

Agenda

Ordinary Meeting

Thursday, 22 May 2014

commencing at 9.00 am

Council Chambers, 1 Omrah Avenue, Caloundra

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Special Meeting (Sunshine Coast Planning Scheme and Light Rail Project) held on 14 April 2014, the Ordinary Meeting held on 24 April 2014 and the Special Meeting (Maroochydore PDA Development Scheme) held on 28 April 2014 be received and confirmed.

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

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

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

5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

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

6 MAYORAL MINUTE**7 PRESENTATIONS**

8 REPORTS DIRECT TO COUNCIL**8.1 REGIONAL STRATEGY AND PLANNING****8.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (MULTIPLE DWELLING UNITS) AT 2-10 GALAH PLACE, MOUNTAIN CREEK**

File No: MCU13/0265

Author/Presenter: Principal Development Planner
Regional Strategy & Planning Department

Appendices: App A - Conditions of Approval 25

Attachments: Att 1 - Proposal Plans 37

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1434894>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Chadmont Pty Ltd
Proposal	Development Permit for Material Change of Use of Premises (22 Multiple Dwelling Units)
Properly Made Date:	24 December 2013
Information Request Date:	Not Applicable
Information Response Received Date:	16 January 2014
Decision Due Date	19 March 2014
Number of Submissions	26 Objecting – 24 Properly Made, 2 Not Properly Made
PROPERTY DETAILS	
Division:	4
Property Address:	2-10 Galah Place, Mountain Creek
RP Description:	Lot 2001 SP 231383
Land Area:	14,660m ²
Existing Use of Land:	Vacant (Designated Multiple Dwelling Unit Site)
STATUTORY DETAILS	
SEQRP Designation:	Urban Footprint.
Planning Scheme	Maroochy Plan 2000 (16 September 2013)
Strategic Plan Designation:	Urban
Planning Area / Locality:	Planning Area 3 - Sippy Downs
Planning Precinct / Zone:	Precinct 11 – Kawana Estates - Master Planned Community
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for Material Change of Use of Premises (22 Multiple Dwelling Units) at 2-10 Galah Place, Mountain Creek. The application is before council due to significant public interest.

EXECUTIVE SUMMARY

The proposed 22 Multiple Dwelling Units are the final stage of a three stage Multiple Dwelling Unit development within the Brightwater Estate. Stages 1 and 2 were subject to Code Assessment and were approved as part of a separate application (MCU14/0029). This proposal is subject to Impact Assessment due to it exceeding the density nominated on the approved Plan of Development.

The main issues that have been identified in this report include density, building setbacks, traffic and pedestrian access.

The subject site is located within a residential sub-precinct that nominates a maximum density of 17 dwellings per hectare under the Bundilla Local Area Structure Plan. The additional units proposed on this site would exceed the density by 0.5 of a dwelling per hectare, or 9 units. However, the precinct allows for up to 795 dwellings across four sub-precincts. Should the subject application be approved, a total of 760 dwellings would be constructed in this precinct. While the density for this sub-precinct is exceeded, the overall density for Precinct 7 is below that permitted under the Bundilla Local Area Structure Plan.

The proposal incorporates reduced setbacks to the street frontages of between 2–3 metres. The subject site is located directly opposite the Brightwater Town Centre. Given the site's very central location, the desired urban design outcome is for buildings to frame and address the main street and the town centre. By directly addressing the street, the development frames the street, providing an improved townscape outcome.

With regard to traffic, all roads within the Brightwater Estate have been developed to cater for the maximum capacity permitted under the master plan. Some nearby sites have not been developed to their full capacity, resulting in remaining sufficient road network capacity to cater for the proposal. Thus, no traffic problems are anticipated to result from this development.

Access to the proposed development was approved as part of Stages 1 and 2 of the development. Access was assessed at this time, and was found to comply with the Maroochy Plan 2000, which encourages access from lower order roads.

Numerous pedestrian linkages are provided throughout the site. The applicant is also proposing a footpath along Galah Place to connect the existing footpath network with the adjoining park. This is currently a missing link in the footpath network in the area.

All of these issues can be addressed, or relevant conditions have been imposed to mitigate potential impacts. Therefore, approval with conditions is recommended.

OFFICER RECOMMENDATION

That Council **APPROVE WITH CONDITIONS** Application No. MCU13/0265 and grant a **Development Permit for a Development Permit for Material Change of Use of Premises (22 Multiple Dwelling Units)** situated at **2-10 Galah Place, Mountain Creek, as per Appendix A.**

FINANCE AND RESOURCING

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

Council's Infrastructure Policy Branch has provided an estimate of the infrastructure contributions required by this development as being \$247,183. It should be noted that an Infrastructure Agreement is in place for Brightwater which stipulates specific Infrastructure Charging rates that differ from the current Adopted Charges regime.

PROPOSAL

The application seeks approval for a Development Permit for a Material Change of Use to establish 22 Multiple Dwelling Units.

The built form of the proposed development comprises three building clusters of two storey townhouse style units.

The proposed units form the final stage of a three stage unit development. Under the Bundilla Local Area Structure Plan, Multiple Dwelling Units are identified as code assessable where nominated on an approved Plan of Development, and compliant with the nominated density for the subject site on this plan (56 units).

When the application was originally lodged, it included all three stages. However, as more than 20 submissions objecting to the application were received during the public notification stage, the applicant chose to lodge a code assessable application for Stages 1 and 2, and to change the current application to include only Stage 3. Stages 1 and 2 were approved under application MCU14/0029 on 20 March 2014.

The key development parameters for the proposal are detailed in the below table:

Key Development Parameters	
Site Area	1.46 ha
Site cover Stage 3	1703.2m ² (42.01%)
Overall Site Cover (Stages 1-3)	5726.4m ² (39%)
No. of Units	22
Maximum Number of Storeys	2 Storey/ 12 metres
Unit break down	Townhouses: Type A (2 Bed + Single Lock Up Garage) – 11 Type B (3 Bed + Single Lock Up Garage & Tandem) - 9 Type C (4 Bed + Double Lock Up Garage) – 2 Total Townhouses: 22
Landscaping (Stage 3)	
Common Open Landscaping	437.7m ²
Private Open Space	982.1m ²
Total Landscaping	35.02% (1419.8 m ²)
Car parking (Stage 3)	
Total Car Parks	2 Bedroom Units (11 x 1.25) = 13.75 spaces 3+ Bedroom Units (11 x 1.75) = 19.25 spaces Visitor Spaces (22 x 0.25) = 6 spaces Total: 38 spaces Required: 39 spaces
Overall Car Parking (Stages 1-3)	Total Required = 130 spaces Total Achieved = 145 spaces

SITE DETAILS

Background/Site History

The subject site was zoned Rural B with reference to the 1985 Planning Scheme. However, in 1996, it was rezoned to a designation of Urban within the Strategic Plan of the time. This urban designation was subsequently included in the provisions of the Maroochy Plan 2000, and the site was delineated as a Master Planned Community precinct.

In 2000, an application was made to council for a Preliminary Approval for a Material Change of Use of Premises Overriding the Planning Scheme (Master Planned Community in accordance with the Bundilla Local Area Structure Plan) (MCU00/0222). Substantial assessment of the proposal eventuated in a negotiated decision issued 4 March 2004. This Preliminary Approval established the Bundilla Local Area Structure Plan, which acts as an additional statutory planning instrument overriding the existing Maroochy Plan 2000.

A change to this approval was made in January 2005, enacting changes to an approved document. Essentially, additional commentary has been inserted into the Rehabilitation/Revegetation Code to achieve a broader understanding of the specific interpretation of the Performance Objectives and Prescribed Measures.

In addition to the above Preliminary Approval Overriding the Planning Scheme (MCU00/0222), the below table represents relevant higher order approvals issued to date:

Application Number	Application for	Relevant Stage	When Approved
MCU00/0222	Preliminary Approval Overriding Planning Scheme <ul style="list-style-type: none"> Bundilla Local Area Structure Plan created Tables of Development Assessment created 	All Stages	4 March 2004
REC04/0219	1175 lots	All stages	14 March 2007
REC09/0065	Development Permit to Reconfigure a Lot (2 Lots into 798 Lots)	Stages 9 to 29	24 December 2009
MCU14/0029	Development Permit for a Material Change of Use Multiple Dwelling Units (53)	The subject site	20 March 2014

MCU14/0029

A Development Permit was issued for Stages 1 and 2 of the proposed development on 20 March 2014.

Stages 1 and 2 included the following:

- Stage 1: Units 1-18, 31-36 and 72-75
- Stage 2: Units 19-30 and 37-49
- Central communal facilities are approved including a covered BBQ area, 15 metre lap pool which flows through to a larger swimming pool and shallow children's pool. A communal change room, toilet and outdoor shower are located adjacent to the BBQ area. The Communal facilities are located centrally within the site
- The approved development is accessed from Hibbertia Street. A service vehicle exit point is approved on Galah Place. This will have a boom gate and will only be used by council's Waste Management Team once a week.

Site Description and Surrounding Land Uses

Site & Locality Description	
Road Frontage	The subject site has road frontage to Brightwater Boulevard, Attenuata Drive, Hibbertia Street and Galah Place
Existing Significant Vegetation	The site is clear of any vegetation
Topography	The site is relatively level, and slopes down towards the north eastern corner of the lot adjacent to Attenuata Drive and Brightwater Boulevard
Surrounding Land Uses	North – Shopping Complex North East- Approved Retirement Village and shops East – Daycare Centre, Community Facility Site and Brightwater State School South – Park/ Detached Dwellings West – Detached Dwellings

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



ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

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

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

Statutory Instruments – State and Other

The new State Planning Policy adopted in December 2013 details certain ‘state interests’ that must be respected and considered in both strategic land use planning and development assessment. The state interests include the following:

- Liveable Communities and Housing
- Economic Growth
- Environment and Heritage
- Hazard and Safety
- Infrastructure

On a broad scale, the proposed development complies with the outcomes sought for these key state interests. The development is occurring in an established urban area, it is well serviced, close to facilities and provides a built form that blends with the prevailing residential character of the area.

South East Queensland Regional Plan

The subject sites are located within the Urban Footprint of the South East Queensland Regional Plan. The proposal is for an urban use and, therefore, complies with the regulatory provisions of the South East Queensland Regional Plan.

Element 8 of the South East Queensland Regional Plan discusses the notion of Compact Settlement and requires a minimum density of 15 dwellings per hectare. The development has a density of 17.5 dwellings per hectare complying with this policy direction.

Preliminary Approval Overriding the Planning Scheme (Section 3.1.6)

As noted above, the subject site is affected by a Section 3.1.6 approval, which overrides aspects of the planning scheme. As part of the Section 3.1.6 application, the subject application is assessable against the Bundilla Local Area Structure Plan, in particular, Precinct 7 - Bundilla South Residential.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is the Maroochy Plan 2000 (16 September 2013). However, the Bundilla Local Area Structure Plan overrides, in part, aspects of the planning scheme.

For information purposes, the subject site is located in Planning Area 3 - Sippy Downs, Planning Precinct 11 - Kawana Estates and within the Master Planned Community Precinct Class. In accordance with the Preliminary Approval, the Bundilla Local Area Structure Plan prevails and overrides Volume 3 of the Maroochy Plan 2000. Further assessment against the local planning area is not required in accordance with the provisions of the *Sustainable Planning Act 2009*.

The site is identified as being within Precinct 7 - Bundilla South Residential and Sub-Precinct 7.2 in the Bundilla Local Area Structure. The subject lot was created as part of a subdivision approval (REC10/2003). As part of this approval, the subject site was nominated as a Multiple Dwelling Unit site for 56 units.

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

- Element 3.3 of the Bundilla Local Area Code
- Code for Landscaping Design
- Code for Transport, Traffic and Parking
- Operational Works Code
- Code for Integrated Water Management

The application has been assessed against Bundilla Local Area Structure Plan and the above applicable codes, and can be conditioned to comply with each. The pertinent issues arising out of assessment against the codes are discussed below:

Density

The Bundilla Local Area Structure envisages the following for Precinct 7:

- *Residential precinct accommodating approximately 1900 persons in no more than 795 dwellings.*
- *Provides a wide range of housing types to meet the housing needs of a wide spectrum of the Sunshine Coast Population.*
- *Has a dwelling unit factor (DUF) of 200 for multi-unit residential purposes.*

Sub-precinct 7.2 seeks to:

- achieve a gross residential density of up to 17 dwellings per hectare.

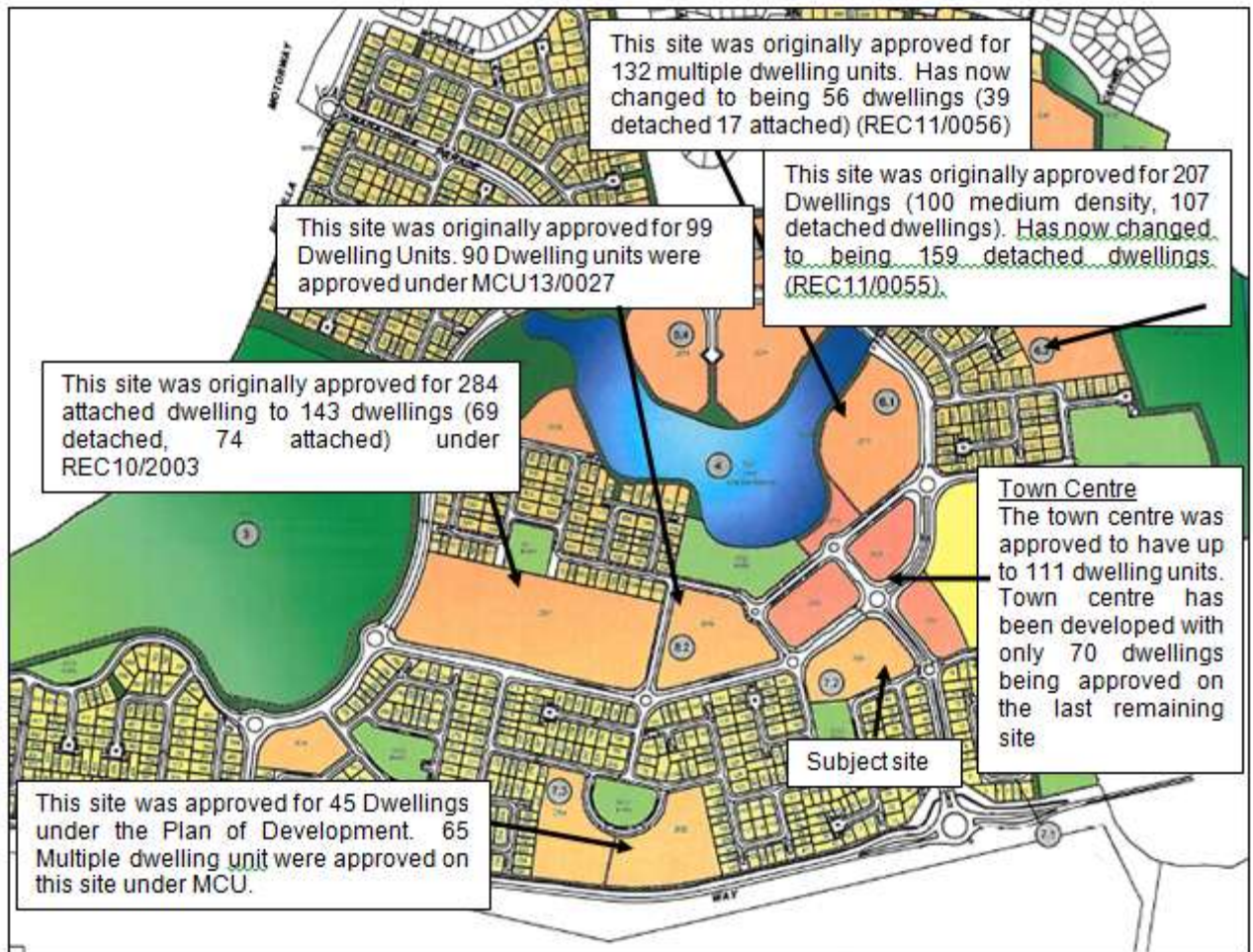
With the inclusion of the proposed units, the precinct will have a residential density of 17.5 dwellings per hectare, exceeding the nominated density by 0.5 dwellings per hectare, or nine dwellings. The precinct also nominates a dwelling unit factor (DUF) of 200 for multi-unit residential purposes, allowing for 73 x 2 bedroom units. The proposal is slightly more than the allowable density for the site (44 x 2 bedroom dwellings and 31 x 3 bedroom dwellings).

However, Precinct 7 allows for up to 795 dwellings across four sub-precincts. Including the subject application, a total of 760 dwellings would be constructed in this Precinct. While this exceeds the density for this sub-precinct, the overall density for Precinct 7 is below that permitted under the Bundilla Local Area Structure Plan.

Furthermore, a number of medium density sites within the Brightwater Estate have recently been re-subdivided for the purposes of residential housing lots. This has resulted in a lower residential density being achieved than was originally planned. Examples of this within proximity to the subject site include:

- Precinct 6.1 just north of the Town Centre changed from 132 dwellings (all attached) to 56 dwellings (39 detached, 17 attached)
- Precinct 8.2, located west of the Town Centre, changed from 284 dwellings (all attached) to 143 dwellings (69 detached and 74 attached)
- Precinct 1 is approved for 111 dwellings under the Bundilla Local Area Structure Plan. Three of the four sites in the Town Centre have been developed for commercial uses only, with no residential component. The last remaining Town Centre site has an approval for a Retirement Village with 70 dwelling units.

The above changes can be seen in the below map.



Acceptable Measure A2 of the Code for Multiple Dwelling Units of the Bundilla Local Area Structure Plan requires that *the number of dwelling units on the site does not exceed:*

- the maximum Dwelling Unit Factor (DUF) of the local area (being 200 for precinct 7.2) or
- the nominated on an approved Plan of Subdivision.

As discussed above, the proposed total density of the 22 units proposed in Stage 3, in addition to the 53 units approved in Stages 1 and 2, is marginally above both the allowable Dwelling Unit Factor and the 56 units nominated on the approved Plan of Subdivision.

The associated Performance Criteria stipulates that:

“The number of dwelling units developed on the site must be consistent with the desired character of the precinct in which it is situated, and the site’s physical conditions, environmental characteristic and infrastructure capacity”.

Precinct 7 of the Bundilla Local Area Structure Plan is intended to accommodate a range of residential uses, but predominately detached houses, dual occupancies and multiple dwelling units. The proposal is in keeping with these intended uses. As discussed above, although the proposal marginally exceeds the allowable density for the sub-precinct (by 0.5 of a dwelling per hectare), it is still well within the allowable density for the precinct as a whole.

As noted above, the subject precinct and other surrounding precincts have not been developed to the maximum capacity allowed for under the Bundilla Local Area Structure Plan. A network study demonstrating that the existing water and sewer infrastructure has capacity has been submitted to council. Furthermore, council has recently approved numerous applications to further subdivide other Multiple Dwelling unit sites to be regular residential lots, which has resulted in a loss of density than what was anticipated and originally approved.

Given the above, it is considered that the proposal is consistent with the desired character of the area and the site’s physical conditions.

Design and Building Setbacks

Acceptable Measure A1.1 of Element 2 of the Code for Multiple Dwelling Units, contained within the Bundilla Local Area Structure Plan, recommends a setback of four metres to building walls and four metres to balconies. The proposed units incorporate a setback of three metres to building walls and two metres to balconies.

The associated Performance Criteria requires that:

The premises must be sited and designed taking into account its relationship with adjoining premises, as well as the contextual relationship with the street and the locality which establish the overall setting of the site including:

- *topography and site features including vegetation*
- *natural drainage lines*
- *existing buildings*
- *the location and amenity of adjacent buildings and sites*
- *streetscape character and context*

- *orientation and micro climate*
- *views and vistas*
- *potential sources of high levels of noise.*

The site is relatively level, with a slight slope down towards the north eastern corner of the lot adjacent to Attenuata Drive and Brightwater Boulevard. The proposal takes into account this fall and has been designed so that the proposed three storey units are located on the lower portion of the site, and the two storey townhouses on the higher side.

The prominent location of the subject site in relation to the adjacent town centre (which adjoins the site on both Attenuata Drive and Brightwater Boulevard) is a key aspect to the proposal. If a typical townhouse style development were established on the site, the outcome would result in townhouse backyards being adjacent to the street. Both the Maroochy Plan 2000 and the Bundilla Local Area Structure Plan require fencing along street frontages to be 50% permeable. This would result in a 'backyard area' that would have very little privacy for the users. It may also potentially create an outcome where development would essentially be internalised and turn its back on the street.

Pre-design and pre-lodgement meetings were held with the applicant before the proposal was lodged. During this process, the applicant was encouraged to provide a built form demonstrating greater compatibility with its urbanised setting, typical of village housing. Council officers regard the village housing built form as providing an improved outcome in this location as it fulfils key urban design principles and minimises negative impacts relating to privacy, street activation and activity, Crime Prevention Through Environmental Design and the composition of an urban space.

The proposed development provides dwellings with entries to the street and utilises the development's driveway as a laneway. Such an approach encourages interaction with the street by utilising the street frontage as the front of the building addressing the issues of activation and passive surveillance.

By facing and addressing the street, the development creates a townscape by framing the street with its appropriate proportion and an anticipated scale, providing an improved outcome.

The application proposes setbacks to the street which are necessary to achieve the desired village housing outcomes. The proposed setbacks are supported by the 'Next Generation Planning' publication, which is endorsed by the Council of Mayors, Queensland Government and Australian Government. In Next Generation Planning, 8.8 - Low Rise Apartments, setbacks of two metres to outdoor covered areas and four metres to the building are supported. In Next Generation Planning, 8.6 - Row House or Terrace House, setbacks of one metre to outdoor covered areas and three metres to the building are supported. The proposed townhouses are akin to row/terrace houses, with the three storey walk-ups approved in Stages 1 and 2 being a Low Rise Apartment type development.

The proposed units have been designed to optimise the number of units which will have a northerly aspect, as well as establish a number of north/south view lines throughout the site.

As the site fronts Brightwater Boulevard, which is a higher order road and the Brightwater Town Centre, the applicant has submitted an acoustic report to deal with any potential noise issues. Recommendations including façade upgrades will be conditioned as part of any approval.

The site does not incorporate any natural drainage lines. It will be conditioned that all stormwater from the site be distributed to the existing stormwater drainage network located in the streets surrounding the site.

Given the above, it has been demonstrated that the siting and design of the proposal does take into account the site's relationship with the surrounding area and will result in a better outcome than a development that would have complied with the above Acceptable Measure.

Traffic/ Road Network

The road network has been designed for multiple dwellings. Traffic studies were conducted as part of the original Master Plan and Reconfiguration of a Lot approval (MCU00/0222, REC04/0219 and REC09/0065). These studies were based on the maximum development capacity. As discussed above, the Brightwater Estate has not been developed to the maximum capacity anticipated under the approved master plan. It should also be noted that Brightwater has been designed to have three main entry/exit points connected via a District Collector Road (Brightwater Boulevard) allowing a distribution of traffic throughout the Estate to suit the intended destination.

It should also be noted that construction of the bridge across the Brightwater lake has commenced and is estimated to be completed by the end of August this year, which will form the last missing link in Brightwater Boulevard. The timing of the construction of this bridge is in accordance with the approved Infrastructure Staging Plan.

Therefore, the road network has sufficient capacity to accommodate the proposal.

Access

Access to the site has previously been approved as part of the application for Stages 1 and 2 of the proposed development (MCU14/0029), but is discussed below for information purposes.

The site is unique with four road frontages. The Code for Transport, Traffic and Parking within the Maroochy Plan 2000 stipulates that access must not be gained off district collector roads and, where possible, gained via the lowest order road. Both Brightwater Boulevard and Attenuata Drive are Internal Collector Roads and both Hibbertia Street and Galah Place are access streets under the Maroochy Plan's Road hierarchy. The neighbouring shopping centre's main driveway is located directly opposite the subject site, which means there is no opportunity for access off Attenuata Drive. Therefore, under the Maroochy Plan 2000, the streets that are preferable for access are Hibbertia Street or Galah Place.

The application proposes the main access to be off Hibbertia Street, with a service vehicle exit located on Galah Place. The proposed service vehicle exit is to be used only by a service vehicle for the once a week refuse collection. Council's Traffic Engineer has assessed the proposal and has advised that, as the access point on Galah Place is only to be used as an exit and is located on the outside of a corner, there is sufficient visibility from traffic coming from both directions. To prevent this exit being used by residents, it will be conditioned that this exit must only be used for rubbish collection as proposed by the applicant.

The main access proposed on Hibbertia Street will not impede manoeuvring from any adjacent driveways.

Pedestrian Connectivity

Multiple pedestrian linkages are provided through the site to provide access to each road frontage and the wider pedestrian network which connects the Brightwater Estate. The applicant is also proposing to construct a new footpath along its road frontage on Galah Place to connect the existing footpath networks on Brightwater Boulevard to the Park on Galah Place.

Overlay Provisions

The following Overlays are applicable to this application:

- Acid Sulphate Soils
- Cultural Heritage Places
- Bushfire Prone Areas
- Flood Prone and Drainage Constraint Land
- Koala Management Areas
- Waterways and Wetlands
- Steep and Unstable Land

It is noted that these issues have been addressed by the Preliminary Approval Overriding the Planning Scheme and the parent Reconfiguration of a Lot applications. The subject site has been cleared and prepared for development. Therefore, no further assessment is necessary.

CONSULTATION

IDAS Referral Agencies

Not Applicable

Other Referrals

The application was forwarded to the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment Branch
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment Branch
- Landscape Officer, Engineering and Environment Assessment Branch
- Urban Designer, Planning Assessment Branch.

Their assessment forms part of this report.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Sustainable Planning Act 2009*. 24 properly made submissions and 2 not properly made submissions objecting to the development were received. It should be noted that, of these

submissions, 20 were in a proforma letter format. 10 of the 20 proforma submissions were submitted by residents outside the Estate.

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

Issues	Comments
Too many units in the area. Not an appropriate site. Would like aquatic centre.	The subject site is nominated as a Multiple Dwelling Unit site and was always intended for unit development.
Exceeds density <ul style="list-style-type: none"> • Not in accordance with DUF • Exceeds sub – precinct density 	<p>As discussed above, DUF is an Acceptable Solution contained within the code for Multiple Dwelling Units within the Bundilla Local Area Structure Plan. The applicant has demonstrated that the proposed development is in accordance with the related Performance Criteria.</p> <p>It is acknowledged that the proposal does exceed the density of 17 dwelling per hectare prescribed under the Bundilla Local Area Structure plan by 0.5 of a dwelling per hectare. However, the proposal is in keeping with the prescribed density for Precinct 7 as a whole. Furthermore, Brightwater as a whole development does not exceed the density targets set under the Bundilla Local Area Structure Plan.</p>
Reduced Setbacks <ul style="list-style-type: none"> • Creates a cannon effect • Decrease visual Amenity of the area when entering the estate • Decrease in privacy from adjoining properties • Spoils neighbouring properties view 	<p>As discussed above, by facing and addressing the street the development creates a townscape by framing the street with its appropriate proportion and an anticipated scale and provides a clear entry into the Town Centre. This is the opposite to a cannon effect that would be created if the buildings turned their back on the street.</p> <p>The subject site was always intended to be developed for Multiple Dwellings. Multiple Dwellings on this site can be built up to 4 storeys/15 metres. The proposal is for mostly 2 storey town houses, with 3 storey walk ups fronting Attenuata Drive opposite the existing Shopping Centre. The proposal is not considered to negatively impact on views.</p>
Traffic <ul style="list-style-type: none"> • Not enough capacity on the roads • Impact of service vehicle exit • Driveway on Hibbertia street to close to a local park, should be on any of the other 3 streets • Will cause congestion around the town centre and school • Parking on the street will cause congestion 	<p>Traffic studies were conducted as part of the original Master Plan and Reconfiguration of a Lot approval (MCU00/0222, REC04/0219 and REC09/0065). These studies were based on maximum development capacity. As discussed above, the Brightwater Estate has not been developed to the maximum capacity anticipated under the approved master plan. Therefore, the road network has sufficient capacity to accommodate the proposal.</p> <p>The proposed accesses were approved as part of Stages 1 and 2. Proposed stage 3 is not proposing any additional access points.</p>

Issues	Comments
	<p>Roads in and out of the town centre are classified as “district collector roads” and are designed to carry 7000 vehicle movements per day. All intersections along these road have also been designed to carry the maximum capacity.</p> <p>The proposal exceeds the applicable parking requirements of Maroochy Plan 2000. Furthermore, on street parking has been shown on the approved plans.</p>

NEW SUNSHINE COAST PLANNING SCHEME

The subject site is zoned Emerging Community and is located within the Kawana Waters Local Plan of the new Sunshine Coast Planning Scheme. The application would remain assessable under the Bundilla Local Area Structure Plan and remain impact assessable.

CONCLUSION

In summary, the proposal is for the final stage of a three stage unit development. The main issues that have been identified above include density, setbacks/design, traffic, access and pedestrian connectivity. All of these issues have either been found to be compliant with the applicable Performance Criteria, or relevant conditions have been imposed to mitigate potential impacts. The proposal has demonstrated compliance with the Bundilla Local Area Structure Plan and Maroochy Plan 2000. Therefore, approval with conditions is recommended.

8.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE 5 TOORINGOOR CLOSE PELICAN WATERS

File No:	MCU14/0015
Author/Presenter:	Senior Development Planner Regional Strategy & Planning Department
Appendices:	App A - Conditions of Approval55
Attachments:	Att 1 - Proposal Plans65

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1451440>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Caloundra Building Approvals Pty Ltd
Proposal	Development Permit for Material Change of Use of Premises - Duplex Dwelling
Properly Made Date:	20/02/2014
Information Request Date:	07/03/2014
Information Response Received Date:	11/03/2014
Decision Due Date	10/06/2014
Number of Submissions	Nil
PROPERTY DETAILS	
Division:	2
Property Address:	5 Tooringoor Close, Pelican Waters
RP Description:	Lot 334 SP166662
Land Area:	1,120m ²
Existing Use of Land:	Vacant Land
STATUTORY DETAILS	
SEQRP Designation:	Urban Footprint.
Planning Scheme	Caloundra City Plan 2004 (16 September 2013)
Strategic Plan Designation:	Not Applicable
Planning Area / Locality:	Caloundra South
Planning Precinct / Zone:	Emerging Community (Sub-precinct PW3)
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for Development Permit for Material Change of Use of Premises (Duplex Dwelling) at 5 Tooringoor Close, Pelican Waters. The application is before council at the request of the Divisional Councillor.

EXECUTIVE SUMMARY

The proposal before council is for a Duplex Dwelling to be constructed at 5 Tooringoor Close, Pelican Waters on a vacant lot within an established street. The application is impact assessable as the site has not been nominated as a duplex lot on the approved plan of development for the parent subdivision. It is noted that duplex dwellings are not listed as inconsistent uses within the Emerging Community Precinct and as such each duplex application in this precinct must be assessed on its merits. The lot size and configuration of the proposed duplex results in the presentation to Tooringoor Street as a large single dwelling, with the additional dwelling unit access provided from a secondary lane/road.

Assessment of the application against all regulatory provisions, did not reveal any significant areas of non-compliance. The proposal offers an infill opportunity that does not compromise the amenity and character of the locality on the basis that the proposed setbacks, site cover, height and orientation of the proposal are consistent with a single dwelling. It is noted that the development did not attract any submissions as a result of the public notification of the application. The application is recommended for approval, subject to conditions.

OFFICER RECOMMENDATION

That council APPROVE WITH CONDITIONS Application No. MCU14/0015 & OPW14/0065 and grant a Development Permit for Material Change of Use of Premises and Operational Works - Duplex Dwelling situated at 5 Tooringoor Close, Pelican Waters, in accordance with Appendix A.

FINANCE AND RESOURCING

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

Council's Infrastructure Policy Branch has provided an estimate of \$17,950 for the infrastructure charges required by this development (which excludes infrastructure charges to Unitywater).

PROPOSAL

The application seeks approval for a combined Development Permit for Material Change of Use of Premises to establish a Duplex Dwelling and Operational Works (Road Works, Drainage Works, Landscaping, Stormwater, Water and Sewerage Infrastructure) at 5 Tooringoor Close, Pelican Waters, described as Lot 334 SP166662.

The proposed duplex dwelling comprises 2 x 3 bedroom units. Unit 1 will have a floor area of 216.15m² and Unit 2 will have a floor area of 208.81m². The duplex dwelling will be single-storey, 'slab on ground', rendered brick veneer and colorbond roof construction.

The total site cover will be 38% and the building will have a height of 5.8 metres.

The proposed setbacks are consistent with adjoining dwellings and are as follows:

- Tooringoor Close – 6.024 metres
- Rear – 6.6m for Unit 1 and 1.5m for Unit 2
- Northern lane frontage – 4.035 metres
- Southern side boundary – 1.5 metres

Vehicle access to Unit 1 is via Tooringoor Close and Unit 2 is serviced via a vehicle access connection at the lane to the north connecting to the cul-de-sac head of Tooringoor Close. Each unit will have a double garage and visitor parking is available in front of each garage.

Private open space to each unit will be from the main living areas of both units, with a total open space area of 163m² for Unit 1 and 192m² for Unit 2. The open space areas for each unit will also accommodate clothes drying facilities and a screened refuse bin area, with refuse wheeled to the kerb on collection day.

SITE DETAILS

Background/Site History

<i>Application No.</i>	<i>Decision and Date</i>
2003/56M0012	On 8 October 2003, council approved a Subdivision for 93 lots and Operational Works for Earthworks and Stormwater Drainage at Bledisloe Boulevard. As a result of this approval the subject lot was created on 14 April 2004. The vast majority of the 93 lots have since been developed as detached dwellings (there remain 6 vacant sites).
550-002-000/040824	On 5 December 1996, council resolved to approve a Combined Rezoning (Rural to Special Residential and Special Facilities) and Subdivision (211 Lots). The rezoning resulted in the creation of Plan of Development Number 62 (POD62). Since the rezoning there have been a number of development applications made under the Caloundra City Planning Scheme 1996 and in accordance with the rezoning approval.

Site Description

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



Surrounding Land Uses

The site is located within an older section of the Pelican Waters Estate and one of two remaining vacant lots within the street. The site is surrounded by existing single detached dwellings, comprised of a mix of single and double storey configuration. Properties to the north within the street front the Pelican Waters Golf Course and waterway. The first stage of the new Pelican Waters Southern Lakes Master Planned Community is located 300 metres to the east and will also include a new one hectare park within easy walking distance. The Southern Lakes development will comprise a range of small, medium and duplex dwellings. Land on the southern side of Sovereign Circuit (Boronia Grove) is currently being developed with a number of duplexes being approved and constructed (four in total).

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

- State Planning Policies
- the South East Queensland Regional Plan
- State Planning Regulatory Provisions
- any Preliminary Approval/Rezoning Overriding the Planning Scheme for the land

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

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

Statutory Instruments – State and Other

State Planning Policies

The following State Planning Policies are applicable to this application:

- State Planning Policy 1/02 Development in the Vicinity of Certain Airports and Aviation Facilities
- State Planning Policy 2/02 Planning and Managing Development Involving Acid Sulfate Soils

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

The new State Planning Policy adopted in December 2013 details certain 'state interests' that must be respected and considered in both strategic land use planning and development assessment. The state interests include the following:

- Livable Communities and Housing
- Economic Growth
- Environment and Heritage
- Hazard and Safety
- Infrastructure

On a broad scale, the proposed development complies with the outcomes sought for these key state interests. The development is occurring in an established urban area, is well serviced, close to facilities and provides a built form that is consistent with the prevailing residential character of the area.

South East Queensland Regional Plan

The site is located within the Urban Footprint of the South East Queensland Regional Plan. The proposal is for an urban use within the Urban Footprint. The proposed development is consistent with the regional land use intent, regional policies and desired regional outcomes for the Urban Footprint. The proposal represents an opportunity for infill development within an established urban community.

State Planning Regulatory Provisions

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

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

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is the Caloundra City Plan 2004 (16 September 2013). The following sections relate to the provisions of the Planning Scheme.

Local Area Provisions

The subject site is located in the Emerging Community Precinct (Sub-precinct PW3) within the master planned area of Pelican Waters. The proposed use (Duplex Dwelling) is listed as a consistent use in the Pelican Waters Emerging Community Precinct, where the lot is nominated as a Duplex Dwelling Lot on the approved plan of development. However, in this instance, the subject lot is not a nominated 'Duplex Lot' and it is for this reason that the level of assessment has been raised to impact assessment and subject to public notification.

The outcomes sought for the Emerging Community Precinct are as follows:

- (a) *development in the precinct is designed and co-ordinated to achieve safe, healthy and pleasant new communities which are well integrated with existing communities*
- (b) *development in the precinct is consistent with the structure planning elements identified on the relevant Planning Area Code map*
- (c) *development in the precinct provides for urban services.*

The application provides for a low density residential use that is compatible with established residential uses in the immediate location. The large size of the subject site and dual road frontage allow for infill development, without compromising the character and amenity of the street.

As such, the proposed use is not an inconsistent use.

Land Use and Works Provisions

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

- Caloundra South Planning Area Code
- Precincts and Other Elements Code
- Duplex Dwelling Code
- Civil Works Code
- Climate and Energy Code
- Design for Safety Code
- Filling and Excavation Code
- Landscaping Code
- Stormwater Management Code
- Parking and Access Code

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

Duplex Dwelling Code

Probable Solution S2.2 of the Duplex Dwelling Code states:

“The building has a minimum setback of 6 metres from any front and rear boundary”.

The proposal complies with the main street frontage setback of six metres for both units and a rear setback of six metres for Unit 1. The proposal will have a rear setback of 1.5 metres for Unit 2. As the Unit 2 setback does not comply with the probable solution, the proposal must, therefore, be assessed against Specific Outcome O2 of the Duplex Dwelling Code which states:

“The duplex dwelling is sited and designed so that it does not unduly prejudice the daylight or privacy available to any adjoining land that is used or is intended to be used for residential purposes”.

The proposed duplex dwelling is single-storey. There will be no daylight/privacy/overlooking issues between Unit 2 and the adjoining property to the west (8 Annabelle Street, Lot 335 SP166662). The built form outcome is consistent with a self-assessable single storey dwelling house that could be constructed on the lot (in terms of setbacks, site cover and height), which ensures that it does not unduly prejudice the daylight and privacy of the existing adjoining owners (any more than a self-assessable detached dwelling could).

Probable solution S5.1 states that, in established residential areas, the duplex dwellings are located on lots that have a minimum area of 800m² and do not adjoin another lot used or approved for a duplex dwelling. The site is not within close proximity to any other duplex dwellings.

Specific outcome O5 relates to duplex dwellings in Emerging Community Precincts and relevantly states:

“A duplex dwelling is designed to have the appearance of a detached house and integrates with surrounding development”.

The proposal is considered to comply with specific outcome O5 on the following grounds:

- the proposed duplex has the appearance of a single detached dwelling when viewed from the street. Further, the scale and site cover of the proposed building are consistent with a large detached dwelling (which could potentially be two storey with a 50% site cover)
- the garage to Unit 2 is located on the side lane and would not be visible from the street, hence, further supporting the single dwelling appearance from the street
- the proposed setbacks from the main street frontage are over 6 metres from Tooringoor Street, hence, minimising any adverse impacts on the streetscape character
- substantial landscape areas are proposed adjacent to the street frontages and side boundaries, allowing for similar streetscape outcomes to existing residential properties within the locality and to provide buffering to adjoining residences
- the proposal has demonstrated compliance with all parking, landscaping and private open space requirements for duplex dwellings due to the relatively large size of the site.

Access and Parking

Each Unit provides car parking for two vehicles and the site also provides for visitor spaces within the driveway. There is also a dedicated visitor parking space within the lane that will be preserved as part of this application, in addition to typical on-street parking spaces. This achieves compliance the requirements of the Parking and Access Code.

Civil Works Code

The site has access to all essential infrastructure and the development is not considered to impact on any existing infrastructure associated with the site, including stormwater. The application was referred to council's engineering specialist who has recommended conditions to ensure compliance with the code.

Landscaping

The proposal includes a landscape plan to demonstrate compliance with the Landscaping Code to ensure the local street character is enhanced and provides suitable landscape screening to the site's frontage. The proposal was forwarded to council's landscape specialist, who has recommended conditions to ensure compliance with the code.

The following Overlays are applicable to this application:

- Aviation Affected Area
- Biting Insects
- Acid Sulfate Soils

The application has been assessed against each of the applicable Overlay codes and found to be compliant with, or can be conditioned to comply with, each.

CONSULTATION

IDAS Referral Agencies

The application did not require referral to any IDAS referral agencies.

Other Referrals

The application was forwarded to the following internal council specialists:

- Development Engineer, Engineering and Environment Assessment Branch
- Landscape Officer, Engineering and Environment Assessment Branch
- Environment Officer, Engineering and Environment Assessment Branch

Their assessment forms part of this report.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Sustainable Planning Act 2009*. There were no submissions received.

NEW SUNSHINE COAST PLANNING SCHEME

The subject site is zoned Low Density Residential and located within the Golden Beach/Pelican Waters Local Plan Area of the new Sunshine Coast Planning Scheme.

The application would still trigger impact assessment under the new planning scheme, and would be affected by the following Overlays:

- Acid Sulphate Soils
- Airport Environs
- Biting Midges and Mosquitoes
- Flood Management
- Height of Buildings and Structures (8.5 metres)

The development conflicts with the new planning scheme in the following key ways:

1. Low Density Residential Zone Code, as the proposed use is listed as an Inconsistent Use where within the Protected Housing Area
2. Dual Occupancy Code, as the use is located in a Protected Housing Area.

The zone code for the Low Density Residential Zone Code states that dual occupancies are not intended to be located in that part of the Zone which is included in Precinct LDR1 (Protected Housing Area). It is clear from the overall outcomes of the Code that Protected Housing Areas are intended to be reserved for detached housing. As such, if this application was lodged under the new planning scheme it would be recommended for refusal.

The proposal would meet most of the acceptable outcomes of the new Dual Occupancy Code, with the exception that the site is within a Protected Housing Area. The relevant Performance Outcome states that:

“The dual occupancy is located on a site which:-

- (a) is convenient to local services and public transport;*
- (b) is in an area intended to accommodate more diverse housing options;*
- (c) is dispersed and not concentrated within low density residential neighbourhoods;*
- (d) has sufficient area and dimensions to accommodate the use (including associated access, parking, landscapes and setback requirements); and*
- (e) is not steep and is otherwise suitable for the proposed development.”*

With regard to the above criteria it is noted that the subject site:

- is located 1.2km to the designated Town Centre within the Southern Lakes Planning Area
- is located 300 metres to a future bus stop to be provided by the first stage of the Southern Lakes development
- is located 300 metres to a 1ha recreational park to be provided by the first stage of the Southern Lakes development
- is located 300 metres of the Southern Lakes Planning Area which is planned to accommodate small lots and duplex dwellings
- does not adjoin or is not adjacent to any existing duplexes
- is of a sufficient size to accommodate a dual occupancy which complies with setback, landscaping, open space, parking, and access requirements (as discussed above)
- has a slope of less than 5%.

CONCLUSION

The application for a Development Permit for a Material Change of Use of Premises (Duplex Dwelling) at 5 Tooringoor Close, Pelican Waters, has been assessed against the current planning scheme and reported against the new planning scheme. The proposal represents an opportunity for infill development and will not compromise the character and identity of the area as it provides a duplex dwelling with a design and sufficient space and amenity to blend in with the surrounding dwellings.

Notwithstanding that the subject site is not a nominated duplex dwelling site, the proposed duplex dwelling is considered an acceptable use for the subject site. There were no submissions received and the assessment has concluded that there will be no significant detrimental impact on streetscape character due to the size and multiple frontages of the subject allotment and the design of the duplex dwelling.

However, it should be noted that, if the development had been lodged under the new planning scheme, it would be contrary to the intent of that scheme.

APPENDIX A - CONDITIONS OF APPROVAL

1. APPLICATION DETAILS

Application No:	MCU14/0015
Street Address:	5 Tooringoor Close, Pelican Waters
Real Property Description:	Lot 334 SP166662
Planning Scheme:	Caloundra City Plan 2004 (16 September 2013)

2. DECISION DETAILS

The following type of approvals have been issued:

- Development Permit for Material Change of Use of Premises - Duplex Dwelling; and
- Development Permit for Operational Works (Road Works, Drainage Works, Landscaping, Stormwater, Water & Sewerage Infrastructure)

3. RELEVANT PERIOD OF APPROVAL

The relevant period for this development approval is four (4) years starting the day that this development approval takes effect.

4. ASSESSMENT MANAGER CONDITIONS

PLANNING

When Conditions must be Complied with

1. Unless otherwise stated, all conditions of this Decision Notice must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this Decision Notice.

Building Height

3. The maximum height of the development must not exceed 8.5 metres above ground level.

Street Identification

4. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building name.

Building Appearance

5. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

Fencing and Walls

6. Common boundary fencing must be a minimum 1.8m high screen fence (unless otherwise shown on the approved plans).
7. Any street fencing and walls must not exceed a maximum height of:
 - (a) 1.8m, where at least 50% of the fence or wall is transparent, or
 - (b) 1.2m otherwise.

Clothes Drying Areas

8. Each dwelling unit must be provided with access to an outdoor clothes line which is screened from public view.

Community Management Statement

9. Any proposed Community Management Statement required for the development pursuant to the *Body Corporate and Community Management Act 1997* must be submitted to Council for endorsement at the same time as submission of the Building Format Plan (or similar) to Council for compliance assessment. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice.

Waste Management

10. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
 - (a) provision of two 240L wheelie bins for each dwelling unit;
 - (b) provision of separate bins for general and recyclable waste for each dwelling unit, with an equal number of each being provided;
 - (c) collection by service vehicles from the kerbside; and
 - (d) provision of a hardstand impervious area within the private open space area of each unit for the permanent storage location of the bins, having minimum dimensions of 0.36m² (600mm x 600mm) per bin.

LANDSCAPE

11. The development site must be landscaped. The works must be undertaken in accordance with the approved Landscape Plan.
12. All landscape works must be established and maintained in accordance with horticultural best practice with construction techniques and irrigation that allow for healthy, sustained and vigorous plant growth.
13. Any damage to the external road pavement, streetscape or other existing public asset as consequence of construction activities associated with this approval must be remedied.

UNITYWATER

14. Construction activities must not impede the access of Unitywater or Fire Brigade personnel to vital infrastructure (e.g. valves, fire hydrants and sewer access chambers).
15. The fire-fighting demand on Unitywater's water supply system from the development must not exceed 15 litres per second.
16. Reticulated water supply and sewerage must be provided to the development.

17. Connection to Unitywater live water mains and the Unitywater live sewer system must be undertaken by Unitywater at the applicant's cost.
18. Separate 25mm PE water services must be installed to a common lot boundary with independent meters installed outside the boundary of the lot in accordance with Unitywater and SEQ Standard Drawings.
19. A 100mm conduit must be provided, where required, under Tooringoor Close in accordance with Unitywater and SEQ Standard Drawings.
20. Water meters must be located on alternative boundaries to electrical pillars.
21. Buildings, and other structures must maintain a minimum clearance of 1.5 meters from Unitywater sewer mains, and 1.0 meter from a sewer manhole chamber or sewer inspection opening.
22. Tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature, and suitable approved varieties.
23. Construction works undertaken in the vicinity of Unitywater water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

DEVELOPMENT PERMIT FOR OPERATIONAL WORKS

ENGINEERING

Existing Services

24. The alignment and level of any services/assets above or below ground, likely to be affected by the proposed development, must be identified prior to the operational works commencing. Any conflict between the development and an existing or proposed service must be referred to the relevant service authority for determination.
25. Construction over or near Council services must be carried out in accordance with the relevant Council Planning Scheme Policy.
26. The developer must meet any costs to repair damage to any Council asset during construction, where damage is a result of the development works. Damage to assets must be repaired immediately where it creates a hazard to the community.

Access (Footpath Crossover and Driveway)

27. The required driveways must be constructed in accordance with IPWEAQ standard drawing SEQ R-050 and the following requirements:
 - (a) The driveway surfacing must consist of either an approved hot mixed asphaltic concrete or patterned/plain concrete
 - (b) The driveways must be constructed so as not to concentrate stormwater runoff onto neighbouring properties
 - (c) the longitudinal gradient and crossfall of all driveways must comply with the requirements of AS2890.1 *Off-street Car Parking*.

Stormwater - Discharge to Approved Stormwater System

28. Construction of all internal stormwater drainage works must comply with the relevant section/s of Australian Standard AS/NZS 3500.3.2:1998.
29. Stormwater from roofed and sealed areas (including overflow pipes from proposed rainwater tanks) must be collected and discharged by way of sealed underground pipe directly to the approved connection point. Where no underground stormwater system exists, connection must be made to the street channel, via an approved galvanised metal kerb adaptor that suits the profile of the existing kerb.

Engineer's Certification / Supervision of Works

30. A Registered Professional Engineer must supervise the execution of the works, with all executed works being detailed on a certificate of supervision. A copy of the supervision certificate must be submitted to Council upon completion of the works.

LANDSCAPE

31. Landscape works must be coordinated with all other aspects of the Operational Works relating to the development. Drainage and finished levels of works associated with engineering approvals shall take precedence in the case of any ambiguity.
32. The supervising landscape consultant must ensure that the works have been undertaken generally in accordance with the approved plan, have been inspected and confirm acceptability at the completion of construction.
33. The following requirements apply to all landscape works:
 - (a) all topsoil imported onto the site complies with AS4419; and
 - (b) all tree stock used within the landscape works conforms to the criteria outlined in NATSPEC Guide: Specifying Trees.
34. A suitably qualified landscape consultant must submit to Council, certification that all landscaping works have been undertaken and completed in accordance with the approved plans and specifications.
35. The site must be maintained to aesthetically compliment the surrounding local area for the life of the development. The maintenance must include:
 - (a) mulching, fertilising and aeration of landscape areas;
 - (b) replacement of dead or poorly performing plants;
 - (c) inspection and assessment of all vegetation such that it does not adversely affect adjoining property or pedestrians; and
 - (d) remedial action if any vegetation poses a health or safety risk to site users or adjoining property.

UNITYWATER**Prior to Commencement of Construction**

36. Unitywater must be advised in writing of the contractor's name and the proposed date of commencement of construction. A minimum of five days' notice is required to enable inspections to be arranged, including a pre-start meeting on site. Phone Unitywater: 07 5409 3870.

37. Pipe layer accreditation must be provided at the Pre-start meeting including “Century Plus” accreditation for DICTL, “Pipeline Installation” for PVC and “Electrofusion/Butt Welding” for Polyethylene Pipe.

During Construction

38. Water meters must be installed to each lot of the development in accordance with Unitywater requirements and SEQ Standard Drawings.
39. Electrical pillars must be located on alternative boundaries to water meters.
40. A minimum horizontal clearance of 1.0 metre must be maintained between stormwater pipes greater than 225mm diameter and Unitywater water supply or sewerage infrastructure.
41. A minimum of 0.5 metres separation must be maintained between the outermost edge of sewer access chambers or sewerage mains and the property boundary.
42. Proposed tree plantings must maintain a minimum horizontal clearance of 1.0 metre from Unitywater water mains and 1.5 metres from Unitywater sewerage mains. Landscaping plants within these clearances must be low growing when mature and suitable approved varieties.
43. During the maintenance period the applicant must carry out necessary repairs to: defects and/or damage of road works; drainage and associated work; water supply and sewerage reticulation and pump stations and associated equipment. These repairs include damage and/or alterations caused by third parties carrying out works within the development.
44. Construction works undertaken in the vicinity of Unitywater’s existing water supply or sewerage infrastructure must not adversely affect the integrity of the infrastructure. All costs associated with repair, replacement or alteration to existing infrastructure must be met by the applicant.

Prior to Commencement of Use

45. As Constructed drawings shall be lodged to Unitywater in both hardcopy and ADAC digital format in GDA94 Zone 56 coordinate values. As constructed drawings will be required prior to works being accepted On Maintenance. The GDA co-ordinates and AHD levels of all permanent survey marks installed shall be provided. The surveyed location, meter numbers and readings of water meters installed by the developer must be included in the as constructed information.
46. A water meter record sheet must be completed and submitted to Unitywater prior to works being accepted on-maintenance.
47. Upon completion of the works a certificate must be issued by a RPEQ certifying that the works have been constructed in accordance with Unitywater standards, and in compliance with the approved plans and specifications. The works must be supervised by the Engineer in a planned and timely manner to ensure the integrity of the certification is upheld.

5. REFERRAL AGENCIES

Not Applicable.

6. APPROVED PLANS

Approved Plans

Plan No.	Rev.	Plan Name	Date
14/03, Sheet 1 / 5	-	<i>Site Plan</i> , prepared by Rollercoaster Developments P/L	10/03/2014
14/03, Sheet A/L	-	<i>Landscape Plan</i> , prepared by Rollercoaster Developments P/L	10/03/2014
14/03, Sheet 2 / 5	-	<i>Floor Plan</i> , prepared by Rollercoaster Developments P/L	03/02/2014
14/03, Sheet 3 / 5	-	<i>Floor Plan – Dwelling 1</i> , prepared by Rollercoaster Developments P/L	03/02/2014
14/03, Sheet 4 / 5	-	<i>Floor Plan – Dwelling 2</i> , prepared by Rollercoaster Developments P/L	03/02/2014
14/03, Sheet 5 / 5	-	<i>Elevations</i> , prepared by Rollercoaster Developments P/L	03/02/2014

7. REFERENCED DOCUMENTS

Not Applicable.

8. ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

Equitable Access and Facilities

1. The plans for the proposed building work have NOT been assessed for compliance with the requirements of the National Construction Code - Building Code of Australia (Volume 1) as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:
 - (a) the *Disability Discrimination Act 1992* (Commonwealth);
 - (b) the *Anti-Discrimination Act 1991* (Queensland); and
 - (c) the Disability (Access to Premises – Buildings) Standards

Aboriginal Cultural Heritage Act 2003

2. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*.

The *ACH Act* establishes a cultural heritage duty of care which provides that: “A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land and Resources Tribunal, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Co-ordination Unit on 07 3239 3647 to discuss any obligations under the *ACH Act*.

Development Compliance Inspection

3. Prior to the commencement of the use, please contact Council's Development Audit & Response Unit to arrange a Development Compliance Inspection.

Infrastructure Charges

4. This Development Permit may trigger an “Adopted Infrastructure Charge Notice” (if applicable) to be issued in accordance with Council's “*Adopted Infrastructure Charges Resolution*” under the State Planning Regulatory Provision (Adopted Charges) and the *Sustainable Planning Act 2009*.

Unitywater

5. A 100mm diameter watermain is located within the road boundary across from the development site in **Tooringoor Close**. Construction works, heavy traffic crossing the main, excessive vibration and excavation close to the main may cause damage to the pipe. Extreme care is required when working close to this infrastructure. All costs associated with repair, replacement or alteration of infrastructure must be met by the applicant.

Unitywater - Operational Works

6. Connection of the proposed works to existing water supply and sewerage reticulation can only be performed by Unitywater. A quotation for such works will be prepared upon request.
7. Unitywater currently requires the installation of Elster PSM 50100/39 dual check meters. Water meters may be purchased direct from “Elster” and installed by the developer, or Unitywater can provide the meters and undertake the works.
8. Where connection to the existing reticulation system is required, the depth of the existing pipework must be determined prior to initiation of works to ensure that the connection can be made without the use of vertical bends. Approval from Unitywater must be obtained where minimum pipe cover cannot be maintained.
9. Unitywater is not responsible for alterations to existing services that may be required when Unitywater is connecting new water mains to the live water network. This may involve negotiations with other service authorities.

Other Laws and Requirements

10. This approval relates to development requiring approval under the *Sustainable Planning Act 2009* only. It is the applicant's responsibility to obtain any other necessary approvals, licences or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licences or permits may be found in the "Laws & Permits" page of the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Federal requirements please consult with these agencies directly.

Operational Works Drawings

11. Council has undertaken an audit check of the Operational Works drawings in relations to the proposed works. A detailed check of the calculations and drawings has not been undertaken. The RPEQ bears full responsibility for all aspects of the engineering design. Council reserves the right to require further amendments and/or additions at a later date should design errors become apparent.

9. PROPERTY NOTES

Not Applicable.

10. PRELIMINARY APPROVAL OVERRIDING PLANNING SCHEME

Not Applicable.

11. FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work

12. SELF ASSESSABLE CODES

Not Applicable.

13. SUBMISSIONS

Not Applicable.

14. REASONS / GROUNDS FOR APPROVAL DESPITE CONFLICT WITH SCHEME

Not Applicable.

15. RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Sustainable Planning Act 2009* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

16. OTHER DETAILS

If you wish to obtain more information about council’s decision, electronic copies are available on line at www.sunshinecoast.qld.gov.au or at council offices.

8.1.3 ADOPTED INFRASTRUCTURE CHARGES RESOLUTION AMENDMENT

File No: Infrastructure Charges Register
Author: Manager Transport and Infrastructure Policy
Regional Strategy & Planning Department
Appendices: App A - Adopted Infrastructure Charges Resolution (No.5) 2011 77

PURPOSE

In order to facilitate infrastructure charging for development approved under the Sunshine Coast Planning Scheme, this report seeks Council's endorsement of an amended Adopted Infrastructure Charges Resolution. The need for the report is purely of an administrative nature and the level of infrastructure charges is not being changed.

EXECUTIVE SUMMARY

Council has resolved to adopt the Sunshine Coast Planning Scheme 2014 with the commencement date of 21 May, 2014. In order to continue to collect infrastructure charges from development approved under the Sunshine Coast Planning Scheme, the current Adopted Infrastructure Charges Resolution needs to be amended to recognise the new planning scheme.

The *Sustainable Planning Act 2009* requires a Council resolution (an Adopted Charges Resolution) to adopt charges for particular development. The proposed amendments require a new resolution from Council.

The main amendments are the introduction of the use definitions used in the new Scheme and associated charge rates applicable to these uses. The charge rates for the new Scheme will remain consistent with those already applying to development approved under the existing Maroochy Plan 2000 and the Caloundra City Plan.

The current Resolution (No.4) 2011 predated the de-amalgamation of Noosa Shire Council, therefore further administrative amendments have been made to the Resolution to delete references to charging and development under the Noosa Plan. The amendments also include some minor drafting changes that do not change the policy intent. In summary the proposed amendments to the Resolution will:

- Include the use definitions and associated charges for the Sunshine Coast Planning Scheme 2014.
- Maintain the use definitions and charges for Maroochy Plan 2000 and Caloundra City Plan.
- Remove references to the Noosa Plan.
- Include some minor administrative drafting changes.

The proposed Sunshine Coast Adopted Infrastructure Charges Resolution (No.5) 2011 is attached as **Appendix A**.

These amendments to the current Resolution are required to be in place until such time as the State finalises the proposed infrastructure charging reforms. The impacts of these reforms will be presented to Council when the guidelines and final legislation are released by the State.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Adopted Infrastructure Charges Resolution Amendment”
- (b) adopt the Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No.5) 2011 (Appendix A) to replace the previous Adopted Infrastructure Charges Resolution (No. 4) 2011
- (c) authorise the Chief Executive Officer to publicly notify the adoption of the Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No. 5) 2011 in accordance with section 648D of the *Sustainable Planning Act 2009* and
- (d) provide certified copies of the Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No. 5) 2011 to the Chief Executive, Department of State Development, Infrastructure and Planning in accordance with section 648D of the *Sustainable Planning Act 2009*.

FINANCE AND RESOURCING

Public notification will involve minor costs for newspaper advertisements. These costs should total less than \$3,000 and will be funded from the current operational budget.

The adoption of the amended Resolution will allow for the continued collection of adopted infrastructure charges for development approved under the Sunshine Coast Planning Scheme.

CORPORATE PLAN

Corporate Plan Theme: *Robust Economy*

Emerging Priority: 1.3 - Infrastructure for economic growth

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

Corporate Plan Theme: *Ecological Sustainability*

Emerging Priority: 2.6 - Environmentally friendly infrastructure and urban design

Strategy: 2.6.3 - Review council infrastructure plans, design standards and procurement policies to maximise sustainable outcomes

Corporate Plan Theme: *Managing growth*

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

Strategy: 7.4.2 - Require appropriate infrastructure provision and agreements as a component of development approvals so the cost of infrastructure is not a burden on the current generation

CONSULTATION**Internal Consultation**

As this is an administrative process to enable infrastructure charging for the new planning scheme, there is no requirement for internal consultation.

External Consultation

As this is an administrative process to enable infrastructure charging for the new planning scheme, there is no requirement for external consultation.

Community Engagement

As this is an administrative process to enable infrastructure charging for the new planning scheme, there is no requirement for community engagement.

The community is advised of the proposed amendments of the Resolution by the newspaper advertisement following Council adoption as part of the statutory adoption process.

PROPOSAL

Council currently levies infrastructure charges for new development through the application of the Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No.4) 2011, in accordance with the requirements of the *Sustainable Planning Act 2009* and State Planning Regulatory Provision (adopted charges). The current version of the Resolution, (No.4), was adopted by Council on 22 August 2013. This current version was required to reflect the introduction of Priority Infrastructure Plans into the three existing planning schemes (pre de-amalgamation).

The proposed amendments to the Resolution are required, so that at the commencement of the Sunshine Coast Planning Scheme on 21 May 2014, development approved under the new scheme can be subject to an adopted infrastructure charge.

The amount of a charge applicable to development is contained in the Resolution in Table 13.1, which lists the proposed use definitions under the relevant planning scheme and the associated charge that Council has adopted for that use. The main amendment required for the commencement of the Sunshine Coast Planning Scheme is the introduction of the use definitions under the new Scheme and the associated charge. The charge amount applicable to each use is consistent with the same or similar type use under the two current Schemes.

The charges for development under Caloundra City Plan and Maroochy Plan 2000 planning schemes will continue to apply to existing development approvals and current applications made under those Schemes, so for this reason, the amended Resolution continues to include both Planning Schemes.

Other administrative amendments to the Resolution include removing references to the Noosa Plan and its associated charges and also some minor drafting changes that do not change the policy intent.

The proposed Sunshine Coast Adopted Infrastructure Charges Resolution (No.5) 2011 is attached as **Appendix A**.

These changes to the current Adopted Infrastructure Charges Resolution are required until the State Government completes the proposed reforms to the current infrastructure charging regime. A further report will be presented to Council when the proposed reforms are finalised by the State, most likely in June/July 2014.

Legal

Council adoption of the Adopted Infrastructure Charges Resolution (No.5) 2011 will enable Council to continue to lawfully impose an infrastructure charge for development approved under the Sunshine Coast Planning Scheme.

Policy

The amended Adopted Infrastructure Charges Resolution (No.5) 2011 is consistent with current legislation governing infrastructure charging.

Risk

If the proposed amendments to the Adopted Infrastructure Charges Resolution are not made, Council would lose the ability to levy an infrastructure charge for development approved under the Sunshine Coast Planning Scheme 2014.

Previous Council Resolution**Council Resolution OM13/156 - Ordinary Meeting 22 August 2013**

That Council:

- (a) *receive and note the report titled “**Adopted Infrastructure Charges Resolution Amendment**”*
- (b) *endorse amendments made to the three Priority Infrastructure Plans and amendments to the planning schemes for The Noosa Plan 2006, Maroochy Plan 2000 and Caloundra City Plan 2004 to satisfy the conditions outlined in the letter of approval by the Deputy Premier, Minister for State Development, Infrastructure and Planning, dated 16 May 2013*
- (c) *adopt the Priority Infrastructure Plan for The Noosa Plan (Appendix A), Priority Infrastructure Plan for Maroochy Plan 2000 (Appendix B) and Priority Infrastructure Plan for Caloundra City Plan 2004 (Appendix C) and associated amendments to the planning schemes for The Noosa Plan, Maroochy Plan 2000 and Caloundra City Plan 2004 in accordance with section 19 of the repealed Integrated Planning Act 1997*
- (d) *adopt the Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No.4) 2011 (Appendix D) to replace the previous Adopted Infrastructure Charges Resolution (No. 3) 2011*
- (e) *authorise the Chief Executive Officer to:*
 - i. *publicly notify the adoption of the Priority Infrastructure Plans and planning scheme amendments in accordance with section 20 of Schedule 1 of the repealed Integrated Planning Act 1997*
 - ii. *publicly notify the adoption of the Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No. 4) 2011 in accordance with section 648D of the Sustainable Planning Act 2009*
- (f) *forward the adopted Priority Infrastructure Plans, planning scheme amendments and adopted Sunshine Coast Regional Council Adopted Infrastructure Charges Resolution (No. 4) 2011 to the Chief Executive, Department of State Development, Infrastructure and Planning in accordance with the respective legislation and*
- (g) *note that with respect to (b) to (f) above and the relevant financial sustainability implications for council, local governments’ ability to obtain infrastructure charges contributions for future asset provision, may be substantially set aside within the next 12 months as a result of the impact of significant proposed changes relating to infrastructure charging by the State Government.*

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

The Sunshine Coast Planning Scheme 2014 is set to commence on 21 May, 2014, therefore, the amended Adopted Infrastructure Charges Resolution (No.5) 2011 is required to be in place as soon as possible after this date to allow for development applications approved under the new scheme to be subject to an adopted infrastructure charge.

Implementation

For the Adopted Infrastructure Charges Resolution (No.5) 2011 to have effect, the *Sustainable Planning Act 2009* requires the following statutory process:

- A Council resolution to adopt the amended Adopted Charges Resolution
- Publicly notify the Resolution in a newspaper circulating in the area.
- Provide certified copies of the Resolution to be sent to the chief executive.
- The Resolution will have effect from the day it is publicly notified.

8.2 COMMUNITY SERVICES

8.2.1 COMMUNITY GRANTS PROGRAM MAJOR GRANTS RECOMMENDATIONS

File No:	ECM
Author:	Coordinator Community Programs and Events Community Services Department
Appendices:	App A - Major Grants Recommendations 119
Attachments:	Att 1 - Community Grants Program Major Grants Additional Information (<i>Under Separate Cover</i>) – <i>Confidential</i>.....<i>Conf Att 5</i>
	Att 2 - Funding Comparisons..... 137
	Att 3 - Panel Representation 139

PURPOSE

This report seeks council consideration and endorsement of funding recommendations for the second round of the 2013/2014 Community Grants Program Major Grants.

EXECUTIVE SUMMARY

The Sunshine Coast Council's Community Grants Program provides a transparent governance framework for the distribution of grant funding to community organisations across the region. The program reflects council's decision making and corporate plan objectives; ensures that the distribution of funds to the community complies with current statutory requirements; and aligns with Council's strategic corporate priorities.

The second Major Grants round for the Community Grants Program for 2013/2014 closed on 14 March 2014. A total of 118 applications were received across seven categories (Community Development, Cultural Development, Cultural Heritage, Economic Development, Environment, Festive Season and Sport, Recreation & Healthy Living), requesting a total of \$1,075,742.

Funding totaling \$288,051 for 67 projects is recommended for council's consideration and endorsement (Appendix A). The total budget available for this round is \$288,052.

Attachment 2 details the funding comparison of the current round to the two previous Major Grants rounds.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Community Grants Program Major Grants Recommendations" and**
- (b) endorse the Community Grants Program Major Grant Recommendations (Appendix A).**

FINANCE AND RESOURCING

Funding is provided for Major Grants through the Community Grants Program budget. In addition, the Environment Levy provides funds for projects which closely align to the priority outcomes of the levy.

This report covers the second Major Grant round for the 2013/14 financial year which closed on 14 March 2014. The total budget available for this round is \$288,052. There are sufficient funds in the 2013/2014 Community Grants budget to cover the recommendations in this report.

Funding totaling \$288,051 for 67 projects is recommended and is sourced from the Community Grants Program budget for 2013/2014 only. There are no applications recommended for Environment Levy funding in this Major Grant round, however two Environment category applications are recommended for funding through the Community Grants Program budget.

CORPORATE PLAN

Corporate Plan Theme: *Innovation & Creativity*

Emerging Priority: 3.3 - A creative and artistic region

Strategy: 3.3.2 - Provide and facilitate local and regional arts and cultural facilities and programs within the community

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.2 - Strong community groups and networks

Strategy: 5.2.3 - Support community initiatives through appropriate provision of information, expertise and resources

Corporate Plan Theme: *Great governance*

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

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

CONSULTATION

Internal Consultation

Community Connections team officers attended assessment panels, reviewed outcomes and moderated across all categories to ensure equity and consistency.

Assessment panel membership for each category were made up of a number of key staff from the relevant area. Attachment 3 outlines the staff involved in each panel.

External Consultation

Grants Development Officers liaised with community organisations across the Sunshine Coast Council local government area through a range of community meetings and conversations to ensure a high level of awareness of the Major Grants program. Assistance was provided for project development, preparation of application content and the application process.

Community Engagement

Grants Development Officers liaised with community organisations across the Sunshine Coast Council local government area through a range of community meetings and conversations to ensure a high level of awareness of the Major Grants program. Assistance was provided for project development, preparation of application content and the application process.

PROPOSAL

The revised Sunshine Coast Regional Council Grants Policy (the Policy) was endorsed at the Ordinary Meeting on 20 June 2013. Sunshine Coast Council recognises the vital contribution that 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 the Policy and the delivery of Council's Community Grants Program:

- Community organisations are provided with funding support to provide community benefit 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 and
- 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*.

The Policy ensures an equitable, open and transparent process for applicants to seek financial assistance which complies with relevant legislation.

Council officers manage the Community Grants Program, undertaking many activities in relation to the promotion, support, assessment and distribution of funding and working to build capacity in applicant organisations.

Promotion and Support

The following tools were used to promote information about the Community Grants Program:

- Council's website, Facebook and Twitter; CommunityHub website
- Online community newsletters
- Extensive newspaper advertising in local community newspapers including media releases spotlight print and radio, council's e-news, library e-news and messages on hold
- Features in councillor columns
- Grant guidelines were available in libraries and customer service centres.

Grants Development Officers liaised widely by:

- responding to numerous telephone enquiries, emails and action requests
- provided assistance with project development
- provided advice on the preparation of application content and the application process
- linking applicants with category specialists in all grant categories.

Applications

A total of 118 applications were received across the seven grant categories, requesting \$1,075,742 in major grant funding.

Assessment

Council officers pre-assessed each application to determine eligibility. Assessment panels for each category were established (provided in Attachment 3). Panel members reviewed all eligible applications prior to the panel meeting and then met to discuss the applications.

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

Due to the large number of applications in each grants category, part funding was recommended in some instances. In each case where part funding was offered, the panel considered whether the project could be successfully completed with the funding allocated; provided funding for stand-alone components of the project; and/or provided the opportunity for the applicant to reduce the scope of the project in consultation with council officers.

In order to establish equitable financial support for the wide range of Festive Season events across the region, assessment of each application was based on event type ('major', 'medium' or 'minor' as per the council endorsed Community Event Matrix) and key elements in the application such as event attendance, cost, location and past acquittal information.

Recommendation

Funding a total of \$288,051 for 67 projects is recommended for Council endorsement. Below is a summary of applications and recommended outcomes for each category.

8.2.2 REGIONAL ARTS DEVELOPMENT FUND RECOMMENDATIONS

File No:	0.0.0
Author:	Coordinator Community Programs and Events Community Services Department
Appendices:	App A - RADF Recommendations..... 147
Attachments:	Att 1 - RADF Additional information (<i>Under Separate Cover</i>) – <i>Confidential</i>..... <i>Conf Att 59</i>
	Att 2 - RADF funding comparisons 151

PURPOSE

This report seeks council consideration and endorsement of funding recommendations for the Regional Arts Development Fund.

EXECUTIVE SUMMARY

The Regional Arts Development Fund (RADF) supports cultural activity through the professional development and employment of arts and cultural workers in regional Queensland. RADF is a partnership between State Government, through Arts Queensland, and the Sunshine Coast Council. The RADF Committee is made up of eight independent external professional arts industry representatives; is resourced and supported by a council officer; and chaired by the Portfolio Councillor.

The RADF budget provides funds for two major rounds and four minor rounds annually. This report covers the second major RADF round for 2014/2015, which closed on 1 March, 2014.

A total of 28 applications were received requesting \$209,452. The RADF committee determined funding outcomes based on Arts Queensland's RADF Guidelines and according to merit, benefit, skill and capacity demonstrated in each application.

Sixteen applications totaling \$85,448 are recommended by the RADF committee for council's consideration and endorsement (See Appendix A). The total budget available for this round is \$85,493.

Attachment 2 details the funding comparison of the current March round and the previous September 2013 round.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Regional Arts Development Fund Recommendations" and**
- (b) endorse the Regional Arts Development Fund Recommendations (Appendix A).**

FINANCE AND RESOURCING

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

This report covers the second RADF major round for the 2013/14 financial year which closed on 1 March 2014. The total budget available for this round is \$85,493. Funding totalling \$85,448 is recommended for 16 projects.

There are sufficient funds in the 2013/2014 budget to cover the recommendations in this report.

CORPORATE PLAN

Corporate Plan Theme: *Innovation & Creativity*

Emerging Priority: 3.3 - A creative and artistic region

Strategy: 3.3.2 - Provide and facilitate local and regional arts and cultural facilities and programs within the community

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.2 - Strong community groups and networks

Strategy: 5.2.3 - Support community initiatives through appropriate provision of information, expertise and resources

Corporate Plan Theme: *Great governance*

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

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

CONSULTATION

Internal Consultation

- Team Leader Cultural Programs, Community Program and Events, Community Relations, Community Services
- Development Officer (Creative), Community Program and Events, Community Relations, Community Services - RADF Liaison Officer

External Consultation

External consultation was undertaken with the seven members of the public who were elected members of the RADF Committee.

Community Engagement

Grants Development Officers provided assistance for project development, preparation of application content and the application process.

PROPOSAL

Promotion and Support

Promotion of RADF included extensive advertising in local community newspapers, media releases and emails to listed artists. All relevant information was posted on council's website, Facebook and Twitter, featured in councillor columns, spotlight print and radio, council's e-news, library e-news and messages on hold. Staff attended face to face meetings with applicants and responded to numerous telephone enquiries and emails.

Applications

A total of 28 applications were received, requesting a total of \$209,452 in funding. There are eight categories of RADF funding available for individuals, groups or local councils as outlined in the table below.

RADF Funding Category	Description
Category 1: Developing regional skills (available through the RADF Minor Grants only)	For professional development opportunities i.e. training seminars, master classes, workshops etc.
Category 2: Building community cultural capacity	To employ a professional artist or artswoker to work with your group on developing arts practice or to run arts development workshops or community projects.
Category 3: Interest-free arts loan	For arts activities likely to generate an income greater than the amount of the loan.
Category 4: Cultural tourism	To produce projects and activities that focus on locally distinct arts, culture and heritage for members of the community and visitors.
Category 5: Contemporary collections/stories	To preserve local collections of significance and collect and tell local stories from the past and the present.
Category 6: Regional partnerships	To encourage innovative and energising arts and cultural projects where artists, communities and councils work together in their community, or in partnership with another community.
Category 7: Concept development (only available to councils)	To research and develop arts and cultural ideas and project proposals, up to implementation stage, and identify potential funding sources outside of RADF to implement them.
Category 8: Arts policy development and implementation	For councils to develop arts and cultural policy and planning.

Assessment

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

- Project will develop the paid artist's professional life
- Project will benefit the community, both directly and indirectly
- Project is well planned and achievable
- Project will increase the sustainability of quality and diverse creative communities.

In accordance with RADF guidelines, declarations of committee member's conflict of interest were recorded and the committee member was not involved in the related deliberations. One conflict of interest was declared in the assessment of application number RAMJ132032 where the panel member left the room during all deliberations.

Assessment was a two stage process. Applications were allocated to individual external committee members for assessment. Council staff were not involved in the assessment process. Committee member's comments were recorded for the benefit of other committee members and to inform feedback to applicants if requested. The whole committee then met to discuss applications, determine outcomes, and allocate funds to successful applicants. The committee is chaired by the Portfolio Councillor, however, an apology was provided by the Portfolio Councillor and the Committee was chaired by a council officer.

Recommendations

A total of 16 applications are recommended for funding for a total of \$85,448. The recommended projects are excellent in quality and diversity, and will involve employment of a broad range of artists and arts workers engaging in valuable arts and cultural activity across the Sunshine Coast Local Government Area. The total value of the funded projects is \$393,193.

Below is a summary of recommendations for the March 2014 RADF major grants funding round:

Applications received	Funding requested	Applications recommended	Funding recommended	% Applications recommended
28	\$209,452	16	\$85,448	57%

Details of recommended funding outcomes are provided in Appendix A. A list of the number of applications that were received in each category and the number of applications that were successful are provided in the table below:

RADF Funding Category	Number of applications	Number of Successful Applications
Category 1: Developing regional skills	N/A	N/A
Category 2: Building community cultural capacity	5	4
Category 3: Interest-free arts loan	0	0
Category 4: Cultural tourism	13	8
Category 5: Contemporary collections/stories	6	3
Category 6: Regional partnerships	1	0
Category 7: Concept development	3	1
Category 8: Arts policy development and implementation	N/A	N/A

Legal

There are no legal implications to this report.

Policy

The recommendations are in accordance with the *Local Government Act 2009*, *Local Government Regulation 2012* and endorsed Community Grants Policy (2013).

Any councillor requested changes to funding recommendations need to be supported by reasons and those reasons recorded.

Risk

There is risk of community concern in regard to the number of community groups which were unsuccessful or part funded in this round due to budget availability.

Previous Council Resolution**OM13/225 – November 2013**

That Council:

- (a) receive and note the report titled “**Regional Arts Development Fund (RADF) Recommendations**” and*
- (b) endorse the Regional Arts Development Fund Recommendations (Appendix A).*

Related Documentation

- *Cultural Development Policy*
- *Public Art Policy*
- *Local Government Regulation (2012)*
- *Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*
- *Arts Queensland Regional Arts Development Fund Guidelines*

Critical Dates

Subject to budget confirmation in June for the 2014/2015 financial year, the next round of RADF is anticipated to open in July and close in September 2014.

Implementation

Following endorsement of this report, notification of outcomes will take place. Funding will be distributed throughout June and July 2014, following receipt of invoice and signed conditions of agreement.

RADF Recommendation Report - Major

Summary Across All Applications

Total Number of Applications	28
Total Project Costs	\$834,971
Total Amount Requested	\$209,452
Total Amount Recommended (GST Exc)	\$85,448

Applications Recommended for Funding

Total Number of Applications	16
Total Project Costs	\$393,193
Total Amount Requested	\$110,022
Total Amount Recommended (GST Exc)	\$85,448

Application ID	Applicant	Project Name	Total Project Costs	Amount Requested	Amount Funded
RAMJ132003	Ms Amanda Cole	German song through the ages	\$9,590	\$4,030	\$4,030
RAMJ132006	Mr Brett Gadenne	Recording Project and Publicity Campaign for new Dubarray album	\$16,727	\$9,800	\$4,000
RAMJ132007	Ms Shannon Garson	The Handmade Table- A Celebration of the Artisans of the Sunshine Coast	\$20,680	\$10,540	\$10,540
RAMJ132008	Original Eumundi Markets Ltd	Market Characters - Make it, Bake it, Sew it, Grow it	\$16,000	\$8,000	\$4,000
RAMJ132009	Arts Connect Inc.	Sculpture on the Edge - Sculpture Exhibition - ephemeral/ projection/ performance art	\$22,876	\$9,836	\$9,836
RAMJ132010	Suncoast Clayworkers Ass Inc	Advanced throwing and hand building skills and soda firing	\$4,900	\$2,545	\$2,545
RAMJ132011	Hayden Hack Infusion	The colour of funk	\$88,290	\$9,570	\$5,170
RAMJ132012	The Buderim Foundation	Buderim - Martins Creek Public Art Project	\$27,781	\$8,550	\$5,307
RAMJ132020	Mr Russell Anderson	Bubble Machine III	\$22,710	\$7,100	\$7,100
RAMJ132021	Dr Ray Kerkhove	Significance Assessment Report: Collections from Sunshine Coast Faith Groups	\$17,855	\$4,860	\$4,860
RAMJ132023	Sunshine Troupe Inc	Sunshine Coast Community Inclusive Theatre Restaurant	\$35,700	\$10,000	\$8,920

Application ID	Applicant	Project Name	Total Project Costs	Amount Requested	Amount Funded
RAMJ132025	Caloundra Community Centre Inc.	Reclaim the Yard	\$6,150	\$3,950	\$3,950
RAMJ132028	Mrs Meloney Steyl	Attention to de tale	\$37,492	\$9,829	\$4,138
RAMJ132029	Mr Ivon Northage	New Matthew Flinders Project	\$5,300	\$3,950	\$3,950
RAMJ132031	Mrs Lisa Blainey-Lewin	Food Tales & Recipes of the Scenic Sunshine Coast 144page Book.	\$41,957	\$3,960	\$3,600
RAMJ132038	Sunshine Coast Choral Society Inc	J. S. Bach's Christmas Oratorio	\$19,185	\$3,502	\$3,502

Applications NOT Recommended for Funding

Total Number of Applications	12
Total Project Costs	\$441,778
Total Amount Requested	\$99,430

Application ID	Applicant	Project Name	Total Project Costs	Amount Requested	Amount Funded
RAMJ132013	Mr Shane Gehlert	Artists of the Sunshine Coast	\$13,200	\$8,450	\$0
RAMJ132016	Mr Mike Higgins	Wonderful Days	\$24,840	\$7,200	\$0
RAMJ132018	Sunshine Coast Youth Orchestra Inc	SCYO Symphony Orchestra, 2014 Australian International Music Festival, Performance Tour	\$106,516	\$10,000	\$0
RAMJ132019	Mr Kevin Smith	'One Man Through His Sundered Hulks' Creative Concept Development.	\$16,696	\$9,600	\$0
RAMJ132022	Ms Dominique Finney	Wellness On The Mountain Collaboration	\$39,520	\$8,000	\$0
RAMJ132024	Mr Motoyuki Niwa	Creation of sculptural piece for Drift Sculpture Walk	\$12,000	\$8,000	\$0
RAMJ132027	Mr Glen Sheppard	Breaking Down the Walls	\$15,000	\$9,000	\$0
RAMJ132032	Ms Sonia Louise Armstrong	Heartbreak	\$34,566	\$9,980	\$0
RAMJ132034	Noosa Institute for Socio-Economic & Environmental Research	The Sunshine Coast Hinterland ANZAC Equestrian Cultural Project	\$101,000	\$8,000	\$0
RAMJ132035	Mr Simon McVerry	SeaCarved	\$15,000	\$7,500	\$0
RAMJ132036	Mr Andrew Zylstra	Community Change Makers (provisional title)	\$26,286	\$6,750	\$0
RAMJ132037	Mr Andrew Zylstra	Landscape Soundscape (provisional title)	\$37,154	\$6,950	\$0

RADF Recommendations

March 2014

Round	Applications Received	Funding Requested	Applications Recommended	Funding Recommended (GST exc.)	% Applicants Recommended
March 2014	28	\$209,452	16	\$84,448	57%

September 2013

Round	Applications Received	Funding Requested	Applications Recommended	Funding Recommended (GST exc.)	% Applicants Recommended
September 2013	28	\$183,755	18	\$84,550	65%

8.2.3 FUNDING PROGRAMS FOR COMMUNITY PARTNERSHIPS 2014/2015

File No:	Statutory Meetings
Author:	Coordinator Community Programs and Events Community Services Department
Appendices:	App A - Community Partnership Funding Program Guidelines 163 App B - Environment Levy Partnerships and Grants Program Guidelines 171 App C - Community Grants Program Guidelines..... 183
Attachments:	Att 1 - Community Partnership Funding Program Existing Commitments 189 Att 2 - Community Partnership Funding Program Guidelines - Track Changes 191 Att 3 - Community Grants Program Guidelines - Track Changes 197

PURPOSE

This report is to inform council and the community on revised community partnership funding programs for implementation in the 2014/2015 financial year.

EXECUTIVE SUMMARY

The Community Partnership Funding Program (CPFP) was endorsed by council at the Ordinary Meeting of 10 December, 2009 and launched in early 2010. The Program was established to enhance council's capacity to deliver on the objectives of its Corporate Plan and to provide funding certainty to community organisations.

At the Ordinary Meeting of 20 June 2013, Council adopted the Community Grants Policy (the Policy) which subsequently provided a framework to guide the administration of the CPFP and Council's other grants programs.

The CPFP has provided up to three-year funding across nine categories towards operational expenses for incorporated not-for-profit community organisations whose operations or services make a significant contribution to the Sunshine Coast community, and whose activities are closely aligned to council's vision for the future as described in its Corporate Plan.

In light of the pending de-amalgamation it was determined during 2013/2014 budget development to:

- open a new funding round for applications under the Environment Levy funded Environment Category only, offering a maximum of one year of funding; and
- allocate a fourth year of funding for recipients of the three year of funding in 2010/2011 financial year under other categories.

Multi-year allocations from the 2012 funding round include commitments totalling \$120,320 to 14 community organisations in the Sunshine Coast Local Government Area for the 2014/2015 financial year.

All other recipients of funding under this program will have reached the final year of funding by 30 June, 2014.

A review of the CPFP commenced in February 2014 and this report follows extensive consultation with the program's internal category partners and discussion with councillors in April.

It is proposed to:

1. Open Community Partnership Funding Program and implement revised guidelines
2. Establish a separate Environment Levy Partnerships and Grants Program for the allocation of Environment Levy Funding and implement new program guidelines. This would see the removal of the Environment category from the CPFPP and Community Grants Programs
3. Manage funding to Community Pools through individual funding agreements outside of the grants process, administered and funded through the Community Facilities and Planning Branch
4. Implement updated Community Grants Program guidelines
5. Undertake a further review of the CPFPP following the adoption of Council's new Corporate Plan to ensure program alignment with corporate priorities and report to Council by December 2014.

A total budget of \$1,017,248 is proposed to support the Community Partnerships Funding Program for the 2014/2015 financial year.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Funding Programs for Community Partnerships 2014/2015"**
- (b) note the revised Community Partnership Funding Program guidelines (Appendix A) to provide one year of funding for the 2014/2015 financial year**
- (c) note the newly established Environment Levy Partnerships and Grants Program Guidelines (Appendix B) for the allocation of Environment Levy funding (incorporating Landholder Environment Grants, Partnerships and Grants), with the Partnerships component to open for funding for the 2014/2015 financial year**
- (d) note funding for community-managed public pools to be administered via individual agreements outside of the Community Partnership Funding Program through existing operational budget within the Community Facilities and Planning Branch**
- (e) note the revised Community Grants Program guidelines (Appendix C)**
- (f) refer the Community Partnership Funding Program proposed budget (\$1,017,248) to the June 2014 budget deliberations for 2014/2015 and**
- (g) request the Chief Executive Officer conduct a review of the Community Partnership Funding Program and Community Grants Program in 2014 considerate of council's new Corporate Plan 2014 – 2019 and State and Federal funding opportunities not for profit community organisations and report back to Council in December 2014 with recommendations for future programs in the 2015/2016 financial year and beyond.**

FINANCE AND RESOURCING

Existing commitment 2014/2015

Community Partnership Funding Program budgets and funding sources currently include:

- *Community Partnership Funding Program*
- *Heritage Levy*
- *Environment Levy and*
- *Sport and Community Venues Unit – Community Pools*

The above budgets contribute to multi-year allocations from the 2012 funding round with commitments totalling \$120,320 to 14 community organisations in the Sunshine Coast Local Government Area for the 2014/2015 financial year. Budget implications are listed in Table 1 below and detailed in Attachment 1.

Table 1. Existing Commitments 2014/2015

Total number of organisations:	14
Total amount previously endorsed:	\$120,320
Total CFPF Budget	\$40,000
Total Heritage Levy	\$21,728
Total Environment Levy	\$58,592

2014/2015 new CFPF funding program

As this report proposes to establish a separate Environment Levy Community Funding Program (ELCFP) for the allocation of Environment Levy funding, and manage funding to Community Pools through individual funding agreements, the *Environment Levy* and the

A total budget of \$1,017,248 is proposed to support the Community Partnerships Funding Program for the 2014/2015 financial year.

In addition, the Heritage Levy will also provide funding for this program.

CORPORATE PLAN

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.2 - Strong community groups and networks

Strategy: 5.2.1 - Value and support community organisations and volunteers across the region

Corporate Plan Theme: *Social Cohesion*

Emerging Priority: 5.2 - Strong community groups and networks

Strategy: 5.2.3 - Support community initiatives through appropriate provision of information, expertise and resources

Corporate Plan Theme: *Great governance*

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

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

CONSULTATION

Councillors were consulted regarding future funding options for organisations currently eligible and supported under the Community Partnership Funding Program.

Consultation with internal partners was undertaken through workshops held between February and April 2014 to review the Community Partnership Funding Program.

Internal Consultation

Extensive internal consultation was undertaken to review of the Community Partnership Funding Program including:

- Director Community Services
- Director Corporate Strategy and Delivery
- Manager, Community Relations Branch, Community Services
- Coordinator Sport and Community Venues, Community Facilities and Planning Branch, Community Services
- Performing Arts Curator, Community Facilities and Planning Branch, Community Services
- Manager, Economic Development
- Coordinator Service Delivery, Economic Development Branch
- Industry Investment Facilitator, Economic Development Branch, Corporate Strategy and Delivery
- Senior Conservation Partnerships Officer, Environment Operations, Infrastructure Services
- Biodiversity Project Officer, Environment and Sustainability Policy, Regional Strategy and Planning
- Development Officers, Community Facilities and Planning Branch, Community Services
- Coordinator Portfolio Management, Property Management, Community Services
- Sport and Recreation Officers, Community Facilities and Planning Branch
- Cultural Heritage Curator, Community Relations Branch, Community Services
- Senior Library Customer Service Officer, Community Relations Branch, Community Services (acting)
- Cultural Heritage Officer, Community Relations Branch, Community Services
- Acting Team Leader Civic & Comm Events, Community Relations Branch, Community Services
- Team Leader Cultural Programs, Community Relations Branch, Community Services
- RADF Liaison Officer, Community Relations Branch, Community Services

- Acting Team Leader Community Connections, Community Relations Branch, Community Services
- Senior Management Accountant, Finance, Corporate Services
- Manager Procurement and Contracts, Corporate Services

External Consultation

External consultation relative to this report extends to progress and acquittal reports prepared and submitted annually by each partner organisation since the program was established in 2010.

The progress reporting and acquittal process included assessment of reports by the specific category representative and grants officers.

The process included seeking additional information when required prior to the approval to the following year's funding. The same process will be followed in preparing for offering the additional year funding.

Throughout the year, council's category partners work closely with funded organisations under the CPFPP to ensure program outcomes are being met.

Community Engagement

No community engagement was undertaken in relation to this report.

PROPOSAL

The Community Partnership Funding Program (CPFPP) was endorsed by council at the Ordinary Meeting of 10 December, 2009 and launched in early 2010. The Program was established to enhance council's capacity to deliver on the objectives of its Corporate Plan and to provide funding certainty to community organisations.

At the Ordinary Meeting of 20 June 2013, Council adopted the Community Grants Policy (the Policy) which subsequently provided a framework to guide the administration of the CPFPP and Council's other grants programs.

The CPFPP has provided up to three-year funding towards operational expenses for incorporated not-for-profit community organisations whose operations or services make a significant contribution to the Sunshine Coast community, and whose activities are closely aligned to council's vision for the future as described in its Corporate Plan. Applications for funding were made under nine categories.

Funded through CPFPP budget:

- Community Capital
- Community Facilities
- Creative and Cultural Development
- Economic Development
- Emergency Services and Community Safety
- Sport and Recreation

Funded through other budgets:

- Community Pools (Sport and Community Venues Unit – Community Pools)
- Cultural Heritage (Heritage Levy)
- Environment (Environment Levy)

In light of the pending de-amalgamation it was determined during 2013/2014 budget development to:

- open a new funding round for applications under the Environment Levy funded Environment Category only, offering a maximum of one year of funding; and
- allocate a fourth year of funding for recipients of the three years of funding in 2010/2011 financial year under other categories.

Multi-year allocations from the 2012 funding round include commitments totalling \$120,320 to 14 community organisations in the Sunshine Coast Local Government Area for the 2014/2015 financial year. All other recipients of funding under this program will have reached the final year of funding by 30 June 2014.

Planning for 2014/2015 and beyond

As part of a review of the CFPF program, consultation workshops were held with category partners and other internal stakeholders between February and April 2014. The following benefits and challenges of the program were identified through these workshops:

Benefits of the CFPF program

- Supporting the achievement of council's strategies and action plans
- Providing a community service that council may otherwise need to provide and cost effective management of community facilities
- Developing strong and effective partnerships between council and community, promoting two-way communication and sharing of information and resources
- Enabling local community organisations to become more future-focused and vigorous
- Recognising the contribution of volunteers by contributing to crucial operational expenses (most difficult funding to source).

Challenges of the CFPF program

Internal

- New Corporate Plan – CFPF assessment based on alignment with Corporate Plan
- Management of community expectations - need for clarity for community on what will and will not be funded in 2014/2015 and beyond and any upper limits of available funding
- A number of groups have now had four years of funding under the program – based on applications submitted and assessed in 2010. Change of committees and potential for out of date program and organisation information
- Timelines for application, assessment for funding for financial year must precede adoption of 2014/2015 budget
- Difficulty in collecting comparative data to measure success of operational funding
- Potential for groups to become dependent on Council funding.

External

- State Government Social Services Investment Framework
- Federal Government Digital Radio Spectrum Bandwidth Sale

Options

Various funding options for community organisations currently eligible under the Community Partnerships Funding Program (CPFP) were identified and considered by Councillors, category partners and other internal stakeholders including:

1. Open round for new CPFP applications – with revised guidelines
2. Discontinue CPFP funding and redirect funds to Community Grants Program for projects
3. Discontinue CPFP funding and include operational costs in the Community Grants program
4. Establish separate program for allocation of Environment Levy and/or Heritage Levy funding
5. Consider Service Level Agreements (or similar) for some organisations delivering a specific service on behalf of council.

It is proposed to:

1. Open Community Partnership Funding Program for applications for funding for operational expenses of organisations which provide a key service or facility to the Sunshine Coast community. Implement amended program guidelines that:
 - provide a maximum of one year of funding for the 2014/2015 financial year
 - reflect current council and category priorities in line with corporate strategies and plans
 - provide greater clarity on what will and will not be funded
 - include requirements for agreed deliverables, specific measures and reporting
2. Establish a separate Environment Levy Community Funding Program (ELCFP) for the allocation of Environment Levy Funding bringing together:
 - Environment Levy Landholder Environment Grants (LEG)
 - Environment Levy Partnerships
 - Environment Levy GrantsImplement new program guidelines and remove Environment category from the CPFP and Community Grants Programs.
3. Manage funding to Community Pools through individual funding agreements. Remove Community Pools Category from the CPFP guidelines.
4. Implement updated Community Grants Program guidelines which:
 - reflect the removal of Environment Category to be managed through the new Environment Levy Partnerships and Grants Program
 - include a new “Community Facilities” category to reflect high demand for funding for sporting and community facility upgrade projects and allow consistent assessment and reporting
 - see the reduction of the maximum funding amount from \$50,000 to \$30,000 to reflect budget availability and better manage community expectations
 - reflect current council and category priorities in line with corporate strategies and plans

5. Undertake a further review of the CFPF and Community Grants Program following the adoption of Council's New Corporate Plan to ensure program alignment with corporate priorities and report to Council by December 2014.

Legal

There is no legal impediment to proceeding with the recommendation in this report.

Policy

The Part 5, Section 194 of the *Local Government Act (2009)* notes that community grants must be used in accordance with the local government's policy for community grants and that the grant must be used for a purpose that is in the public interest.

Delivery of the CFPF and Community Grants Program and other relevant programs are governed by the Community Grants Strategic Policy and supporting guidelines.

The administration of programs sitting under the Community Grants Strategic Policy is supported by specific guidelines, which can be adjusted and signed off by the Chief Executive Officer according to annual budgetary decisions and strategic decisions made by Council.

Risk

There is a minimal risk of community concern associated with the reduction in the maximum period of funding under this program from three years to one.

Previous Council Resolution

OM13/130 – 25 July 2013

That Council:

- (a) receive and note the report titled "Community Partnership Funding Program (Environment) Recommendations"*
- (b) endorse the Community Partnership Funding Program (Environment Category) Recommendations for a single year of funding to 2013/2014 (Appendix A) subject to Transfer Manager approval where relevant for Noosa based applications and*
- (c) note the ongoing previously endorsed commitment to organisations listed in Appendix B, as amended, through to 2014/2015 and request the Chief Executive Officer to notify the Transfer Manager in relation to Noosa based organisations whose funding must be met by a future Noosa Council from 1 January 2014 to 30 June 2015 and*
- (d) note that the Chief Executive Officer will meet as a matter of urgency with representatives of the Petrie Creek Catchment Care Group in order to discuss current grants opportunities.*

OM13/109 – 20 June 2013

That Council:

- (a) receive and note the report titled "**Community Grants Policy**"*
- (b) adopt the Community Grants Policy (Appendix A)*
- (c) note the Community Grants Guidelines (Appendix B) as amended by (f) below to implement the Community Grants Policy*
- (d) adopt the Mayoral and Councillor Discretionary Funding Policy as amended (Appendix C)*

- (e) *note the Mayoral and Councillor Discretionary Funding Program Guidelines (Appendix D) and*
- (f) *amend the grants guidelines to include a clause that stipulates that each program is subject to annual budget allocations.*

OM12/110 – 23 August 2012

That Council:

- (a) *receive and note the report titled “Community Partnership and Sports Field Maintenance Funding Programs 2012”;*
- (b) *endorse the Community Partnerships Funding Program Recommendations (Appendix A); and*
- (c) *endorse the Sports Field Maintenance Funding Program Recommendations (Appendix B).*

OM11/205 – 24 August 2011

That Council:

- (a) *receive and note the report titled “Community Partnership and Sports Field Maintenance Funding Program 2011”;*
- (b) *endorse the funding recommendations for Community Partnerships Funding Program Recommendations (Appendix A) and Sports Field Maintenance Funding Program (Appendix C); and*
- (c) *note the 2010/2011 Community Partnership Funding Program second year funding allocations (Appendix B).*

Related Documentation

- Community Grants Policy (2013)
- Community Events and Celebrations Strategy
- Cultural Development Policy
- Regional Economic Development Strategy 2013 - 2033
- Environment Levy
- Events Policy
- Heritage Levy
- Markets Policy
- Sunshine Coast Pest Management Plan 2012 - 2016
- Public Art Policy
- Regional Sport and Active Recreation Plan 2011 - 2026
- Sunshine Coast Access and Inclusion Plan 2011-2016
- Sunshine Coast Aquatics Plan 2011 - 2026
- Sunshine Coast Climate Change and Peak Oil Strategy
- Sunshine Coast Council Positive Ageing Strategy 2011-2016
- Sunshine Coast Council Reconciliation Action Plan 2011-2016
- Sunshine Coast Wellbeing Charter
- Sunshine Coast Youth Strategy 2010-2015
- Volunteer Policy
- Waterways and Coastal management strategies
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Statutory Bodies Financial Arrangements Act 1982*

Critical Dates

Council direction is required before 23 May 2014 to allow for:

- Timely opening of a CPFP funding round to applications for the 2014/2015 financial year
- Consideration of 2014/2015 program funds at the June 2014 Budget Meeting.

Implementation

Subject to council support of these recommendations, applications for funding through the Community Partnership Funding Program will open on 26 May 2014 and close on 23 June 2014.

A report to council on funding recommendations through the CPFP program is anticipated for the August Ordinary Meeting.

8.2.4 CAT REGISTRATION

File No:	Animal Management	
Author:	Coordinator Response Services Community Services Department	
Appendices:	App A - Proposed cat registration fees	213
Attachments:	Att 1 - Supporting data for cat registration	215
	Att 2 - Proposed fee comparison with neighbouring local councils	217

PURPOSE

The purpose of this report is to seek Council endorsement to amend *Local Law No. 2 (Animal Management) 2011* to include a requirement for animal owners to register cats. This amendment is a result of the Queensland Government removing this requirement from the *Animal Management (Cats & Dogs) Act 2008* in September 2013.

EXECUTIVE SUMMARY

The Queensland State government introduced the *Animal Management (Cats & Dogs) Act 2008* in July 2009 that included the compulsory registration of cats and dogs. In turn, local government became the responsible level of government for the management of cat and dog registration, keeping a register and setting fees.

Sunshine Coast Council has been compliant with the *Animal Management (Cats & Dogs) Act 2008* from its inception and currently there are 7,384 cats registered with Council. The annual registration period for Sunshine Coast Council commences 1 October each year and ends on 30 September the following year. To date, 90% of cat owners have paid registration fees for the period 1 October 2013 to 30 September 2014.

On 10 September, 2013 the Queensland Government passed the Agriculture and Forestry Legislation Amendment Bill 2013 that repealed state-wide mandatory cat registration identified in the *Animal Management (Cats & Dogs) Act 2008*. In repealing the mandatory registration requirement for cats, the Queensland Government referred the power to register cats to local government via local laws. The Queensland Government has maintained the requirement for all cats to be microchipped.

Local governments had until 21 October, 2013 to determine the course of action appropriate for their area. If a local government wanted to continue with cat registration, they were required to pass a resolution to become a “declared council”. The resolution to become a “declared council” allowed the local government body to continue to use the existing cat registration provisions within the *Animal Management (Cats & Dogs) Act 2008* for the next 12 months, giving the local government time to consider the benefits or otherwise of cat registration. During this 12 month period, the council is required to either amend their local laws to include cat registration or elect not to continue with cat registration.

Sunshine Coast Council moved a resolution at the Ordinary Meeting on 17 October, 2013 to become a “declared council”.

Council officers conducted a review of cat registration and identified the following information as was presented at a Councillor workshop on the 24 February, 2014:

- Current cat registrations
- Customer requests
- Impound statistics for cats
- Impact of cats – areas of concern
- Principles of cat ownership
- Benefits of registration

It is recommended that Council's Local Law No. 2 (Animal Management) 2011, be amended to include the introduction of cat registration and that:

- Existing cat registration fees be aligned with the existing dog registration fees
- Council adopt a new fee for non de-sexed, microchipped cats
- Council continue to offer reduced fees for pensioners
- Council continue to offer reduced fees for cat breeders which are registered with a state or nationally recognised breeding association'
- Council offer an option of lifetime registration for de-sexed and microchipped cats.

Appendix A outlines the proposed fees for Council consideration for inclusion in the Register of Cost-recovery Fees and Commercial Charges 2014/2015.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Cat Registration"**
- (b) approve the commencement of the process to amend *Local Law No. 2 (Animal Management) 2011* to include cat registration**
- (c) include the proposed Cat Registration fees (Appendix A) in the Register of Cost-recovery Fees and Commercial Charges 2014/2015 for consideration at the Special Meeting Budget 2 June 2014.**

FINANCE AND RESOURCING

The proposed fees for cat registration are provided in Appendix A. Fees are payable where an animal owner registers their cat in the Sunshine Coast Council region.

Animal owners who have a desexed and microchipped cat will have the option to choose between:

- a Lifetime Registration at a \$75.00 one-off fee and
- continuing with an annual registration of \$12.90

This choice allows cat owners to select the option that best suits their current circumstances. For example, if a cat is reaching old age it may be more appropriate for a cat owner to continue with an annual registration option.

Given the proposed saving in registration it is expected that most cat owners with a cat under 7 years in age may elect to transfer to the Lifetime Registration. While this may increase

revenue in the first year of registration by approximately \$223,497, it will represent a decline in yearly revenue of approximately \$46,427.10 (based on the cats currently registered).

This will increase the gap between revenue and costs in relation to cat management. Impounding of cats, which are not able to be returned to their owner, represented a cost to council of \$149,370 in 2013. The ongoing decrease in revenue increases this gap from \$36,613 to \$66,524.

The expected revenue for these fees is outlined in Attachment 1.

CORPORATE PLAN

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.1 - Safe and healthy communities

Strategy: 4.1.2 - Provide community safety and regulatory programs that ensure the well-being of residents and visitors

Corporate Plan Theme: *Great governance*

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

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

CONSULTATION

Internal Consultation

- Councillors
- Director, Community Services
- Manager, Community Response

External Consultation

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

Community Engagement

No community engagement has been undertaken for this proposal. If endorsed, community engagement will be undertaken as part of the proposal to amend *Local Law No. 2 (Animal Management) 2011*.

PROPOSAL

The Queensland State government introduced the *Animal Management (Cats & Dogs) Act 2008* in July 2009 that included the compulsory registration of cats and dogs. In turn, local government became the responsible level of government for the management of cat and dog registration, keeping a register and setting fees.

Sunshine Coast Council has been compliant with the *Animal Management (Cats & Dogs) Act 2008* from its inception and currently there are 7,384 cats registered with Council. The annual registration period for Sunshine Coast Council commences 1 October each year and ends on 30 September the following year. To date, 90% of cat owners have paid registration fees for the period 1 October 2013 to 30 September 2014.

On 10 September, 2013 the Queensland Government passed the Agricultural and Forestry Legislation Amendment Bill 2013 that repealed state-wide mandatory cat registration identified in the *Animal Management (Cats & Dogs) Act 2008*. In repealing the mandatory registration requirement for cats, the Queensland Government referred the power to register

cats to local government via local laws. The Queensland Government has maintained the requirement for all cats to be microchipped.

Local governments had until 21 October 2013 to determine the course of action appropriate for their area. If a local government wanted to continue with cat registration, they were required to pass a resolution to become a “declared council”. The resolution to become a “declared council” allowed that local government to continue to use the existing cat registration provisions within the *Animal Management (Cats & Dogs) Act 2008* for the next 12 months, giving the local government time to consider the benefits or otherwise of cat registration. During this 12 month period the council can then either amend their local laws to include cat registration or elect not to continue with cat registration.

Sunshine Coast Council moved a resolution at the Ordinary Meeting on 17 October 2013 to become a “declared council”.

Council officers conducted a review of cat registration and identified the following information as was presented at a Councillor workshop on the 24 February, 2014.

1) Current cat registrations

As at the 16 January, 2014 there were 7,384 cats registered with Sunshine Coast Council.

Based on the information collected in relation to registration:

- 95% of the registered cats are desexed
- 74% of registered cats are microchipped
- only 2% of registered cats are neither microchipped or desexed.

The cheapest registration fees are associated with de-sexed and microchipped animals. This fee setting is designed to provide an incentive for responsible pet ownership (i.e. approximately 95% registered animals are either desexed and/or microchipped).

2) Customer requests

In 2013, Council received 788 complaints regarding cats, an increase of 9% from 2012.

85% of these complaints (670) related specifically to roaming or impounding of cats, the remaining 15% of requests included enquiries in regards to registration (5%), additional animal permits (4%), requests to collect dead cats from public land (3%), complaints about cats attacking other animals (2%) and some general enquiries in relation to cat ownership (1%).

3) Impound statistics for cats

In 2013 Council impounded 446 cats. While Council officers employ a range of tools to attempt reunite the cats with their owner, only 14% of these cats were returned to their owner while 54% were rehomed through Council’s partnerships with Sunshine Coast Animal Refuge (SCAR), 4Paws and the RSPCA. 32% were euthanised. These impounding statistics are consistent with figures for the 2011 and 2012 calendar years.

When impounded, a cat stays in the pound for an average of six days (including weekends and public holidays). The process of collecting a trapped cat, the initial impound, daily care and final release or euthanasia represents a cost of approximately \$390 per cat. Where a cat is rehomed or euthanised these costs cannot be redeemed through impound fees, sustenance fees or infringements.

In 2013 a total of 383 cats were rehomed or euthanised, at an average cost of \$390 per cat, representing an overall cost of \$149,370.

In August 2013 Council officers began to collect more detailed information regarding impounded animals. Based on this information:

- 93% of cats which are impounded are not registered
- 97% of cats which are impounded are not desexed
- 81% of cats which are impounded are not microchipped.

4) Impact of cats - areas of concern

Based on an analysis of cat registrations, cat related requests and cat impounds three main areas of concern were identified in relation to cat management on the Sunshine Coast:

- Complaints in relation to cats have been increasing over the past three years, despite the number of registrations not showing a significant increase, indicating an increasing community expectation for Council to assist with domestic cat related issues.
- The number of cats being impounded each year is remaining steady and the number of cats being returned home to their owners is not improving.
- There is a gap between the revenue collected for cat registration and the cost of cat management which means Council cannot continue to provide the same level of support without considering a change to either service levels or cost.

5) Principles of cat ownership

Responsible pet ownership is a key message strongly driven by Council through education tools and enforcing legislation relating to pet ownership on the Sunshine Coast. With this key message in mind Council officers considered the following principles when collating this report:

- Cat owners are responsible for the health and welfare of their cat
- Cat owners are responsible for managing the impact their cat has on the environment and must adhere to legislation
- Council will encourage responsible pet ownership by discounting fees to reward cat owners who de-sex and microchip their cat
- Council will undertake education and enforcement programs in relation to responsible cat ownership and
- Council will develop legislation, policies and procedures in an effort to reduce the feral and unwanted cat population.

6) The benefits of registration

Registration provides a number of benefits to cat owners by allowing Council to:

- Provide pound facilities and reunite cats with their owners
- Undertake a cat cage program for residents with nuisance cat problems
- Provide an additional contact register to assist Council with reuniting cats with their owners
- Provide education and promote responsible pet ownership to cat owners in line with the DRAFT Domestic Animal (Cats & Dogs) Strategy 2014 – 2020 (yet to be considered by Council) through the registration and renewal process
- Provide enforcement in line with the Compliance and Enforcement Policy 2009 and
- Gain a holistic view of the cat population on the Sunshine Coast.

In light of the above findings, it is recommended that *Local Law No. 2 (Animal Management) 2011* be amended to include the introduction of cat registration. Prior to the Queensland Government removing the requirement for cats to be registered under the *Animal Management (Cats and Dogs) Act 2008* rules around renewal periods were controlled by the State. Under *Local Law No. 2 (Animal Management) 2011* Council can dictate how cat registration works best for the Sunshine Coast region.

It is recommended that Council's *Local Law No. 2 (Animal Management) 2011*, be amended to include the introduction of cat registration and that:

- Existing cat registration fees be aligned with the existing dog registration fees
- Council adopt a new fee for non de-sexed, microchipped* cats
- Council continue to offer reduced fees for pensioners
- Council continue to offer reduced fees for cat breeders which are registered with a state or nationally recognised breeding association'
- Council offer an option of lifetime registration for de-sexed and microchipped cats.

* The *Animal Management (Cats and Dogs) Act 2008* requires all cats born after June 2009 to be microchipped; this will not change with the removal of registration from the state legislation and the legislation was not retrospective. The proposed fee reduction for microchipping animals is to encourage cat owners who are not required to microchip their cat to do so.

The recommendations outlined above seek to:

- Reward responsible pet ownership with lower registration costs and promotes a clear message that Council support and reward responsible pet ownership
- Provide an incentive for owners of non-desexed non-microchipped cats to consider making the transition to more responsible pet owner practises
- Increase the revenue relating to cat registration which can be allocated specifically to cat management. Based on the 2012/2013 registration fees this proposed change represents an approximate increase of approximately \$16,516 in the first year
- Reduce the gap between revenue and costs in relation to cat management. Impounding of cats, which are not able to be returned to their owner, represented a cost to council of \$149,370 in 2013. The increase in revenue reduces this gap from \$36,613 to \$20,097.

Legal

On 10 September, 2013 the Queensland Government passed the *Agriculture and Forestry Legislation Amendment Bill 2013* that repealed state-wide mandatory cat registration identified in the *Animal Management (Cats & Dogs) Act 2008*, thereby deferring power to register cats to local government.

If Council resolves to continue with cat registration an amendment will be required to *Local Law No. 2 (Animal Management) 2011*.

Policy

Fees and charges are adopted by Council for each financial year and may be amended during the year. Council's Revenue Policy states: "*All fees and charges will be set with reference to full cost pricing. Cost recovery fees will be charged up to a maximum of full cost. Commercial charges will be at commercial rates.*"

Risk

The following risks are associated with discontinuing cat registration:

- There will be a continuing cost in relation to cat management with no supporting revenue resulting in the activity being supported by the general rate. Discontinuing registration represents a decrease of \$112,756.50 in revenue based on the 2012/2013 financial year.
- A reduction in services such as cat cages, educating the community in relation to responsible cat ownership and enforcing Local Laws in relation to containing animals will contribute to an increase in feral cat populations and transfer of cost for cat management from regulatory services (e.g. impounding) to feral cat programs through the Pest Management Plan 2012 – 2016.
- There may be a risk to Council's reputation from a number of areas such as:
 - Environmental impact: Wandering domestic and feral cats have a significant impact on local wildlife and the local environment. From January 2012 to July 2013 Australia Zoo recorded 246 incidents of wildlife being injured by a cat. 49% of these incidents

resulted in the wildlife having to be euthanised, 17% resulted in an unassisted death and 11% of incidents resulted in the wildlife requiring rehabilitation. The remaining 23% were released.

- Not meeting community expectations to respond to cat related complaints. As indicated by the increase in requests relating to cats over the past three years the Sunshine Coast community has an expectation that Council will support them in dealing with cat related problems such as wandering.
- Inconsistent messaging relating to responsible pet ownership: Sunshine Coast Council has worked with the community to build a culture of responsible pet ownership (e.g. Your Dog = Your Responsibility). Removing the requirement for registration of cats may affect the community's perception of the responsibility associated with cat ownership.
- Through experience, officers have identified that animal owners can neglect to update their microchip details with their provider, or there is a delay between when this information is provided to the microchip provider and when it is accessible by Council. Registration currently provides an alternate contact register for animal owners. By reducing the identification tools when searching for an animal owner Council may become less effective at returning cats to their owner, resulting in higher euthanasia numbers.

Previous Council Resolution

(OM13/204) 17 October 2013

That Council:

- (a) *receive and note the report titled "Changes to Animal Management (Cats & Dogs) Act 2008"*
- (b) *resolve to be a "declared council" to allow Sunshine Coast Council to continue to use the existing cat registration provisions within the Animal Management (Cats & Dogs) Act 2008 for the next 12 months*
- (c) *utilise the 12 month extension to existing cat registration provisions in order to review the implications of continuing or not continuing with cat registration on the Sunshine Coast*
- (d) *request the Chief Executive Officer consult with relevant stakeholders including portfolio councillor as part of the review of the implication of continuing or not continuing cat registration on the Sunshine Coast and*
- (e) *request the Chief Executive Officer to provide a further report to council with regard to (c) and (d) above within the 12 month period.*

Related Documentation

- Register of Cost-recovery Fees and Commercial Charges 2014/2015
- Council's Revenue Policy
- Compliance Policy 2009
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Local Law No. 2 (Animal Management) 2011*

Critical Dates

Cat registration renewals are due for delivery in late August 2014. If adopted the amendments to *Local Law No. 2 (Animal Management) 2011* would need to be gazetted prior to the renewals being issued.

Implementation

Following consideration and endorsement of this report, a further report will be presented to Council outlining the changes to *Local Law No. 2 (Animal Management) 2011*.

The functions and procedures for cat registration and registration renewals are currently in place. Council's website and registration forms will be updated to reflect the changes.

8.2.5 PEST SURVEY PROGRAM 2014-2015

File No: Environmental Health
Author: Coordinator Healthy Places
Community Services Department

PURPOSE

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

EXECUTIVE SUMMARY

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

Section 241(4)(f) of the Act states a Pest Survey Program must be no longer than three (3) months' duration. The three month programs are proposed to occur:

- **Survey Program 1:** 01/07/14 to 30/09/14 for the localities of Kenilworth, Obi Obi, Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek, Palmwoods, Glass House Mountains.
- **Survey Program 2:** 01/10/14 to 31/12/14 for the localities of Kenilworth, Obi Obi, Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek, Palmwoods, Glass House Mountains.
- **Survey Program 3:** 01/01/15 to 31/03/15 for the localities of Ninderry, Obi Obi, Kenilworth, Gheerulla, Palmwoods, Glass House Mountains, Cooloolabin.
- **Survey Program 4:** 01/04/15 to 30/06/15 for the localities of Obi Obi, Kenilworth, Gheerulla, Cooloolabin, Belli Park, Kureelipa, Beerburrum.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Pest Survey Program 2014-2015” and
- (b) approve the following pest survey programs for the Sunshine Coast Regional Council in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002, Section 241*:
 - (i) Survey Program 1: 01/07/14 to 30/09/14 for the localities of Kenilworth, Obi Obi, Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek, Palmwoods, Glass House Mountains
 - (ii) Survey Program 2: 01/10/14 to 31/12/14 for the localities of Kenilworth, Obi Obi, Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek, Palmwoods, Glass House Mountains
 - (iii) Survey Program 3: 01/01/15 to 31/03/15 for the localities of Ninderry, Obi Obi, Kenilworth, Gheerulla, Palmwoods, Glass House Mountains, Cooloolabin and
 - (iv) Survey Program 4: 01/04/15 to 30/06/15 for the localities of Obi Obi, Kenilworth, Gheerulla, Cooloolabin, Belli Park, Kureelipa, Beerburum.

FINANCE AND RESOURCING

The proportion of the 2014-2015 budget allocated to address declared pest plant and animal issues is \$1,264,983 and comprised of:

- Salaries \$690,339
- Materials and services \$340,136
- Vehicles and plant \$128,949
- Internal materials and services \$39,881

There are sufficient funds and resources to undertake the proposed four pest survey programs.

CORPORATE PLAN

Corporate Plan Theme: *Ecological Sustainability*

Emerging Priority: 2.4 - Healthy waterways and foreshores

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

Corporate Plan Theme: *Health & Wellbeing*

Emerging Priority: 4.1 - Safe and healthy communities

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

CONSULTATION

Internal Consultation

The following parties contributed to the development of this report:

- Healthy Places Coordinator
- Pest Management Field Leader

External Consultation

There are no external consultation implications associated with the report.

Community Engagement

There are no community engagement implications associated with the report.

PROPOSAL

A council resolution is required to approve the Pest Survey Programs for the period 1 July 2014 to 30 June 2015 to ensure that relevant officers act in accordance with legislation, particularly with regard to powers of entry. This will facilitate a coordinated approach to land protection across the region, with a regional survey schedule commencing on 1 July 2014.

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

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

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

Section 241(4)(f) of the Act states a Pest Survey Program must be no longer than three (3) months' duration. The three month programs are proposed to occur:

- **Survey Program 1:** 01/07/14 to 30/09/14 for the localities of Kenilworth, Obi Obi, Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek, Palmwoods, Glass House Mountains.
- **Survey Program 2:** 01/10/14 to 31/12/14 for the localities of Kenilworth, Obi Obi, Coolum Beach, Maroochy River, Ninderry, Peregian Beach within the Sunshine Coast Council boundary, Yandina Creek, Palmwoods, Glass House Mountains.
- **Survey Program 3:** 01/01/15 to 31/03/15 for the localities of Ninderry, Obi Obi, Kenilworth, Gheerulla, Palmwoods, Glass House Mountains, Cooloolabin.
- **Survey Program 4:** 01/04/15 to 30/06/15 for the localities of Obi Obi, Kenilworth, Gheerulla, Cooloolabin, Belli Park, Kureelpa, Beerburrum.

Legal

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

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

Policy

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

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

Risk

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

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

Previous Council Resolution**Council Resolution OM14/8 – Ordinary Meeting 30 January 2014**

That Council:

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

Related Documentation

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

Critical Dates

The pest survey programs have been scheduled to provide seamless delivery from 1 July 2014 to 30 June 2015.

Implementation

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

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

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

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

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

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

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

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

8.3 CORPORATE SERVICES**8.3.1 MARCH 2014 FINANCIAL PERFORMANCE REPORT**

File No:	Financial Reports
Author:	Coordinator Financial Services Corporate Services Department
Attachments:	Att 1 - March 2014 Financial Performance Report 231

PURPOSE

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

EXECUTIVE SUMMARY

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

Due to the meeting schedule, budget adjustments through BR3 that were adopted at the April Ordinary Meeting are not included in the current budget figures of this report.

The operational result at 31 March 2014 shows a positive variance of \$4.8 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$9.9 million (2.8%) and higher than expected operating expenses of \$5.1 million (1.7%). Further detail is provided in the proposal section of this report.

The positive variance in the operating result of \$4.8 million at the end of March 2014 should be considered in the context of the key financial risks to council's full year operating result identified in the Risk section of this report.

As at 31 March 2014, \$102.4 million (53.4%) of council's \$191.7 million 2013/2014 Capital Works Program was financially expended.

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "March 2014 Financial Performance Report".

FINANCE AND RESOURCING

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

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

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

Strategy: 8.1.2 - Ensure legislative compliance and awareness

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.1 - Develop long term financial plans and indicators to achieve optimum use of resources and alignment to strategic priorities

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.3 - Strong financial management

Strategy: 8.3.2 - Ensure council's financial performance is well managed and leads to a strong financial position

CONSULTATION

Internal Consultation

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

The operational result at 31 March 2014 shows a positive variance of \$4.8 million compared to the forecast position.

This operating result variation is made up of higher than expected revenue of \$9.9 million and higher than expected operating expenses of \$5.1 million.

The positive variance in the operating result of \$4.8 million at the end of March 2014 should be considered in the context of the key financial risks to council's full year operating result identified in the Risk section of this report.

Due to the meeting schedule, budget adjustments through BR3 that were adopted at the April Ordinary Meeting are not included in the current budget figures of this report.

Operating Revenue

Net Rates and Utilities

As at March 2014 net rates and utilities are showing an unfavourable variance of \$477,000. This variance is being generated by an increase in waste rates revenue of \$618,000, and is offset by lower than anticipated growth in general rates of \$1.0 million. Both of these variances will be addressed as part of Budget Review 3 (BR3).

Fees and Charges

Of the \$5 million favourable variance in fees and charges, \$2.9 million relates to development applications revenue, across all application types.

Other Fees & Charges that are showing favourable variances to budget include:

- Holiday Parks \$530,000
- Change in Ownership Fees \$430,000
- Sunshine Coast Airport \$410,000
- Quarries external sales \$367,000

Due to the nature of the business units, the increases in revenue are often offset by increases in the variable costs associated with providing the goods or services. Budget adjustments to reflect these increases in revenue are being addressed through BR3.

Interest Received from Investments

There is a favourable variance of \$760,000 at the end of March in interest received from investments, with budget adjustments addressed as part of BR3.

Grants and Subsidies

The favourable variance of \$535,000 is made up of a number of small grants received from the State and Federal Governments, with budget adjustments to reflect increases included in BR3.

Other Revenue

Of the \$3.8 million favourable variance in other revenue, \$2.3 million relates to the reimbursement of de-amalgamation costs up to the 23 December 2013 from the working capital facility. This reimbursement is for \$1.3 million in employee costs and \$1.0 million in Materials and Services, which covers costs incurred by the Sunshine Coast Council on de-amalgamation activities.

A further \$915,000 relates to a refund from the Office of State Revenue for over charged payroll tax. \$329,000 relates to higher than anticipated sales of recovered materials which are diverted from landfill.

Budget reflecting the favourable variances within other revenue will be adjusted as part of BR3.

Operating Expense

Employee Costs

As at March 2014 month end, employee costs were over budget by \$1.7 million.

A total of \$1.3 million in Sunshine Coast Council employee costs was spent on de-amalgamation activities up to 23 December 2013 with around 4% of this related to additional staff employed solely for de-amalgamation work. As reflected in other revenue, the reimbursement of this expenditure has been received, and BR3 will align the revenue and expenditure lines.

Materials and Services

As at March 2014 month end, Materials and Services costs were above budget by \$2.6 million.

This variance is made up of higher than budgeted legal costs of \$1.3 million.

As at 23 December 2013, \$1.0 million had been spent on Materials and Services setting up the new Noosa Shire Council. As reflected in other revenue, the reimbursement of this expenditure has been received, and BR3 will align the revenue and expenditure lines.

Capital Expenditure

As at 30 March 2014, \$102.4 million (53.4%) of council's \$191.7 million 2013/2014 Capital Works Program was financially expended. The Capital Works Program will be reduced to \$169.6 million once council adopts BR3, which would result in a financial completion of 60.3% for the month of March 2014. Detail by Capital Works Program is outlined below:

Program	Original Budget \$000	Current Budget \$000	YTD Actual \$000	% of Annual Budget Spent
Buildings and Facilities	6,548	7,324	5,151	70%
Coast and Canals	1,949	2,388	980	41%
Divisional Allocations	3,100	4,540	2,920	64%
Environmental Assets	1,238	1,276	342	27%
Fleet	1,000	1,000	745	75%
Parks and Gardens	10,317	12,228	5,232	43%
Stormwater	4,161	4,241	3,858	91%
Transportation	52,952	65,632	37,109	57%
Information Communication Technology	3,927	4,871	2,469	51%
Strategic Land & Comm Properties	9,422	56,709	25,278	45%
Aerodrome	-	399	16	4%
Sunshine Coast Airport	3,400	8,237	6,398	78%
SC Holiday Parks	1,455	3,093	425	14%
Quarries	150	637	805	126%
Waste	9,651	19,103	10,677	56%
TOTAL COUNCIL	109,270	191,678	102,404	53.4%

Information on low expenditure compared to annual budget is provided below.

Environmental Assets

- Contractors now appointed for three projects that constitute \$1.02 million, or 80% of the program.
- All projects are underway and expected to be completed by 30 June 2014.

Aerodrome

Delay in expenditure at Caloundra Aerodrome has resulted from the pursuit of State Government approvals for clearing of future developable areas along with investigations and resolution related to the development of an additional airside allotment to the north of the Caloundra Aerodrome. It is expected that budgeted amounts will be expended prior to 30 June 2014.

Sunshine Coast Holiday Parks

- \$557,000 of works planned for Noosa Holiday Parks that were not completed as at 31 December 2013 have been removed from the Sunshine Coast Council Capital Works

Program as budget adjustments in BR3. These projects formed part of the de-amalgamation transfer process.

- Permanent saving of \$700,000 relating to an allocation for nine new cabins that have now been delayed indefinitely due to market conditions.
- \$400,000 allocated at Mudjimba for purchase of State land has been delayed by inaction from the relevant State department.
- \$200,000 for Mooloolaba refurbishment has been re-scheduled to 2014/2015.

Parks

Since Christmas a series of projects have been well under construction and will substantially increase year to date delivery results during the coming months – key projects currently in progress are:

Alex Headlands Foreshore; Russell Family Park; Lions Park Maroochydore; Elizabeth Daniels Park; Buderim Village Park

Moving forward there is a continued focus on fast tracking hand over of designs for construction with ongoing weekly design review and capital works status meetings between council's Recreation Projects and Landscape Design teams. If favourable weather continues, we are on track for 80% to 90% delivery of parks capital works.

Quarries

Emergency stormwater management works were required by the Department of Environment & Heritage Protection to be completed by the 23 December 2013. The department refused to consider any phasing of works. Due to the emergent nature of these works, the quarry program is currently over budget. Additional funding requests are being made as part of BR3 and will be funded from the Quarry restricted cash balance.

Strategic Land and Commercial Properties

\$11.4 million of the allocation for land purchases and other projects for the Maroochydore Principal Activity Centre will be removed from the 2013/2014 Capital Works Program through BR3. These projects will be included in the 2014/2015 Capital Works Program to be considered by Councillors.

Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 March 2014, council has maintained a reasonably strong return in the current market conditions with \$257 million cash (excluding Trust Fund) with an average interest rate of 3.63%, being 1.03% above benchmark. This is compared to the same period last year with \$277 million cash (excluding Trust Fund) where the average interest rate was 4.46%, being 1.48% above benchmark.
- The benchmark used to measure performance of cash funds is the UBS Bank Bill Index and the Bank Bill Swap Rate (BBSW) for term deposits.
- The Reserve Bank of Australia (RBA) cash rate remains unchanged at 2.5%.

Legal

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

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

Policy

Council's Investment Policy.

Risk

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

1. the expected full year growth in rateable properties is less than forecast, with lower revenue than budgeted;
2. in June 2013 the Federal Government pre-paid half of the 2013/2014 Financial Assistance Grant of \$6.3 million. Since half of the grant was pre-paid into 2012/2013 there is a potential shortfall of \$2.1 million in the current budget;
3. there are \$4.7 million net savings for the Organisational Review loaded into the budget;
4. the achievement of de-amalgamation reductions in Materials & Services budget occurs after separation from 1 January 2014;
5. there are \$4.4 million employee vacancy savings loaded into the budget which may be difficult to achieve along with the Organisational Review; and
6. the risk that the State Government will transfer State Penalties Enforcement Register (SPER) debt back to local councils, who will then have to manage their own debt collection.

Previous Council Resolution

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

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

On 12 December 2013 council adopted the Budget Review 2 2013/2014.

On 18 February 2014 council resolved in SM14/12 section (b) to amend the 2013/2014 budget by increasing the Strategic Land and Commercial Properties capital budget by an amount of \$5.9 million.

On 27 February 2014, council resolved in OM14/19 section (b) to amend the 2013/2014 budget by increasing the Strategic Land and Commercial Properties capital budget by an amount of \$755,000.

Related Documentation

There is no related documentation for this report.

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.3.2 PROPOSAL TO MAKE AMENDMENT LOCAL LAW NO. 1 (ANIMAL MANAGEMENT) 2014 AND AMENDMENT SUBORDINATE LOCAL LAW NO. 1 (ANIMAL MANAGEMENT) 2014

File No:	22.12.1
Author:	Manager Corporate Governance Corporate Services Department
Appendices:	App A - Amendment Local Law No. 1 (Animal Management) 2014.....251
	App B - Amendment Subordinate Local Law No. 1 (Animal Management) 2014261

PURPOSE

The purpose of this report is to seek a resolution proposing to make Amendment Local Law No. 1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014, which seeks to remove the provision prohibiting animals from eating establishments, introduce the requirement to register a cat, and introduce a new dog off leash area in Brightwater Estate, Mountain Creek.

EXECUTIVE SUMMARY

Council's suite of local laws are reviewed on a regular basis to ensure that a current and responsive approach to local law issues and regulation is maintained.

At the Strategic Discussion Forum (SDF) held with councillors on 24 February 2014, councillors were presented with papers in relation to the following local law issues for consideration:

- Cat registration - option to include mandatory provisions for registration; and
- Dogs in eating establishments (inconsistency with State legislation) – option to remove provisions relating to prohibition of animals from eating establishments from *Subordinate Local Law No. 1 (Animal Management) 2011*.

Amendments to council's local laws are now being proposed that address the above issues as well as an additional amendment relating to a newly constructed dog off-leash area at Brightwater Estate.

This report seeks council's consideration of a proposal to make Amendment Local Law No. 1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014 which will introduce the requirement to register a cat under council's local laws, remove the provision that prohibits animals from eating establishments and introduce a new dog off leash area in Brightwater, Mountain Creek.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Proposal to Make Amendment Local Law No. 1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014” and
- (b) hereby resolve to propose to make Proposal to Make Amendment Local Law No. 1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014 (Appendix B)
- (c) hereby resolve to undertake community consultation
- (d) hereby resolve to undertake a State Interest Check in relation to the proposed amending local law pursuant to section 29A of the *Local Government Act 2009* and
- (e) has reviewed the proposed amendments in accordance with section 38 of the *Local Government Act 2009* and taking into consideration the identification guidelines mentioned in section 15 of the *Local Government Regulation 2012*, notes that the amendment subordinate local law does not contain any anti-competitive provisions as the amendments relate to the management of domestic animals and does not relate to commercial activity.

FINANCE AND RESOURCING

Financing and resourcing of the various elements associated with the making of the proposed local law amendment include:

Legal drafting

Dr. Michael Limerick, Barrister was commissioned to prepare and draft proposed Proposal to Make Amendment Local Law No. 1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014. The cost of preparing and drafting the amendment local law was \$4,427.

Community Consultation

Community consultation activities proposed for these amendments are estimated to cost approximately \$3,500. This is a moderate level community consultation strategy and will be funded through the existing Corporate Governance budget.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

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

Strategy: 8.1.2 - Ensure legislative compliance and awareness

Corporate Plan Theme: *Great governance*

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

Strategy: 8.1.2 - Ensure legislative compliance and awareness

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.7 - Excellence in customer service

Strategy: 8.7.1 - Develop a better understanding of our customers' needs and expectations

CONSULTATION

Consultation in relation to the issues proposed has occurred as follows:

Internal Consultation

Cat Registration and removal of prohibition for dogs in eating establishments

- Strategic Discussion Forum on 24 February 2014
- Manager Community Response
- Coordinator Healthy Places
- Team Leader Response Services
- Governance Strategy and Policy Coordinator
- Manager Corporate Governance

Dog off-leash park in Brightwater, Mountain Creek

- Landscape & Urban Design (Nth) Landscape Architect
- Division 6 Councillor
- Manager Parks and Gardens
- Coordinator Recreation Projects, Parks and Gardens
- Team Leader, Landscape Design Unit
- Acting Parks & Gardens Manager
- Parks & Gardens Program Delivery Coordinator
- Natural Areas Operations Coordinator
- Water Management & Drainage Services Officer
- Water Management & Drainage Services Officer
- Community Services Investigation Officer
- Community Services Response Services Officer
- Community Services Development Officer, Community Sport Facility Planning

External Consultation

External consultation will occur during the next phase of the local law making process and will occur with relevant State Government agencies as part of the State Interest Check requirement.

Community Engagement

Dog off-leash park in Brightwater, Mountain Creek

Community consultation was undertaken for the inclusion of a dog off-leash park in Brightwater, Mountain Creek. All of the residents in the Brightwater Estate were advised of the proposed dog off-leash park and council received a total number of 154 responses as detailed below:

Number of responses received	154 – Total		
1. Would you like to see a dog off leash park:			
Constructed in the proposed location	Constructed in an alternative location (please indicate preferred location)	Not constructed at all	Unanswered
137	5	9	0

Community Consultation for the local law making process

Section 29 of the *Local Government Act 2009* provides that the local government may decide its own process for making a local law.

The proposal to make Amendment Local Law No.1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014 will trigger a community consultation period.

A community consultation strategy has been developed and will be implemented following a resolution by council to proceed with the proposal to make Amendment Local Law No.1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014 and will include activities such as:

- media (print articles, columns, advertisements)
- targeted consultation with relevant stakeholders and
- website information.

PROPOSAL

This report presents a proposal to make an amendment local law and subordinate local law which seeks to amend *Local Law No. 1 (Animal Management) 2011* and *Subordinate Local Law No. 1 (Animal Management) 2011* with the following changes:

Cat Registration

On 10 September 2013, the Queensland Government removed the requirement for cats to be registered from the *Animal Management (Cats and Dogs) Act 2008* (the **Act**). The changes to the Act allows for councils to manage cat registration through a local law. At the SDF on 24 February 2014, councillors were presented with a presentation that supported the continuation of cat registration as it forms a key element in councils approach to responsible pet ownership. Responsible pet ownership is driven by council through education tools and enforcing legislation relating to pet ownership on the Sunshine Coast. Registration of cats and dogs forms a key component in reinforcing the importance of being a responsible pet owner on the Sunshine Coast.

It is proposed that the requirement for cat owners to compulsory register their cats be included in *Local Law No. 1 (Animal Management) 2011*.

Dogs in eating establishments

The Food Standards Australia New Zealand (FSANZ) undertook a risk assessment of dogs in outdoor dining areas and as a result of this assessment changed the National Food Safety Standards on 12 October 2012 for Australia and New Zealand removing restrictions on the presence of companion dogs in outdoor dining areas. This resulted in the following inconsistencies between the *Food Act 2006* and council's *Subordinate Local Law No. 2 (Animal Management) 2011*:

Issue/Requirement	Local Law	State Law
Is a sign required?	Yes	No
Can council require a business to install a sign?	No	No
Who receives the fine if a dog is in an outdoor dining area that requires a local law sign to allow the dog in the area?	Dog keeper	N/A
Who receives the fine if a dog is in an area that is not an outdoor dining area within the food business?	Dog keeper if it is another area where food is handled	Business owner
Can certain types of domestic dog breeds be banned from the outdoor dining areas?	Yes	No
Is council required to advise the community where dogs are excluded in particular public places?	Yes	No

A recent field survey of local outdoor dining businesses undertaken by the Community Response Branch indicates that the majority of businesses will not be considered outdoor dining areas under the definitions within the National Food Safety Standard (below) as they can be temporarily enclosed with plastic walls. The definitions are:

outdoor dining area means an area that –

- a) is used for dining, drinking or both drinking and dining; and
- b) is not used for the preparation of food; and
- c) is not an enclosed area; and
- d) can be entered by the public without passing through an enclosed area.

enclosed area means an area that, except for doorways and passageways, is substantially or completely closed, whether permanently or temporarily, by –

- a) a ceiling or roof; and
- b) walls or windows or both walls and windows.

The removal of the prohibition of dogs from outdoor dining and eating establishments from council's local laws will allow owners of food premises to determine whether they wish to have dogs in their outdoor dining areas. Food business operators may choose to permit or exclude dogs from their outdoor dining area either verbally, by erecting signage or by making it obvious with inclusions like dog bowls with water and tethering areas. Likewise, customers can choose to eat at dog friendly outdoor dining areas or choose outdoor dining areas where the business has excluded dogs.

Dog off leash area in Brightwater Estate, Mountain Creek

With the support of Divisional 6 Councillor, Cr Christian Dickson, council went out to community consultation in July 2013 proposing to stage the development of a dog off-leash park in the Brightwater Estate, Mountain Creek.

The feedback received by council was highly supportive of the dog-off leash park in the proposed location and the project was completed in February 2014.

The construction of the Brightwater dog-off leash park includes the following elements:

- 1.2m high fence with black PVC coated chain wire and secure, self-closing access gates
- sub-surface drainage
- park seating
- water supply with tap and doggy dish
- concrete access paths
- doggy bag dispensers and bins and
- signage.

An amendment is required to *Schedule 6 of Subordinate Local Law No. 2 (Animal Management) 2011* to include the new dog off leash area and provide a map indicating the location of the new dog off leash area in Brightwater. The new local law amendment will enable council officers to regulate this dog off-leash area.

Local Law making process

The process for making the proposed amendment subordinate local law will be in accordance with the following steps:

Phase	Activity	Timing
Phase 1	Resolution to propose to make amendment subordinate local law.	Ordinary Meeting – 22 May 2014
Phase 2	Consult with relevant State Government Agencies. Undertake community consultation.	23 May 2014 – 22 June 2014 (31 days)
Phase 3	Consider submissions and community feedback. Prepare report for council consideration.	23 June 2014 – 27 June 2014
Phase 4	Resolution to make amendment local law.	Ordinary Meeting – 21 August 2014
Phase 5	Publication in the Government Gazette (Local law amendments become effective).	22 August 2014
Phase 6	Consolidation of local laws	December/January 2014

The outcome of the local law and subordinate local law amendment, if made, will see the:

- removal of the prohibition of animals from *Schedule 4 (Exclusion of animals generally)* in *Subordinate Local Law No. 1 (Animal Management) 2011*; and
- inclusion of a new map in *Schedule 6 (Dog off-leash areas)* in *Subordinate Local Law No. 1 (Animal Management) 2011* detailing the new dog off leash area in Brightwater, Mountain Creek; and
- include the requirement to register a cat in *Local Law No. 1 (Animal Management) 2011*.

Legal

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

- Section 29-32 of the *Local Government Act 2009* and regulation and

- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws.

The amendment in relation to dogs in outdoor eating areas will correct the current inconsistency with the State *Food Act 2006*. It is important to note that section 27 of *Local Government Act 2009* states that 'if there is any inconsistency between a local law and a law made by the State, the law made by the State prevails to the extent of the inconsistency'.

Policy

There are no policy implications in proceeding to make of Amendment Local Law No. 1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014.

Risk

There are no risks in proposing to make this amending local law. Risks will be mitigated by conducting effective community consultation and ensuring that the correct local law making process is followed.

Previous Council Resolution

Ordinary Meeting 7 December 2011

Council Resolution_(OM11/294)

That Council:

- (a) *receive and note the report titled "Proposed Local Laws and Subordinate Local Laws";*
- (b) *note that section 21 (Unsolicited newspapers and advertising material) of proposed Local Law No.2 (Community Health and Environmental Management) 2011 is now unnecessary and potentially invalid as a result of the passage of new State laws regulating unsolicited advertising material contained in the Waste Reduction and Recycling Act 2011;*
- (c) *hereby resolves to implement the recommendations of the Public Interest Test reports for the following local laws; that the anti-competitive provisions contained within the laws are in the public interest and should be retained:*
 - (i) *Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1 (Administration) 2011;*
 - (ii) *Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 2 (Animal Management) 2011;*
 - (iii) *Local Law No. 3 (Community Health and Environmental Management) 2011 and Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011;*
 - (iv) *Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking) 2011; and*
 - (v) *Local Law No. 6 (Bathing Reserves) 2011;*
- (d) *hereby resolves that proposed Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011 and proposed Subordinate Local Law No.6 (Bathing Reserves) 2011 have been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the laws do not contain any possible anti-competitive provisions*
- (e) *hereby resolves to make the following local laws which have been amended following consideration of public submissions as detailed in the report to the Ordinary Meeting*

held on 26 October 2011 and in accordance with advice received from the Minister for Local Government and Planning:

- (i) Local Law No. 1 (Administration) 2011;
 - (ii) Local Law No. 2 (Animal Management) 2011;
 - (iii) Local Law No. 3 (Community Health and Environmental Management) 2011, which will be made with the following amendment:
 - omit section 21 (Unsolicited newspapers and advertising material);
 - (iv) Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011;
 - (v) Local Law No. 5 (Parking) 2011;
 - (vi) Local Law No. 6 (Bathing Reserves) 2011;
 - (vii) Subordinate Local Law No. 1 (Administration) 2011;
 - (viii) Subordinate Local Law No. 2 (Animal Management) 2011;
 - (ix) Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011;
 - (x) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011;
 - (xi) Subordinate Local Law No. 5 (Parking) 2011; and
 - (xii) Subordinate Local Law No. 6 (Bathing Reserves) 2011; and
- (f) resolves to make the Repealing Local Law No. 1 (Miscellaneous Local Laws) 2011 which repeals the following local laws (Appendix M):
- Sunshine Coast Regional Council Local Law No. 2 (Meetings) 2008;
 - Caloundra City Council Local Law No.1 (Administration) 2001;
 - Caloundra City Council Local Law No.2 (Council Facilities and other Public Places) 2003;
 - Caloundra City Council Local Law No.4 (Animal Control) 2001;
 - Caloundra City Council Local Law No. 5 (Parking) 2006;
 - Caloundra City Council Local Law No. 6 (Licensing) 2001;
 - Caloundra City Council Local Law No. 7 (Public Health) 2001;
 - Caloundra City Council Local Law No. 8 (Libraries) 2001;
 - Caloundra City Council Local Law No. 9 (Roads) 2001;
 - Caloundra City Council Local Law No. 10 (Parks and Reserves) 2003;
 - Caloundra City Council Local Law No. 11 (Cemeteries) 2001;
 - Caloundra-Maroochy Water Supply Board Local Law No. 1 (Administration) 2007;
 - Caloundra-Maroochy Water Supply Board Local Law No. 2 (Control of Use of Baroon Pocket Recreation Area and Lake Baroon) 1999;
 - Maroochy Shire Council Local Law No. 2 (Administration) 2007;
 - Maroochy Shire Council Local Law No. 4 (Entertainment Venues) 1999;
 - Maroochy Shire Council Local Law No. 5 (Gates and Grids) 1994;
 - Maroochy Shire Council Local Law No. 6 (Libraries) 1994;

- *Maroochy Shire Council Local Law No. 7 (Keeping and Control of Animals) 2006;*
- *Maroochy Shire Council Local Law No. 8 (Roadside Vending and the Use of Roads and Footways) 1996;*
- *Maroochy Shire Council Local Law No. 9 (Regulated Parking) 2001;*
- *Maroochy Shire Council Local Law No. 11 (Control of Advertisements) 1996;*
- *Maroochy Shire Council Local Law No. 14 (Overgrown and Unsightly Allotments) 2007;*
- *Maroochy Shire Council Local Law No. 13 (Control of Pests) 1997;*
- *Maroochy Shire Council Local Law No. 17 (Parks and Reserves) 1999;*
- *Maroochy Shire Council Local Law No. 18 (Cemeteries) 1999;*
- *Maroochy Shire Council Local Law No. 20 (Roads) 1999;*
- *Maroochy Shire Council Local Law No. 22 (Bathing Reserves) 1999;*
- *Maroochy Shire Council Local Law No. 24 (Swimming Pools) 1999;*
- *Maroochy Shire Council Local Law No. 30 (On-site Sewerage Facilities) 2005;*
- *Maroochy Shire Council Local Law No. 31 (Impounding of Animals) 2006;*
- *Maroochy Shire Council Local Law No. 55 (Maroochydore Aerodrome) 1987;*
- *Noosa Shire Council Local Law No. 1 (Administration) 1996;*
- *Noosa Shire Council Local Law No. 2 (General Provisions) 1996;*
- *Noosa Shire Council Local Law No. 3 (Impounding of Animals) 1996;*
- *Noosa Shire Council Local Law No. 4 (Bathing Reserves) 1999;*
- *Noosa Shire Council Local Law No. 5 (Parks, Reserves and Foreshores) 2000;*
- *Noosa Shire Council Local Law No. 7 (Regulated Parking) 2007;*
- *Noosa Shire Council Local Law No. 8 (Roads) 1999;*
- *Noosa Shire Council Local Law No. 9 (Commercial Use of Roads) 1999;*
- *Noosa Shire Council Local Law No. 11 (Entertainment Venues) 1999;*
- *Noosa Shire Council Local Law No. 12 (Control of Nuisances) 1999;*
- *Noosa Shire Council Local Law No. 13 (Domestic Water Carriers) 1999;*
- *Noosa Shire Council Local Law No. 14 (Cemeteries) 1993;*
- *Noosa Shire Council Local Law No. 16 (Control of Advertising) 1999;*
- *Noosa Shire Council Local Law No. 17 (Temporary Homes) 2006;*
- *Noosa Shire Council Local Law No. 18 (Water Meters) 1999;*
- *Noosa Shire Council Local Law No. 19 (Caravan Parks) 1999;*
- *Noosa Shire Council Local Law No. 21 (Jetties and Wharves) 1999;*
- *Noosa Shire Council Local Law No. 22 (Rental Accommodation) 1999;*
- *Noosa Shire Council Local Law No. 23 (Animal Control) 2008; and*
- *Noosa Shire Council Local Law No. 42 (Private Swimming Pools) 1999.*

Related Documentation

- *Local Government Act 2009* and Regulations
- Sunshine Coast Regional Council Local Laws and Subordinate Local Laws 2011
- State Government Guidelines for Making Local Laws and Subordinate Local Laws
- Corporate Plan 2009-2014 and
- Operational Plan 2013-2014.

Critical Dates

There are no critical dates in the proposal to proceed with the making of Amendment Local Law No. 1 (Animal Management) 2014 and Amendment Subordinate Local Law No. 1 (Animal Management) 2014.

Implementation

Following consideration of this report, the local law making process will commence which will include community consultation commencing from Friday 23 May 2014.

8.3.3 ADMINISTRATIVE ACTION COMPLAINTS MANAGEMENT PROCESS

File No:	14.10.1
Author:	Manager Corporate Governance Corporate Services Department
Appendices:	App A - Administrative Action Complaints Management Process.....273 App B - Delegation of Authority No. 2008-7 - General Complaints Management Process301
Attachments:	Att 1 - Current Complaints Management Process (to be superseded)303

PURPOSE

This report presents for council's consideration an updated general Complaints Management Process, now known as Administrative Action Complaints Management Process, for the Sunshine Coast Council.

EXECUTIVE SUMMARY

Local Governments across Queensland are required to have a Complaints Management Process endorsed by resolution of council. This process specifically covers how council will address administrative action complaints. An administrative action complaint is a complaint about an administrative action of council including the following, for example:

- (a) A decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision
- (b) An act, or a failure to do an act
- (c) The formulation of a proposal or intentions and
- (d) The making of a recommendation.

The scope of the Administrative Action Complaints Management Process is limited and does not include all complaints to council. As an example, the process does not apply to a complaint about an elected official or complaints governed by the Crime and Misconduct Commission.

The catalyst for the review of the Administrative Action Complaints Management Process was an audit recently completed by the Office of the Queensland Ombudsman across local governments in Queensland. The audit examined the operation and performance of Complaints Management System (CMS) over a 12 month period (September 2011 – August 2012).

Sunshine Coast Council provided detailed information to the Office of the Queensland Ombudsman to assist them in their audit. At the conclusion of the audit local governments were provided with a series of recommendations for consideration.

In addressing the recommendations from the audit, and in completing a periodic review of the existing process, the complaint management process has been reviewed and redrafted to improve readability, application and to address applicable recommendations from the Ombudsman.

The resulting changes to the process were not considered to have any significant influence on the way council manages complaint matters but sought to formalise aspects of the

process in line with the recommendations from the Ombudsman's audit. The proposed changes to the process can be summarised as follows:

- Re-ordering of information to improve readability
- Amendment of "Review by Council" function to be at the discretion of the CEO
- Inclusion of references to timeframes in relation to complaint acknowledgment and handling
- Inclusion of Information on Special Assistance available (interpreters, special needs)
- Inclusion of requirement to provide the complainant with contact details for the officer handling the matter
- Clarification on handling of anonymous complaints
- Further explanation on how council will handle a complaint matter assessed and ruled to be trivial, frivolous or vexatious
- Outlining the detail of what information is to be included in a response to a complainant
- Expansion of the Dictionary section of the policy particularly in relation to "trivial, frivolous or vexatious" complaints.

Due to our reordering of information a track changes version of the process has not been included as it offered no valuable assistance to the reader, with all sections of the process appearing as changed via tracked changes.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Administrative Action Complaints Management Process"**
- (b) adopt the Administrative Action Complaints Management Process (Appendix A) and the Chief Executive Officer be authorised to make any necessary minor administrative amendments to the process**
- (c) note the previous General Complaints Management Process as superseded and**
- (d) delete Delegation of Authority No. 2008-7 - General Complaints Management Process (Appendix B) as this delegation is no longer required.**

FINANCE AND RESOURCING

With an increased profile of the Complaints Management Systems across Queensland, there is an increased number of customers specifically requesting a review of their matters under the Complaints Management Process. This is largely due to the promotion of the process by the CMC and Ombudsman as well as information provided by council on the website and other public forums.

Complaints are largely managed by the Corporate Governance Branch and specifically the Integrity Management Officer. However, there are financial implications where an external provider is appointed to undertake complaint investigations.

The costs associated with using external providers can vary dependent on the number and complexity of complaint matters. External providers are appointed on a case by case basis depending on the type of matter to be investigated.

During the past three years the average annual expenditure for complaint management investigations conducted by external agencies was \$21,899. This is slightly above the annual allocation of \$18,000.

CORPORATE PLAN

Corporate Plan Theme: *Great governance*

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

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

Corporate Plan Theme: *Great governance*

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

Strategy: 8.1.3 - Councillors and employees are aware of the importance of ethical behaviour, compliance with codes of conduct and providing complete information and advice

Corporate Plan Theme: *Great governance*

Emerging Priority: 8.7 - Excellence in customer service

Strategy: 8.7.1 - Develop a better understanding of our customers' needs and expectations

CONSULTATION

Internal Consultation

There has been consultation with the Executive Office regarding this report and the attached Administrative Action Complaints Management Process (Appendix A).

External Consultation

This report has been prepared in response to an audit and recommendations from the Queensland Ombudsman. There has been no additional external consultation undertaken in relation to this report as this is an operational policy consistent with the legislative requirements.

Community Engagement

There has been no community engagement in relation to this report as this is an operational policy consistent with the legislative requirements.

PROPOSAL

Administrative Action Complaints Management Process – summary of changes

The main objective in reviewing and redrafting the process was to:

- address the recommendations from the audit report completed by the Office of the Queensland Ombudsman
- improve readability and application of the process
- remove any unnecessary duplication of information within the pre-existing policy and
- update the procedural information to improve application of the process.

The Administrative Action Complaints Management Process continues to adopt a phased approach to considering and responding to complaint matters. The only proposed change in relation to the phased approach is to confirm that the referral of a complaint matter to council is at the discretion of the Chief Executive Officer.

Further changes were to include (as per Queensland Ombudsman recommendations):

- Reference to timeframes in relation to complaint acknowledgment and handling
- Information on Special Assistance available (interpreters, special needs)
- Requirement to provide the complainant with contact details for the officer handling the matter
- Clarification on handling of anonymous complaints
- Further explanation on how council will handle a complaint matter assessed and ruled to be trivial, frivolous or vexatious
- Outlining the detail of what information is to be included in a response to a complainant
- Expansion of the Dictionary section of the policy particularly in relation to “trivial, frivolous or vexatious” complaints.

There has also been significant re-arrangement of information from the existing process to assist with readability.

Complaints Management Process Delegation

A Delegation of Authority 2008-7 – Complaints Management was previously required to appoint a complaints administrator and complaint officers. Since the introduction of the *Local Government Act 2009* this delegation is no longer required as the legislation is now less prescriptive (Refer Appendix B). Consequently, the delegation is now presented to council for deletion.

To ensure continued efficiency, it is recommended that the Chief Executive Officer be granted authority to make minor administrative amendments to the complaints management process as required.

Legal

Administrative Action Complaint Management –legislative requirements

The Local Government Act and Regulation (the Act) requires local governments adopt, by council resolution:

1. a complaints management process that effectively manages complaints from their receipt to their resolution and
2. written policies and procedures supporting the complaints management process.

The Act provides that a complaints management process is a process for resolving complaints about administrative actions of council that:

- (a) covers all administrative action complaints made to council and
- (b) requires council to quickly and efficiently respond to complaints in a fair and objective way and
- (c) includes the criteria considered when assessing whether to investigate a complaint and
- (d) requires council to inform an affected person of council’s decision about the complaint and the reasons for the decision, unless the complaint was made anonymously.

Policy

Adoption of the proposed Sunshine Coast Council Administrative Action Complaints Management Process (Appendix A) will become the new complaints management policy for Sunshine Coast Council and will supersede the previous policy (Attachment 1).

Risk

The Complaints Management Process provides an avenue to mitigate risk. The process dovetails into council's integrated approach to risk management. Where business improvement opportunities are identified through the lodgement and consideration of complaints, these opportunities will be examined as part of council's commitment to great governance.

Previous Council Resolution**Council Resolution (OM 2011/143) - Ordinary Meeting 8 June 2011**

That Council:

- (a) note the report titled "General Complaints Management Process"; and*
- (b) adopt the amended General Complaints Management Process for the Sunshine Coast Council (Appendix A) and the Chief Executive Officer be authorised to make minor administrative amendments to the process.*

Related Documentation

There is no Related Documentation for this report.

Critical Dates

It is important that this report is considered in a timely manner to allow for information to be provided to the Ombudsman in relation to the implementation of their Audit recommendations.

Implementation

In accordance with the legislated requirements and council's current practice, information on the process will be posted and communicated through council's internal and external web sites, newsletters and training programs.

Council has a number of staff trained in administrative action complaint investigations and the process is also supported by checklists and business processes to assist complaint officers to undertake their duties.

The administrative action complaints management process will be reviewed on an annual basis.

A response will be provided to the Queensland Ombudsman in relation to the implementation and finalisation of audit recommendations.

8.4 INFRASTRUCTURE SERVICES

8.4.1 S.S. DICKY WRECK RELOCATION PLAN

File No:	Statutory Meetings
Author:	Acting Manager Environmental Operations Infrastructure Services Department
Appendices:	App A - S.S. Dicky Inspection Report 2013 331

PURPOSE

The purpose of this report is to provide to Council a summary of the background, current status, approval process and funding options of the proposed long term management strategy of relocation for the *S.S. Dicky* wreck located at Dicky Beach, Caloundra.

EXECUTIVE SUMMARY

The *S.S. Dicky* was an iron-hulled steamer that was built in Germany in 1883. Owned by Brydon Jones and Company, the *Dicky* operated as a coastal trader in and around Australia from at least 1887. The vessel was driven ashore at Caloundra during a cyclone in early February 1893. A number of efforts were made to re-float the *Dicky* but on each occasion it beached again and was eventually abandoned as a total wreck. At the time of the *Dicky's* loss, Caloundra was a small emerging settlement and the beach which came to bear the wreck's name was relatively isolated. Even so, the presence of a shipwreck on the beach soon became a local attraction. Over the years while the wreck has deteriorated it continues to be a local icon, attracting tourists and photographers.

Dicky Beach is now a popular bathing site with considerable local and tourist visitation. The patrolled bathing beach is immediately south of the wreck. In early 2013 the beach was badly eroded by ex-tropical cyclone Oswald. This erosion has caused several sections of the wreck to collapse which were already critically weakened by a combination of historic human intervention, electro-chemical corrosion and over a century of wave action. Attachment 1 of this report provides a 2013 *S.S. Dicky* Inspection Report undertaken by the Department of Environment and Heritage Protection (EHP) that found that with the continued deterioration of the wreck and the resultant impact upon its established heritage significance, the case for complete or partial removal is heightened.

In late 2013 Council lead the development of the S.S. Dicky Taskforce. The Taskforce was formed to evaluate and provide a recommendation to Council on the long term option for management of the site. The Taskforce has a number of stakeholders from Council, State Government, community heritage and the Dicky Beach SLSC. In March 2014 the Taskforce made recommendation to Council that the removal and relocation of the wreck be given the highest priority ensuring that any project included community consultation, wreck conservation and development of interpretation opportunities as key components to the wreck's relocation.

This report details the planning timeframes, approval processes and funding options for the wreck's relocation.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “S.S. Dicky Wreck Relocation Plan”
- (b) consider the allocation of \$180,000 in operational project funds in the 2014/2015 budget year for wreck relocation, display, interpretation and conservation purposes and
- (c) request the Chief Executive Officer to write to Department of Environment and Heritage Protection to seek a joint approach including funding as outlined in “SS Dicky Inspection Report 2013” (Appendix A).

FINANCE AND RESOURCING

Current estimates for the relocation of the *S.S. Dicky* are as per the table below.

Action	Description	Timing	Cost	Who
Test excavation	Wreck cross sectional survey to assess both wreck integrity and survey requirements	28 th April 2014	\$25,000	Infrastructure Services Department staff
Relocation stage 1	Wreck relocation undertaken including initial survey works on site and additional survey works once wreck is located above tidal area. Work undertaken using lifting straps and excavators in August 2014	11 th August 2014	\$40,000	Infrastructure Services Department staff
Relocation stage 2	Wreck located, displayed and interpreted in open space area as part of heritage and conservation plan for the <i>S.S. Dicky</i>	Once survey work is complete	\$115,000	Community Services and Infrastructure Services Department staff
*Ongoing preservation	Ongoing wreck preservation to ensure heritage and conservation values are preserved	Ongoing	\$15,000	Infrastructure Services Department staff

* Ongoing maintenance component

This report is seeking an operational project allocation of \$180,000 to undertake this project. No funds are currently allocated for this purpose within Environmental Operations Branch operational or capital budgets. The current expenditure undertaken this financial year (est \$7,500) is utilising limited funds from the foreshore maintenance operational budget and is restricted to *only* essential expenditure required prior to this report being presented to Council.

Future funding options include the following:

- General rates allocation into operational project account
- Allocation of Heritage Levy funding for a project under the Heritage Levy program
- Combination of both funding sources

A number of alternates to the relocation option may be available to Council such as 'remove and store' or 'remove and dispose'. These options would be considerably less in cost (estimated to be between \$15,000 and \$30,000) but would still require both a level of

archaeological considerations such as a test excavation/ site survey, machinery costs and also an approval from the State Government.

It should be noted that both the attached EHP document and verbal conversations with the State Government Taskforce EHP representative highlighted the need to strongly consider the heritage values of the wreck and also the community long term desires as part of the relocation process. Based on this anecdotal evidence an approval may not be provided for these alternate options.

A 'leave and deteriorate in situ' option is also available which would be at nil direct cost to Council. This approach would mean the loss of all visible heritage components and values of the site and also potentially expose Council to ongoing liability risks associated with safety concerns in the bathing reserve.

CORPORATE PLAN

Corporate Plan Theme: *Innovation & Creativity*

Emerging Priority: 3.3 - A creative and artistic region

Strategy: 3.3.2 - Provide and facilitate local and regional arts and cultural facilities and programs within the community

CONSULTATION

A range of both internal and external stakeholders were consulted as part of the development of this proposal.

Internal Consultation

- Councillor Tim Dwyer (Division 2)
- Director Infrastructure Services
- Director Community Services
- Manager Environmental Operations
- Principal Coastal Engineer
- Manager Parks & Gardens
- Coordinator Parks Operations & Contracts
- Manager Community Relations
- Coordinator Learning and Heritage Services
- Manager Communications
- Coordinator Media
- Communication Officer

External Consultation

- Department of Environment and Heritage Protection
- Dicky Beach Surf Life Saving Club
- Community heritage representatives

Community Engagement

Some community consultation in relation to this project has been undertaken more generally as a part of the ongoing discussion of the long term management of the *S.S. Dicky* as part of the deliberations of the Taskforce. This includes media releases, media interviews and Taskforce member discussion with the general community.

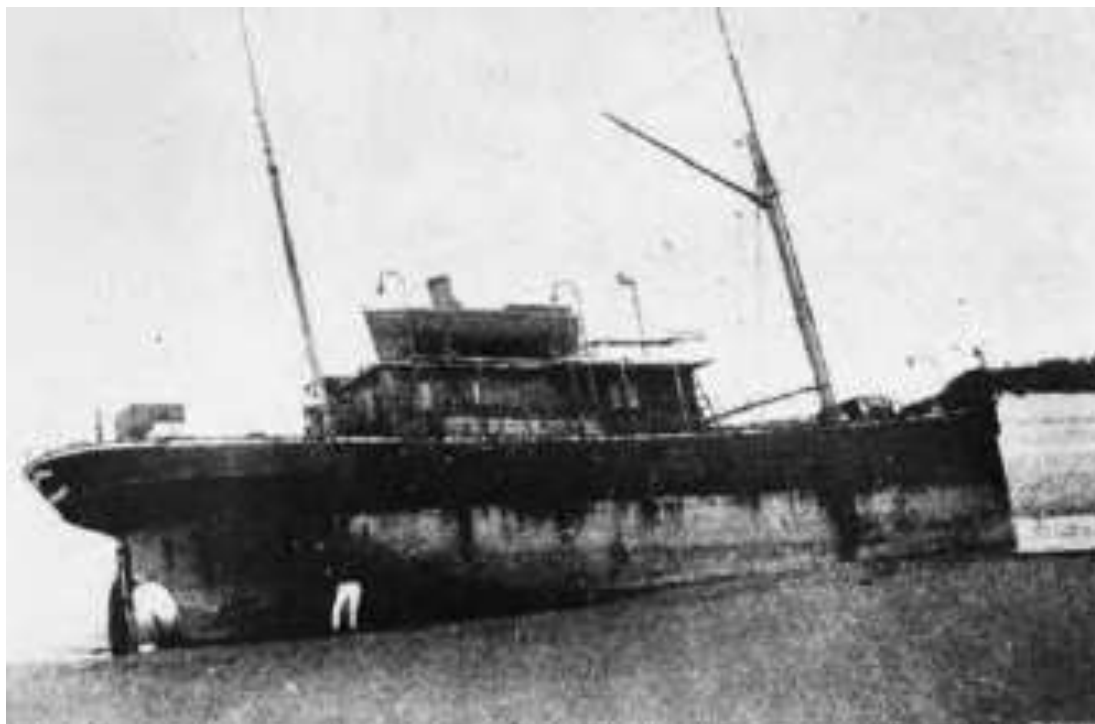
It should be noted that there is considerable community and media interest around this issue and staff have contacted local media sources to offer a more detailed story opportunity to be developed such as a short documentary.

Environmental Operations will continue to support ongoing consultation with all stakeholders as progression is made through the relocation process.

PROPOSAL

The *S.S. Dicky* was an iron hulled two-decked vessel measuring approximately 30 metres in length which was constructed in 1883 at the shipyards in Kiel, Germany. Under the ownership of John Brydon and William Jones the vessel serviced the smaller ports of southern Queensland.

The demise of the *S.S. Dicky* took place in February 1893 when the Captain took the vessel out to sea and due to deteriorating weather conditions was forced to drive the vessel ashore north of Caloundra. The *S.S. Dicky* was carrying no cargo and suffered no loss of life and after four failed attempts to refloat the coastal trader the vessel was finally abandoned and stripped of anything of value. The engines, steam winch, sails, spars, gear, boats and anchors were sold at auction on 6 June 1893 and subsequently salvaged. The iron hull of the wreck was left on the beach due to the low price of iron at the time and the comparatively high cost of recovering it.



The S.S. Dicky ashore in 1893 after the third re-float attempt (State Library of Queensland)

Since 1893 the wreck of the *S.S. Dicky* has proven to be an attraction and focal point for both locals and tourists. It is a very well photographed wreck and the images available clearly illustrate the gradual disintegration of the site. Since the major collapses of the ship's structure in the 1920s and '30s, the wreck had been relatively stable, despite the damage caused to the site in the 1960s, which included the removal of the propeller which is now on display at the Dicky Beach car park.

In 2008 the *S.S. Dicky* Management Plan was commissioned by Caloundra City Council (available on request) which provided a range of management recommendations which included preservation through the use of fish oil to prolong the degradation of the site.

While the wreck has steadily deteriorated, the outline of the hull remained clearly discernible until 2011. Recent extreme weather events such as ex-tropical cyclone Oswald have caused

several sections to collapse and only a 12.5 metre section of the rear starboard quarter and stern remain consistently exposed. The majority of the base of the hull is intact—but the keel is possibly twisted or broken. There are sections of the lower hull framing and collapsed port side structure spread on the seafloor within and immediately adjacent to the outline of the wreck; although many of these sections are partially obscured by sand and tidal waters.



S.S. Dicky in relation to the beach and associated infrastructure (State of Queensland)



Area covered by bathing reserve (SCC)

While the upper sections have always been exposed to the elements, the lower hull has ranged from burial to complete exposure. The recent accelerated deterioration appears to

have been facilitated by the earlier loss of the bow or stem post and a series of extreme weather events that have scoured the beach and regularly exposed the lower sections of the wreck. Loss of sand leads to increased physical impact from wave action and heightened corrosion rates, especially in freshly-exposed iron.

All iron hulled shipwrecks will eventually decay, and management options are relatively limited, especially in such a highly unstable littoral environment. The principal concern regarding the fate of the S.S. *Dicky* is the popularity of the beach on which it wrecked; it is uncommon to have a historic wreck permanently visible on a popular bathing beach. If the wreck was located on a more isolated section of beach, the safety concerns would not be so great and a program of managed decay could be pursued. Given the proximity of the wreck to a highly populated area and designated bathing area, the management approach needs to be cognisant of public safety.

While many of the recommendations within the existing management plan (again available on request) largely remain valid, the accelerated deterioration of the wreck has changed some of the emphases. The loss of much of the exposed wreck means that there is a heightened safety concern as bathers and other beachgoers are less able to clearly see where the wreck is, especially at high tide.



Exposed hull while undertaking conservation treatment (SCC 2006)



Exposed hull June 2012 (SCC 2012)



Exposed hull July 2013 (SCC 2013)

Attachment 1 of this report provides a 2013 S.S. *Dicky* Inspection Report undertaken by Department of Environment and Heritage (EHP). This report found that due to the collapse of the mid-section rib framing, the stern is no longer supported by any vertical hull structure and with the continued deterioration of the wreck and the resultant impact upon its established heritage significance; the case for complete or partial removal is heightened. The preferred management option will need to be agreed by Council and a proposal put to EHP for approval by the Director of Heritage Branch. In addition representation was also made at this time from Dicky Beach Surf Life Saving Club (SLSC) around continued concerns associated with swimmer safety.

In late 2013 Council lead the development of the S.S. Dicky Taskforce. The Taskforce was formed to evaluate and provide recommendation to Council on the long term options for management of the site. The Taskforce has a number of stakeholders from Council, State Government, community heritage and the Dicky Beach SLSC.

In March 2014 the Taskforce made recommendation to Council that the removal and relocation of the wreck be given the highest priority ensuring that any project included community consultation, wreck conservation and development of interpretation opportunities as key components to the wrecks relocation.

In recognition of the iconic association the *S.S. Dicky* has with the Sunshine Coast and the pending total loss of evidence of that connection it is proposed that Council relocate the wreck and capture appropriate elements of the wreck to display and interpret within the open space of the Dicky Beach precinct and in so doing maintain the communities connection to the *S.S. Dicky* and the sense of place that is Dicky Beach while practically providing for a safer swimming environment for beach users. The final resting location will be determined as part of the *S.S. Dicky* Heritage and Conservation Plan as required by the State approval process.

This report details the planning timeframes, approval processes and funding options for the wrecks relocation.

Works Program

Action	Description	Timing	Cost	Who
Test excavation	Wreck cross sectional survey to assess both wreck integrity and survey requirements	28 th April 2014	\$25,000	Infrastructure Services Department staff
Relocation stage 1	Wreck relocation undertaken including initial survey works on site and additional survey works once wreck is located above tidal area. Work undertaken using lifting straps and excavators in August 2014	11 th August 2014	\$40,000	Infrastructure Services Department staff
Relocation stage 2	Wreck located in open space area as part of heritage and conservation plan for the <i>S.S. Dicky</i>	Once survey work is complete	\$115,000	Community Services Department staff
*Ongoing preservation	Ongoing wreck preservation to ensure heritage and conservation values are preserved	Ongoing	\$15,000	Infrastructure Services Department staff

All these items described above will require a range of approvals from the State Government prior to undertaking any works.

This report is seeking an operational project allocation of \$180,000 to undertake this project. No funds are currently allocated for this purpose within Environmental Operations Branch operational or capital budgets. The current expenditure undertaken this financial year (est \$7,500) is utilising limited funds from the foreshore maintenance operational budget and is restricted to only essential expenditure required prior to this report being presented to Council.

Costs identified in the table above are associated with actual physical works, approval processes and related consultant fees.

Heritage and Conservation Plan

A detailed *S.S. Dicky* Heritage and Conservation Plan will be required to be developed, as part of the State Government approval process, by Council's Community Relations Branch to ensure that any relocation of wreck elements are displayed at Dicky Beach in a way which both retains the sense of place and ownership but also preserves the wreck from ongoing degradation due to corrosive elements.

This plan will also look at the range of options within the Dicky Beach precinct for the final resting location of the wreck. While a number of locations are potentially available a range queries around the current condition of the wreck, final size of structure (or part of) to be utilised for display, preservation requirements and heritage elements need to be further explored prior to making the final decision.

Alternate Options

A number of alternates to the relocation option may be available to Council such as 'remove and store' or 'remove and dispose'. These options would be considerably less in cost (estimated to be between \$15,000 and \$30,000) but would still require both a level of archaeological considerations such as a test excavation/ site survey, machinery costs and also an approval from the State Government.

It should be noted that both the attached EHP document and verbal conversations with the State Government Taskforce EHP representative highlighted the need to strongly consider the heritage values of the wreck and also the community long term desires as part of the relocation process. Based on this anecdotal evidence an approval may not be provided for these alternate options.

A 'leave and deteriorate in situ' option is also available which would be at nil direct cost to Council. This approach would mean the loss of all visible heritage components and values of the site and also potentially expose Council to ongoing liability risks associated with safety concerns in the bathing reserve.

Legal

Council has a range of responsibilities in terms of addressing the public liability associated with the wreck in its current location on Dicky Beach and also to ensure a safe final display once the wreck has been relocated.

Policy

This proposal is consistent with Council's *Corporate Plan 2009 – 2014* in particular the Innovation & Creativity and Health & Wellbeing themes.

Risk

Council has a range of risks associated with this issue in relation to both swimmer liability at Dicky Beach but also the possible loss of iconic values with the continued deterioration of the wreck and the resultant impact upon its established heritage significance.

There is also a risk that excavation and relocation may not be successful if the wreck does not have sufficient structural strength to stay reasonably intact.

The most significant risk is that of safety to the public and the continuing deterioration of the wreck now places Council at a decision point as to the future of the wreck and to consider whether to relocate or potentially demolish the wreck to make the beach area safe. Any actions to demolish the wreck require DEHP approval and may also invoke criticisms for not attempting to preserve part of the wreck.

Previous Council Resolution

There are no previous council resolutions relevant to this report.

Related Documentation

As per the details of this report the following related documents are available:

- S.S. *Dicky* Management Plan 2008, Cosmos Archaeology (available on request)
- S.S. *Dicky* Inspection Report 2013, EHP (Attachment 1)

Critical Dates

There are no particular critical dates.

Implementation

Implementation will be as per the works program tabled in this report provided all required approvals are received and appropriate budgets are allocated.

8.4.2 PLACE+ BEERWAH PUBLIC DOMAIN MASTERPLAN

File No:	Standard Corporate Report
Authors:	Place Project Officer Infrastructure Services Department Place Project Officer Infrastructure Services Department
Appendices:	App A - PLACE+ Beerwah Public Domain Masterplan359

PURPOSE

The purpose of this report is to seek council adoption of the PLACE+ Beerwah Public Domain Masterplan.

EXECUTIVE SUMMARY

The PLACE+ Beerwah Public Domain Masterplan has been developed as a key action of the PLACE+ Beerwah Council Action Plan (2012). It captures the collective vision of the Beerwah community for their town, reflecting their priorities and aspirations, and providing a blueprint for the 'look and feel' of Beerwah's streets and public open spaces for the next 10 to 20 years.

The Masterplan is comprised of five chapters including an introduction, key themes, plan drawings, landscape palette, and implementation plan. It is supported by detailed background information, developed through comprehensive consultation with the Beerwah community, local businesses, external and internal stakeholders.

Consultation took place from November 2011 to January 2012, to gather widespread feedback on "Growing a bright future" for Beerwah. From February to April 2012, council officers worked with community focus groups to develop a Community Action Plan and a Council Action Plan. The latter identified two key actions for delivery by council's Infrastructure Services Department:

- Development of a Public Domain Masterplan and
- Implementation of \$4 million Simpson Street Public Domain Improvements.

Following targeted consultation with community reference groups, business and property owners, from August to December 2012, council conducted a design process culminating in a draft PLACE+ Beerwah Public Domain Masterplan. In November 2013, a public notification period was held for the draft. Feedback was used to inform development of the final masterplan.

The masterplan is aligned with legislation and the Sunshine Coast Planning Scheme 2014, supporting Beerwah's role as a Major Regional Activity Centre, as defined by the South East Queensland Regional Plan 2009-2031. The masterplan provides strategic direction and guidance for:

- the open space network
- streetscape improvements provided as part of the development application process and
- the delivery of public infrastructure through council's Capital Works Program.

With respect to the development process, the Beerwah local plan code in the Sunshine Coast Planning Scheme 2014 requires development adjacent to identified primary streetscape treatment areas to provide streetscape improvements to complement existing and proposed streetscape works in the local area.

The PLACE+ Beerwah Public Domain Masterplan will be a key referral document upon which those streetscape works will be designed and constructed, and will inform the conditions of approval for relevant development applications.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “PLACE+ Beerwah Public Domain Masterplan”**
- (b) adopt the PLACE+ Beerwah Public Domain Masterplan (Appendix A) and**
- (c) note that the PLACE+ Beerwah Public Domain Masterplan will inform:**
 - (i) development of council’s ten-year Capital Works Program**
 - (ii) applications for external funding and**
 - (iii) the assessment of development applications and imposition of relevant conditions as provided for in the Sunshine Coast Planning Scheme 2014 (Performance Outcome PO3 of the Beerwah local plan code).**

FINANCE AND RESOURCING

The PLACE+ Beerwah Public Domain Masterplan provides council with a strategic direction to implement improvements in a clear and focussed way, as well as a base from which to lobby state and federal governments for assistance with implementation funding. The masterplan will be implemented in a staged fashion through public and private investment projects, as follows:

Beerwah Town Centre – Council Capital Works Projects (2013/14 – TOTAL \$4,700,000)

Simpson Street Public Domain Improvements	Budget \$4,000,000
Town Square and Entry Treatment	Budget \$400,000
Beerwah Stormwater Rehabilitation	Budget \$250,000
Turner Park Shelter Replacement	Budget \$50,000

Beerwah Town Centre – Council Future Capital Works Projects (subject to change)

Mawhinney Street Additional Car Parking (currently unfunded)	Budget \$150,000
Turner Park Masterplan Implementation (2014-19, over 5 FYs)	Budget \$683,000
Beerwah Sportsground Car Park Upgrades (2015/16)	Budget \$600,000
Beerwah School Precinct – Pathway Network Improvements (2015/16)	Budget \$400,000

State Government Partnerships

Approved joint funding initiatives between council and the Queensland State Government have resulted in an additional \$1,620,000 towards masterplan implementation, as follows:

South East Queensland Cycle Network Program (50/50 Contribution)

Project: Shared pedestrian cycle pathway to Simpson Street
 State contribution: \$600,000
 Delivery: 2013/14

Local Government Grants and Subsidies Program

Project: PLACE+ Beerwah Public Domain Improvements – Simpson Street Works
 State contribution: \$470,000
 Delivery: 2013/14

Community Powerline Enhancement Program (50/50 Contribution)

Project: Undergrounding of power to Simpson Street
 State contribution: \$550,000

DTMR future rail alignment and associated open-space

Project: Lease agreement, reserve, or deed of grant in trust for open space use within fenced area south of CWA Hall
 State response: Approved

State Government Projects

The Queensland Infrastructure Plan 2011 outlines future rail infrastructure investment to support development of Beerwah as a Major Regional Activity Centre and public transport District Hub. Future state government projects are currently subject to funding, including:

- North Coast Rail Line Duplication and Beerwah Station Upgrade

CORPORATE PLAN

Corporate Plan Theme: *Accessibility and connectedness*

Emerging Priority: 6.1 - A transport system that allows ease of movement

Strategy: 6.1.3 - Provide a network of linked pedestrian walkways and cycleways across the region

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.3 - Well designed and beautiful places

Strategy: 7.3.1 - Encourage developers to use placemaking techniques and embrace high quality urban design in the provision of parks, open spaces and local facilities

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.3 - Well designed and beautiful places

Strategy: 7.3.4 - Develop and implement master plans for centres and towns to preserve and enhance their character

CONSULTATION

Internal Consultation

The Division 1 Councillor was actively involved in the development of the PLACE+ Beerwah Council Action Plan and the Public Domain Masterplan. Consultation was also conducted at key stages of the project with relevant internal stakeholders, as follows:

Infrastructure Services

- Civil Works & Fleet Services
- Environmental Operations
- Parks & Gardens
- Project Delivery
- Transport Infrastructure Management
- Waste & Resource Management

Community Services

- Community Facilities & Planning
- Community Relations
- Community Response

Corporate Strategy & Delivery

- Economic Development

Corporate Services

- Property Management

Regional Strategy & Planning

- Development Services
- Environment & Sustainability Policy
- Strategic Planning
- Transport & Infrastructure Policy

External Consultation

The draft masterplan was distributed to external agencies and service providers (below) to identify opportunities for project partnerships. Key stakeholders were also briefed (indicated by *):

- Department of Local Government and Planning*
- Department of Environment and Resource Management*
- Department of Transport and Main Roads
- Department of Employment, Economic Development and Innovation
- Department of Communities*
- Department of Education and Training*
- Queensland Health*
- Queensland Police Services*
- Energex*
- Unity Water*
- SEQ Water
- Powerlink

Community Engagement

The PLACE+ Beerwah project was focussed around community and stakeholder engagement and delivered by a cross-departmental project team.

A staged consultation approach was utilised to identify issues, opportunities and a community vision, to formulate Community and Council Action Plans, and develop the PLACE+ Beerwah Public Domain Masterplan as a key objective of the Council Action Plan.

Stages 1 & 2 – Information-Gathering & Action-Planning

Widespread consultation took place from November 2011 to January 2012, including stakeholder meetings with community groups and businesses, surveys, workshops, interviews and online forums. A detailed background study was completed and key themes were identified.

From February to April 2012, council officers worked with community focus groups to develop two action plans for Beerwah based around implementation by the local community, and by council. The Council Action Plan identified two key actions for delivery by council's Infrastructure Services Department:

- Development of a Public Domain Masterplan; and
- Implementation of \$4 million Simpson Street Public Domain Improvements.

Stage 3 – Public Domain Masterplan

Council officers held information sessions and design workshops from August to December 2012, to identify priority streetscape works and inform the masterplan design process. Community, business, youth and professional groups were consulted, as follows:

- Public Domain Reference Group
- Traders and Property Owners
- Beerwah State High School
- Urban Design Advisory Panel (UDAP)
- Stories of Beerwah (community interviews)

A Draft PLACE+ Beerwah Public Domain Masterplan was developed in 2013 based on stakeholder input. Following a public notification period in November 2013, the draft was revised into the final PLACE+ Beerwah Public Domain Masterplan (Appendix A).

PROPOSAL

The South East Queensland Regional Plan 2009-2031 identifies Beerwah within the Urban Footprint of South East Queensland, as a Major Regional Activity Centre. The town sits on the North Coast Railway line with a planned duplication and connection to the CAMCOS coast line. According to state government projections, Beerwah's population is expected to double to over 8,000 by 2031.

The PLACE+ Beerwah Public Domain Masterplan defines a 'look and feel' for Beerwah's streets and public open spaces that is sensitive to the vision of the local community. It reflects the character of the town centre, emphasising its country feel and unique local qualities, and defining it as a key destination and regional hub servicing the Glass House Country region.

The aim of the masterplan is to create an attractive, unified and vibrant town centre with active street frontages, café culture, well-connected facilities, and tourism-based events. Key objectives of the masterplan are to:

- a) Re-establish Simpson Street as the main shopping precinct of Beerwah, with strong pedestrian connections to Mawhinney Street
- b) Promote Turner Park as the 'civic heart' of Beerwah
- c) Inform development of a vibrant, green, pedestrian- and cyclist-friendly town centre with activated and connected streets, open space areas and facilities
- d) Develop a landscape palette that reflects Beerwah's character as a modern country town
- e) Inform state and federal governments of the Beerwah community's desire for improved infrastructure and
- f) Identify future projects, partnerships and potential funding sources from all levels of government and the private sector.

Through the development assessment process, opportunity exists for council to work with landowners and developers of key sites to deliver contributed assets within the primary streetscape treatment areas identified in the planning scheme. The requirement to provide streetscape improvements in accordance with council requirements is a common condition of development approval (depending on the scale, location and setting of the proposed development).

The PLACE+ Beerwah Public Domain Masterplan will provide locally relevant and tailored design guidance to inform streetscape treatments proposed or required to be undertaken as part of the development application process. The draft masterplan has already successfully guided two recent development applications on Simpson Street, ensuring urban design outcomes that will contribute to the character and identity of Beerwah.

The masterplan is structured around the themes of council's Corporate Plan 2009-2014. Each theme is addressed with masterplan objectives, design principles and a design response. Detailed plan drawings of varying scale are included for key sites in the town centre, including Turner Park, Simpson Street and Mawhinney Street. Landscape Palettes complete the masterplan, providing specific treatments for planting, materials, furniture, lighting and built form.

The draft PLACE+ Beerwah Public Domain Masterplan was subject to an extended five-week notification period, during which two information sessions were held with the community to obtain one-on-one feedback. Council officers also met with the Glass House Country Chamber of Commerce to identify specific amendments. Overall, 15 individual written submissions were received on the draft masterplan.

Summary of Feedback & Amendments:

	MASTERPLAN FEEDBACK	AMENDMENTS
1	Remove proposed Community Garden from southern end of Turner Park and replace with picnic area to attract passing vehicles from Kilcoy / Beerwah Rd roundabout. Community request for additional car and RV parking at southern end of Turner Street. (NB: existing community garden at BADYACC / Men's Shed).	Community Garden removed from all plans.
2	Assess proposed car parking capacity of 6 bays at southern end of Turner Street. Confirm option for additional bays.	Addition of 6 car parking bays to southern end of Turner Street, creating a total of 12 bays.
3	Amend text on page 31 of masterplan to include: <u>Potential lease to local business</u> for coffee shop / cart integrated with the Beerwah Library and Community Hall, creating a place where people can get a coffee, talk, read and offer passive surveillance to Turner Park.	Text changes.
4	Support for proposed speed limit reduction to 50km/hr on Simpson Street. Implementation and erection of new speed limit signs following completion of streetscape works. Option to test the performance of 50km/h speed limit and assess need for further reduction to 40km/h.	Text changes.

The final PLACE+ Beerwah Public Domain Masterplan is presented for council adoption with significant support from the community, and external and internal stakeholders.

Legal

The masterplan, while not itself a "planning instrument" (as defined by the Sustainable Planning Act 2009), will function as a key referral document upon which streetscape works will be designed and constructed in the Town of Beerwah. It will inform the assessment of development applications which trigger consideration of Performance Outcome PO3 of the Beerwah local plan code. Acceptable Outcome AO3.2 specifies: "*Development provides for streetscape improvements which complement existing or proposed streetscape works in the local area to ensure continuity of streetscapes and landscape design.*"

Policy

The PLACE+ Beerwah Public Domain Masterplan has been developed using a place-based approach, in line with council's Placemaking Policy 2012. Close liaison with council's Regional Strategy and Planning Department has ensured that proposals within the masterplan are reflected in the Sunshine Coast Planning Scheme 2014.

Risk

Adoption of the masterplan can be expected to minimise the risk of lost opportunities, community dissatisfaction, and ad-hoc contributed assets, which may impact upon the character of the Beerwah town centre, and occur to the detriment of future service-provision and uses.

Council may need to consider agreements with utility service providers to ensure that the quality finishes delivered during implementation of the masterplan are maintained following any subsequent works.

Previous Council Resolution

There are no previous council resolutions that relate to this report.

Related Documentation

- PLACE+ Beerwah Community & Council Action Plans 2012
- South East Queensland Regional Plan 2009-2031
- Queensland Infrastructure Plan 2011
- Sunshine Coast Planning Scheme 2014
- Sunshine Coast Council Corporate Plan 2009-2014
- Sunshine Coast Placemaking Policy 2012
- Sunshine Coast Sustainable Transport Strategy 2011-2031
- Sunshine Coast Active Transport Plan 2011-2031
- Sunshine Coast Open Space Strategy 2011
- Sunshine Coast Social Infrastructure Strategy 2011
- Sunshine Coast Public Art Policy 2011
- Beerwah Stormwater Management Plan 2013
- Sunshine Coast Biodiversity Strategy 2011
- Sunshine Coast Waterways and Coastal Management Strategy 2011-2021
- Sunshine Coast Regional Economic Development Strategy 2013-2033
- Beerwah Sportsground Masterplan 2011
- Sunshine Coast Sport and Active Recreation Plan 2011-2026
- Sunshine Coast Recreation Trail Plan 2011
- Sunshine Coast Skate and BMX Plan 2011-2020
- Sunshine Coast Aquatic Plan 2011
- Sunshine Coast Reconciliation Action Plan 2011-2016
- Sunshine Coast Youth Strategy 2010-2015
- Sunshine Coast Access and Inclusion Plan 2011-2016
- Sunshine Coast Affordable Living Strategy 2010
- Sunshine Coast Community Events and Celebrations Strategy 2010

Critical Dates

It is important that council has an adopted Public Domain Masterplan to support Beerwah's growth into a Major Regional Activity Centre. An adopted masterplan for Beerwah is essential to delivery of high quality streetscape and open space infrastructure by council and through the conditioning of development applications.

Implementation

Implementation of some components of the Public Domain Masterplan is included in council's ten-year Capital Works Program. Streetscape works are currently underway with an anticipated completion date of November 2014. Future stages of development, such as Turner Park, have been prioritised in accordance with the Capital Works Program. The draft masterplan facilitated opportunities for joint partnerships and investment with the state government. An adopted PLACE+ Beerwah Public Domain Masterplan will provide an even stronger base from which to attract investment at state and federal levels of government, as well as from the private sector.

8.5 CORPORATE STRATEGY AND DELIVERY

Nil

8.6 OFFICE OF THE MAYOR AND THE CEO

Nil

9 NOTIFIED MOTIONS

10 TABLING OF PETITIONS

Petitions only eligible for submission if:

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

11 CONFIDENTIAL SESSION**11.1 REGIONAL STRATEGY AND PLANNING****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL - PELICAN WATERS**

File No: Statutory Meetings
Authors: Coordinator Appeals Management
Regional Strategy & Planning Department
Solicitor
Office of the Mayor and Chief Executive Officer

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

11.1.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - STATE GOVERNMENT PROPOSAL

File No: Statutory Meetings
Author: Senior Open Space Planner
Regional Strategy & Planning Department

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

11.2 COMMUNITY SERVICES

11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - NAMING RIGHTS

File No: Statutory Meetings
Author: Director Community Services
Community Services Department

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

11.2.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED PERMIT AND CHARGING REGIME FOR FOOTPATH TRADING

File No: Statutory Meetings
Author: Coordinator Community Land Permits and parking
Community Services Department

This report is confidential in accordance with section 275 (c) of the *Local Government Regulation 2012* as it contains information relating to the local government's budget.

11.3 CORPORATE SERVICES**11.3.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - CALOUNDRA
AERODROME LEASE APPROVAL**

File No: Statutory Meetings
Authors: Coordinator Property, Projects and Development
Corporate Services Department
Project Manager
Corporate Services Department

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

**11.3.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ACQUISITION OF
CALOUNDRA PROPERTY**

File No: Statutory Meetings
Author: Coordinator Property, Projects and Development
Corporate Services Department

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

11.4 INFRASTRUCTURE SERVICES

Nil

11.5 CORPORATE STRATEGY AND DELIVERY

**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - SUNSHINE COAST
INVESTMENT INCENTIVE SCHEME APPLICATION**

File No: Statutory Meetings

Author: Director Corporate Strategy and Delivery
Corporate Strategy and Delivery Department

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

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 19 June 2014 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

13 MEETING CLOSURE