1982*
- Sunshine Coast Aquatic Plan 2011-2026
- Sunshine Coast Arts Plan 2018 -2038
- Sunshine Coast Domestic Animal (Cats and Dogs) Management Strategy 2014-2020
- Sunshine Coast Reconciliation Action Plan 2017-2019
- Sunshine Coast Regional Economic Development Strategy 2013-2033
- Sunshine Coast Social Strategy 2015
- Sunshine Coast Sport and Active Recreation Plan 2011-2026

**Critical Dates**

The next Major Grants round under the Community Grants Program will open in February 2020 and close in March 2020. The next round of the Heritage Levy Grants Program will open in July 2020 and close in August 2020.

**Implementation**

Following endorsement of this report, notification of outcomes will take place. Funding will be distributed during October and November 2019, following online acceptance of conditions of agreement and compliance with any specific conditions of funding.



## 8.5 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR WATER SUPPLY EASEMENTS IN COOLUM BEACH LOCALITY

<b>File No:</b>	<b>F2018/26467</b>
<b>Author:</b>	<b>Senior Property Officer Business Performance Group</b>
<b>Attachments:</b>	<b>Att 1 - Coolum Trunk Watermain Project.....127 Att 2 - Coolum Trunk Watermain Project proposed easement locations .....129</b>

### PURPOSE

The purpose of this report is to seek an exception from Sunshine Coast Council ('Council') in accordance with the *Local Government Regulation 2012* from the tender or auction process to facilitate the registration of three (3) water supply easements in favour of Unitywater over Council freehold land located in the Coolum Beach locality.

### EXECUTIVE SUMMARY

Council received a request for consent to establish significant water infrastructure in road reserves and Council owned and controlled land for the Coolum Trunk Watermain Project ('Project') as shown on **Attachment 1 – Coolum Trunk Watermain Project**. The Project is being delivered for Aveo Group Limited as a result of the Ridges Peregian Springs Development ('Development') at Peregian Springs. The purpose of the proposed easements are for the water supply main from Ridges Boulevard, Peregian Springs to Suncoast Beach Drive, Mount Coolum where the infrastructure traverses Council freehold land. The locations of the proposed easements are shown on **Attachment 2 – Coolum Trunk Watermain Project proposed easement locations**.

This report seeks an exception from the tender or auction process in accordance with the *Local Government Regulation 2012* for the purpose of granting three (3) water supply easements in favour of Unitywater over Council freehold land legally described as Lot 903 SP239513, Lot 10 SP174679 and Lot 12 RP901264 located in the Coolum Beach locality.

### OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Exception under Local Government Regulation 2012 for water supply easements in Coolum Beach locality"
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an interest in land at Lot 903 SP239513, Lot 10 SP174679 and Lot 12 RP901264, other than by tender or auction applies, as the disposal is pursuant to section 236(1)(b)(i) to a government agency and
- (c) note that Unitywater is a government agency.

### FINANCE AND RESOURCING

Costs associated with facilitating the easements are expected to be approximately \$17,000.00 (including GST) and include easement plan preparation fees, valuation report preparation fees and registration fees payable to the Titles Office to register the dealing. Property Management Branch will commission a compensation assessment for the

diminished value of the encumbered land. All expenditure associated with these dealings, including valuation report preparation fees, survey plan preparation fees, easement documentation preparation, Titles Office administration fees and compensation payable to Council will be borne by Unitywater.

## CORPORATE PLAN

**Corporate Plan Goal:** *Service excellence*  
**Outcome:** We serve our community by providing this great service  
**Operational Activity:** S22 - Property management - comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Councils objectives.

## CONSULTATION

### Councillor Consultation

- Councillor S Robinson – Divisional Councillor
- Councillor C Dickson – Planning and Development Portfolio Councillor

### Internal Consultation

- Project Director (Workplace)
- Coordinator, Community Land Permits & Parking
- Senior Capital Works Program Officer, Asset Management & Capital Plan
- Strategic Planner, Strategic Planning
- Project Development Officer, Strategic Property
- Coordinator, Engineering & Environmental Assessment
- Technical Officer Open Space Planning, Parks & Gardens
- Project Officer, Environmental Operations
- Environment Project Officer, Environment and Sustainability Policy
- Technical Officer, Transport Infrastructure Management
- Manager, Transport and Infrastructure Planning
- Property Officer, Property Management Branch

### External Consultation

Council's Property Management Branch has liaised with JFP Urban Consultants, representing Aveo Group Limited in relation to this matter.

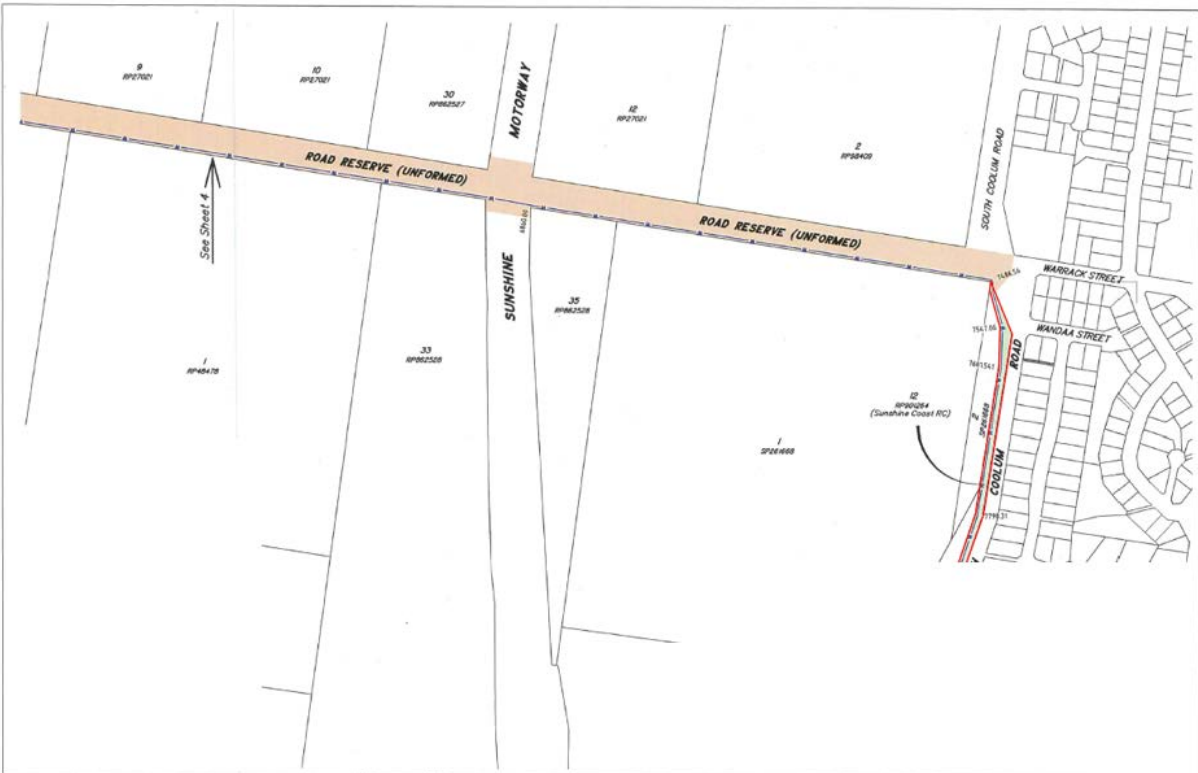
### Community Engagement

Due to the administrative nature of this report, no community engagement has been undertaken or is required by Property Management Branch.

## PROPOSAL

Council received a request for consent to establish significant water infrastructure in road reserves and Council owned and controlled land for the Coolum Trunk Watermain Project ('Project') as shown on **Attachment 1 – Coolum Trunk Watermain Project**. The existing approval for operational works permit OPW08/0242 is still valid for the Project. The Project is

being delivered for Aveo Group Limited as a result of the Ridges Peregrin Springs Development ('Development') at Peregrin Springs. The purpose of the proposed easements are for the water supply main from Ridges Boulevard, Peregrin Springs to Suncoast Beach Drive, Mount Coolum where the infrastructure traverses Council freehold land. The locations of the proposed easements are outlined in red below and on **Attachment 2 – Coolum Trunk Watermain Project proposed easement locations**.





The *Local Government Regulation 2012* stipulates that a disposal of an interest in land, other than by tender or auction, may occur if an exception applies. Section 236(1)(b)(i) provides for an exception if the disposal is to a government agency, in this instance, Unitywater. Section 236(2) provides that a Local Government must decide by resolution that an exception applies.

This report seeks an exception from the tender or auction process for the purpose of granting three (3) water supply easements in favour of Unitywater over Council freehold land legally described as Lot 903 SP239513, Lot 10 SP174679 and Lot 12 RP901264 located in the Coolum Beach locality as shown on the figures below.

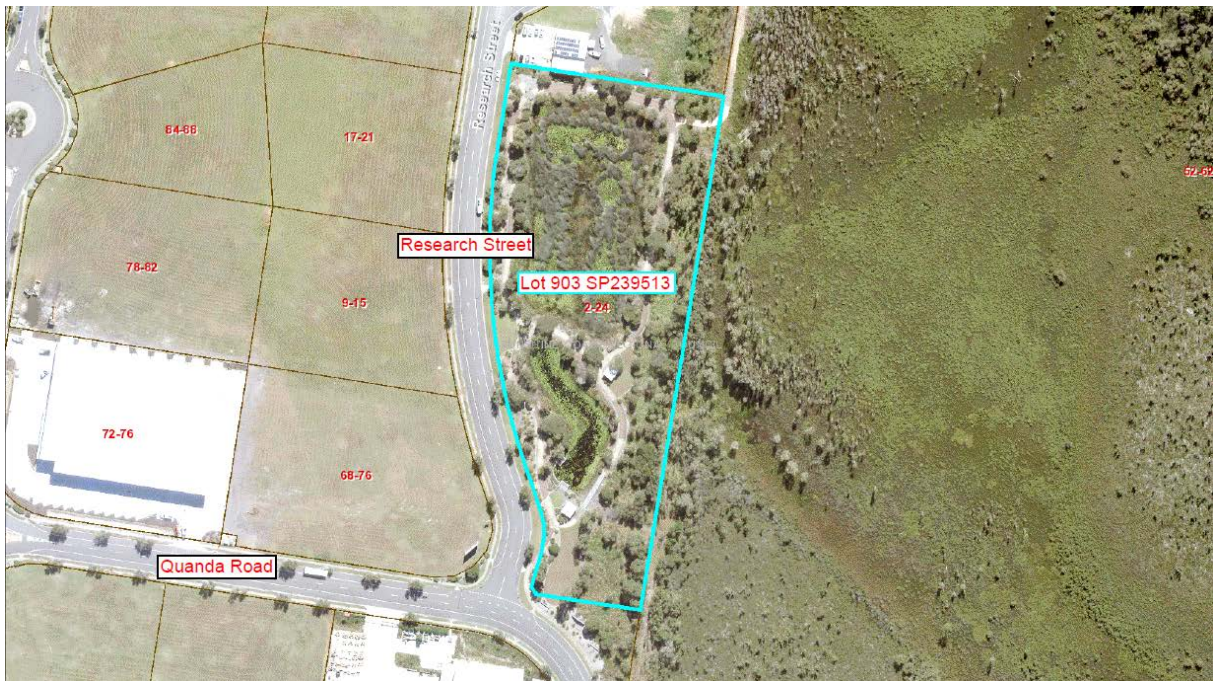


Figure 1. Lot 903 SP239513



Figure 2. Lot 10 SP174679





**Figure 3. Lot 12 RP901264**

The easements will be registered in accordance with Council's standard terms document number 714904857 for easements in favour of Unitywater on Council freehold land.

### Legal

Legal Services will review the easement documentation when provided to Council.

### Policy

This report has been prepared in accordance with Council's Procurement Policy relating to the disposal of Council assets.

### Risk

The risk associated with this report is that if the easements are not registered over the Unitywater infrastructure then water will not be supplied to the Development.

### Previous Council Resolution

There are no previous Council Resolutions relevant to this report.

### Related Documentation

Council's standard terms document number 714904857 for easements in favour of Unitywater on Council freehold land will be registered on Title.

### Critical Dates

There are no critical dates relevant to this report, however, works cannot proceed until the registration of the easements are finalised.

### Implementation

If Council resolves that an exception to section 236 of the *Local Government Regulation 2012* applies, the easement documentation and survey plans prepared by Unitywater will be executed by Council's Delegated Officer.



**8.6 SEPTEMBER 2019 FINANCIAL PERFORMANCE REPORT**

**File No:** Financial Reports  
**Author:** Coordinator Financial Services  
Business Performance Group

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Late report to be provided.



**8.7 SUNSHINE COAST CITY HALL - PROJECT UPDATE**

**File No:** Council meetings  
**Author:** Project Director (Workplace)  
Business Performance Group

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Late report to be provided.



**8.8 AUDIT COMMITTEE MEETING 9 SEPTEMBER 2019**

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Manager Audit and Assurance Office of the CEO</b>
<b>Appendices:</b>	<b>App A - Audit Committee Minutes 9 September 2019 .....139</b>

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**PURPOSE**

To provide Council with information on matters reviewed at the Audit Committee Meeting held 9 September 2019 (*Section 211 Local Government Regulation 2012*) and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

**EXECUTIVE SUMMARY**

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

The Audit Committee agenda was distributed electronically to all Councillors on 2 September 2019 with agenda reports categorised as Chief Executive Officer's Update, External Audit, Audit and Assurance, and Governance Reporting.

**OFFICER RECOMMENDATION**

**That Council receive and note the report titled "Audit Committee Meeting 9 September 2019".**

**FINANCE AND RESOURCING**

There are no financial or other resources required as a result of this report beyond that provided under the 2019/2020 Audit & Assurance operational budget.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>An outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S29 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

**CONSULTATION****Councillor Consultation**

Councillors who are members of the Audit Committee.

**Internal Consultation**

Board of Management

**External Consultation**

External members of the Audit Committee.

**Community Engagement**

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

**PROPOSAL**

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

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

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

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

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

The matters reviewed at the 2 September 2019 Audit Committee Meeting (refer Minutes Appendix A) were as follows.

**Chief Executive Officer's Update**

- Update on Council's performance
- Asset Management Roadmap
- Update on New Payroll System

**External Audit Reports**

- Draft 2018/19 Financial Statements

**Audit and Assurance Reports**

- Fraud and Corruption Risk Assessment – Procurement Function and Accounts Payable (KPMG Review)
- Audit and Assurance Status Report



**Governance Reporting**

- Work Health and Safety Report
- Governance Report

**Legal**

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

**Policy**

There are no policy implications associated with this report.

**Risk**

Specific risks have been detailed in the various agenda reports.

**Previous Council Resolution****Ordinary Meeting 20 June 2019 (OM19/96)**

*That Council:*

- receive and note the report titled “**Audit Committee Meeting 27 May 2019**”*
- endorse the Audit Committee Minutes 27 May 2019 (Appendix A), Audit Committee Charter 2019 (Appendix B) and 2019 – 2020 Internal Audit Work Plan (Appendix C).*

**Ordinary Meeting 28 February 2019 (OM19/27)**

*That Council:*

- receive and note the report titled “**Audit Committee Meeting 29 January 2019**” and*
- endorse the Audit Committee Minutes 29 January 2019 (Appendix A), Audit Committee Charter 2019 (Appendix B) and Internal Audit Charter 2019 (Appendix C).*

**Related Documentation**

Audit Committee Agenda for 9 September 2019 was issued to Councillors 2 September 2019.

**Critical Dates**

There are no critical dates associated with this report.

**Implementation**

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



**8.9 SUNSHINE COAST AIRPORT DRAFT MASTER PLAN 2040 - CONTRACT COMPLIANCE - SCA FRAMEWORK AGREEMENT**

**File No:** Council meetings  
**Author:** Project Director (Workplace)  
Business Performance Group

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Late report to be provided.



**9 NOTIFIED MOTIONS**

**10      TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

**11 CONFIDENTIAL SESSION**

**11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL - PALMWOODS**

**File No:** MCU18/0345 (APL19/0037)

**Authors:** Principal Planner Appeals Management  
Customer Engagement & Planning Services Group  
Solicitor  
Office of the CEO

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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.

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**12 NEXT MEETING**

The next Ordinary Meeting will be held on 14 November 2019 in the Council Chambers, 1 Omrah Avenue, Caloundra.

**13 MEETING CLOSURE**