

Agenda

Ordinary Meeting

Thursday, 12 November 2020

commencing at 9:00am

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

That the Minutes of the Ordinary Meeting held on 15 October 2020 be received and confirmed.

5 MAYORAL MINUTE**6 INFORMING OF CONFLICTS OF INTEREST****6.1 PRESCRIBED CONFLICTS OF INTEREST**

Pursuant to section 150EL of the *Local Government Act 2009* (the Act), a Councillor who has a prescribed conflict of interest in an issue to be considered at a meeting of the local government must –

- (a) immediately inform the meeting of the prescribed conflict of interest including the particulars stated in section 150EL(4) of the Act and
- (b) pursuant to section 150EM(2) of the Act must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is being discussed and voted on.

6.2 DECLARABLE CONFLICTS OF INTEREST

Pursuant to section 150EQ of the *Local Government Act 2009*, a Councillor who has a declarable conflict of interest in a matter to be considered at a meeting of the local government, must stop participating in the meeting and immediately inform the meeting of the declarable conflict of interest including the particulars stated in section 150EQ(4) of the Act.

If the Councillor with a declarable conflict of interest does not voluntarily decide not to participate in the decision, pursuant to section 150ES(3)(a) of the Act the eligible Councillors must, by resolution, decide

- (a) whether the Councillor may participate in the decision despite the Councillors conflict of interest or
- (b) that the Councillor must not participate in the decision and must leave the place at which the meeting is being held, including any area set aside for the public and stay away while the eligible Councillors discuss and vote on the matter.

The Councillor with the declarable conflict of interest must comply with any conditions the eligible Councillors impose per section 150ES(4) and (5) of the Act.

7 PRESENTATIONS / COUNCILLOR REPORTS

8 REPORTS DIRECT TO COUNCIL**8.1 SUNSHINE COAST COUNCIL ANNUAL REPORT 2019/20****File No:** Council meetings**Author:** Coordinator Organisational Performance
Office of the CEO**Appendices:** App A - Sunshine Coast Council Annual Report 2019/2013 [↓](#)

PURPOSE

This report presents the Annual Report 2019/20 for the Sunshine Coast Council, covering the period 1 July 2019 to 30 June 2020.

The Annual Report 2019/20 is a statutory requirement of the *Local Government Act 2009* and provides all information required by the Act and the Local Government Regulation 2012.

EXECUTIVE SUMMARY

The Sunshine Coast Council Annual Report 2019/20 provides an important communication channel to keep the community and stakeholders informed on Council's progress towards the delivery of the corporate plan and key service highlights over the financial year. It shows Council's commitment to achieving our vision for the region and includes Council's audited financial statements and annual disclosures.

On behalf of our community Sunshine Coast Council maintains and manages over 300,000 assets with a value of over \$5.8 billion, including:

- 7038 hectares of environmental reserves
- 1069 hectares of recreational land
- 3039 kilometres of roads
- 1360 kilometres of pathways
- 60 kilometres of coastline
- More than 12,000 kilometres total length of waterways.

During 2019/20 the Sunshine Coast, and the entire nation, experienced one of the most challenging times in recent history. Our way of life was severely impacted after the novel coronavirus (COVID-19) was declared a pandemic by the World Health Organisation in March 2020.

Continuity of service delivery and the health and wellbeing of our community and our employees remained paramount to Council through this unprecedented time. By working proactively with our community Council was able to quickly adapt services to respond and assist our residents and visitors to the region.

The Annual Report 2019/20 includes a summary of some of the measures Council put in place to support our community in response to COVID-19, as well as the significant milestones achieved throughout the year. Despite the challenges Council continued to deliver 75 percent of the activities in the Operational Plan 2019/20, and 96 percent of the \$320 million capital works program.

This has placed our region in a strong position for a fast recovery.

Major Achievements for the year include:

A Strong Community:

- The Sunshine Coast Community Strategy 2019-2041 was adopted by Council in November 2019 to guide how Council will work with the community to advance our shared goal of a strong community through to 2041
- More than \$5 million was awarded through 1053 grants to community organisations and individuals that provide direct benefits to our residents
- There was significant investment in community sports facilities, including \$2.8 million at the Sunshine Coast Stadium and \$2.1 million for the Sunshine Coast tennis centre with additional funding to our AFL, netball and aquatic centres
- Coordination and activation of the Local Disaster Management Group to respond to the summer bushfires and to provide support to Queensland Health in terms of local response measures to the COVID-19 pandemic.

A Healthy Environment:

- On behalf of the community, Council endorsed for submission, a United Nations Educational, Scientific and Cultural Organisation (UNESCO) Biosphere nomination for the Sunshine Coast
- The Blue Heart Sunshine Coast partnership was formed between Council, Unitywater and the Queensland Government to establish the region's 'Blue Heart' - 5000 hectares in the Maroochy River floodplain that will provide social, environmental and economic outcomes for the region
- Sunshine Coast Design Book was launched in January 2020 and sets out 10 principles to inspire and encourage a place-based approach to design for the Sunshine Coast to maintain and enhance the liveability of the region
- Place Making Projects were delivered across the region, including the adoption of the Landsborough Master Plan and significant works being delivered within the Mooloolaba transport corridor, Bli Bli streetscape, Nambour Heritage Tramway Depot, Russell Family Park in Montville as well as Bulcock Street Caloundra and a new district park being designed in Sippy Downs.

A Smart Economy:

- The new runway was handed over to Sunshine Coast Airport and became operational in June 2020 – this regional project will connect people, cultures and businesses, providing new opportunities for current and future generations
- Sunshine Coast international broadband network delivered a number of major milestones with the construction of the \$7.2 million landing station in Maroochydore and the installation of the fibre optic cable both being completed
- Maroochydore City Centre officially opened to the public in August 2019 with a People's Day celebration and construction commenced on the first commercial building in July 2019
- The Sunshine Coast received recognition from the Intelligent Community Forum as one of the world's Top 7 Intelligent Communities for the second year in a row
- The Sunshine Coast stadium hosted two Sir Elton John concerts as part of the Farewell Yellow Brick Road Tour, generating an economic impact of \$3 million for the region with more than 31,000 people attending.

Service Excellence:

- 96 percent of Council's core Capital Works Program was delivered, with an additional 25 projects brought forward at the height of COVID-19 restrictions, injecting \$3.4 million into the economy earlier than scheduled
- 92 kilometres of roads were resurfaced and/or rehabilitated, equating to a 70 percent increase from the previous year
- Customer contact centres received a 4.72 out of 5 for ease of business and assisted 260,000 customers
- The Cemetery Plan 2019-2028 was adopted in September 2019 to ensure the 60 hectares of cemetery network and services can meet the region's growth demands over the next 10 years and are responsive to the needs of our current and future generations.

Outstanding Organisation:

- Council announced the supplier to design and construct the Sunshine Coast City Hall building in December 2019 following approval of the development application by Economic Development Queensland
- Council spent over \$268 million with local suppliers, representing 70% of the total available procurement spend
- Council's \$782 million 2020-21 budget was adopted on 25 June 2020 to assist recovery from the COVID-19 pandemic and prime our regional economy so local businesses can rebuild
- Council employees and projects were recognised both nationally and internationally with 30 Awards being received.

OFFICER RECOMMENDATION**That Council:**

- receive and note the report titled "Sunshine Coast Council Annual Report 2019/20" and**
- adopt the Sunshine Coast Council Annual Report 2019/20 (Appendix A).**

FINANCE AND RESOURCING

The cost of preparing the Annual Report is included within the Strategy and Coordination Branch operational budget. To minimise costs the report has been developed using internal resources and designed to be viewed digitally through Council's website.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: We serve our community by providing this great service

Operational Activity: S29 - Governance: providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

CONSULTATION

Councillor Consultation

- Councillor E Hungerford, Portfolio Councillor for Outstanding Organisation
- Councillor J Natoli, Portfolio Councillor for Outstanding Organisation.

Internal Consultation

- The Strategy and Coordination Branch engaged with the:
 - Acting Chief Executive Officer
 - Executive Leadership Team
 - Communications Branch
 - Corporate Governance Branch
 - Finance Branch

External Consultation

There has been no external engagement in preparing this report.

Community Engagement

There has been no community engagement in preparing this report.

PROPOSAL

The Annual Report 2019/20 presents information on implementation of Council's corporate and operational plans over the past financial year and features major achievements and highlights. The contents required in the Annual Report 2019/20 is determined by legislation.

The Annual Report 2019/20 is comprised of four parts and each part is detailed below:

Section 1 - Introduction

Provides introductory information to the Annual Report and contains:

- Message from the Mayor
- Message from the Acting Chief Executive Officer
- Summary of Council's COVID-19 response
- Key statistics about the Sunshine Coast and Council
- Councillor names, divisions and portfolios
- Council's corporate structure

Section 2 - Report on Implementation of the Corporate and Operational Plans

This section is structured around the five corporate goals and includes:

- A summary of the desired outcome and pathways of each goal
- Goal measures with the target and result for the year
- Major achievements in progressing the Corporate Plan 2020-2024 and Operational Plan 2019/20

Section 3 - Annual Disclosures

Covers all non-financial information required to be published in Council's Annual Report. In addition, disclosures considered best practice in Annual Reports, such as information on governance and risk management are included.

Section 4 - Financial information

This section contains Council's Community Financial Report, audited financial statements and other financial information required under the *Local Government Act 2009* and Local Government Regulation 2012.

The financial information is presented to Council through a separate report and included within the Annual Report following adoption.

Legal

The Annual Report has been compiled following the requirements of legislation including the *Local Government Act 2009*, Local Government Regulation 2012 and *Public Sector Ethics Act 1994*.

Policy

There are no policy implications associated with the Annual Report.

The report is a component of the Strategic Planning and Reporting Framework.

Risk

There are no risk management issues associated with the recommendation in this report.

Previous Council Resolution

There are no previous resolutions in relation to the Sunshine Coast Council Annual Report 2019/20.

Related Documentation

- Corporate Plan 2020-2024
- Operational Plan 2019/20
- Quarterly Progress Reports for 2019/20

Critical Dates

Under the Local Government Regulation 2012 Council must adopt the Annual Report within one month after the auditor-general provides the audit report and be published within two weeks of adoption.

Implementation

Should the recommendations be accepted by Council, the Annual Report 2019/20 will be published and made available through the following channels:

- Sunshine Coast Council website – document viewing and ability to download and print the report
- Council libraries and customer service centres - printed copies will be available for viewing
- Queensland State Library – a digital copy will be provided for their records.

Community organisations and individuals requiring a hard copy of the Sunshine Coast Annual Report will be able to print a free copy from Council's website or purchase from Council's customer service centres.

8.2 QUARTERLY PROGRESS REPORT - QUARTER 1, 2020/21

File No:	Council meetings
Author:	Coordinator Organisational Performance Office of the CEO
Appendices:	App A - Chief Executive Officer's Quarterly Highlights Report - Quarter 1 2020-21..... 97 ↓
	App B - Operational Plan Activities Report - Quarter 1 2020-21 117 ↓

PURPOSE

This report presents the Quarterly Progress Report for Quarter 1, 2020/21. The report covers the period 1 July to 30 September 2020 and has been prepared to inform Council and the community on the implementation of operational activities, significant projects and service highlights from Council's Operational Plan 2020/21.

EXECUTIVE SUMMARY

Each quarter, Council receives a progress report on the delivery of the Operational Plan. Once adopted, it is published and made available to the community.

The Report comprises:

- Appendix A – CEO's Quarterly Highlight Report Quarter 1, 2020/21
- Appendix B – Operational Plan Activities Report Quarter 1, 2020/21

This quarter the Sunshine Coast is seeing positive results from our early planning in response to the novel coronavirus (COVID-19) pandemic. Our ability to adapt and transition to a 'new normal' has placed our region in a prime position for a fast recovery.

The region has been open to visitors who are choosing the Sunshine Coast as a holiday destination to explore, access our facilities, sample our local businesses, and enjoy our way of life.

Below is a summary of key highlights by Corporate Plan goal for Quarter 1, 2020/21:

A strong community

- More than 69,000 attendees tuned into the 241 online learning programs delivered through the libraries website and social media platforms
- \$1.4 million was allocated through 200 community grants to support a range of projects and activities contributing to the achievement of Council's vision for the region
- Council secured six NRL matches during August and September after the Melbourne Storm temporarily relocated to the Sunshine Coast due to COVID-19 restrictions in Victoria - further strengthening the region's partnership with the club.

A healthy environment

- More than 1800 geobags were used to build a seawall and two groynes for the first stage of the Maroochy Groyne Renewal project, protecting the Maroochydore coastline and the Cotton Tree precinct from erosion
- A State Government grant of \$1.3 million was received as part of the 'Works for Queensland' program, the grant has been allocated to deliver a trail hub and amenities at Sugar Bag Road
- The cultural heritage planning scheme amendment was adopted by Council and took effect on 24 August 2020.

A smart economy

- Over 22,000 people attended 13 major events this quarter, with an estimated economic benefit of \$15 million
- \$4.5 million was generated in revenue from Sunshine Coast Holiday Parks
- The 'Vitamin SC' campaign was launched, promoting companies to relocate to the Sunshine Coast.

Service excellence

- In line with furthering the customer experience program Council continued the implementation of its digital Customer Relationship Management System, including commencement of an integrated marketing and engagement platform
- 81,425 customers were assisted through the development and customer contact centres
- 2718 building approvals issued with a construction value of \$396 million.

An outstanding organisation

- \$66 million - which represents 69% of Council's total available purchasing spend for the quarter - went to local businesses
- Council received four awards this quarter, including:
 - Development.i won the Improving Planning Processes and Practices award, at the annual Planning Institute of Australia (PIA) National Awards for Planning Excellence 2020 demonstrating leading practice, leadership and achievement in planning
 - Council's Migrant Work Ready Program won the Multicultural Australia category in the 2020 National Awards for Local Government
 - The Sunshine Coast Design Book was the winner of the Gold Award at the Good Design Australia Awards
 - The Sunshine Coast Sports Infrastructure Plan 2019-2041 took out the award in the Strategic Planning category at the Parks and Leisure Association (QLD Chapter) Awards.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Quarterly Progress Report - Quarter 1, 2020/21”
- (b) note the Chief Executive Officer’s Quarterly Highlights Report - Quarter 1, 2020/21 (Appendix A) on service delivery highlights and
- (c) note the Operational Plan Activities Report - Quarter 1, 2020/21 (Appendix B) reporting on implementation of the Operational Plan.

FINANCE AND RESOURCING

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

CORPORATE PLAN

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

CONSULTATION

Councillor Consultation

Councillor J Natoli and Councillor T Hungerford as Portfolio Councillors for Outstanding Organisation have been briefed on this report.

Internal Consultation

Consultation has occurred with each Group of Council to provide information on service delivery and status of operational activities.

External Consultation

There has been no external consultation in relation to this report, however the report, once endorsed, is made available to the community.

Community Engagement

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

PROPOSAL

Under the requirements of the *Local Government Act 2009* and associated Regulation, Council is required to consider a regular report from the Chief Executive Officer outlining the achievements in delivering on the outcomes in its corporate and operational plans.

This report provides information on the following for consideration by Council.

Progress report

The Chief Executive Officer's Quarterly Highlights Report - Quarter 1, 2020/21 (Appendix A) consists of a summary of achievements; and supporting information by Corporate Plan goal covering delivery of Council's services.

Operational plan activities

Operational Plan Activities Report - Quarter 1, 2020/21 (Appendix B) provides details on the implementation of the 64 activities outlined in Council's Operational Plan. It includes the status of each activity covering percentage complete, on time and on budget indicators as well as progress commentary.

Legal

There is a legislative requirement to provide a report on performance against the corporate and operational plans. This report meets the requirements of the *Local Government Act 2009* and Local Government Regulation 2012.

Policy

There is no policy associated with the presentation of a quarterly progress report however it is a component of the Strategic Corporate Planning and Reporting Framework.

Risk

In accordance with Council's Risk Management Framework, the risks and opportunities identified in relation to the quarterly progress report include:

- reputation/public image: the report provides information on Council's operational plan and service delivery with both qualitative and quantitative updates to the community
- legislative: the report meets the legislative requirements of the *Local Government Act 2009* and Regulation and
- business activity: the report keeps Council informed about the progression of the operational plan activities and provides a timely account of Council's progress to the community.

Previous Council Resolution**Ordinary Meeting 20 August 2020 (OM20/82)**

That Council:

- (a) receive and note the report titled "**Quarterly Progress Report - Quarter 4, 2019-20**"*
- (b) note the Chief Executive Officer's Quarterly Highlights Report – Quarter 4, 2019-20 (Appendix A) on service delivery highlights and*
- (c) note the Operational Plan Activities Report – Quarter 4, 2019-20 (Appendix B) reporting on implementation of the Corporate and Operational Plans*

Related Documentation

- Corporate Plan 2020-2024
- Operational Plan 2020/2021
- Financial information provided to Council in the Financial and Capital management report.

Critical Dates

Quarterly Progress reports are usually presented to Council within eight weeks of the end of the calendar quarter, subject to the scheduled meeting cycle. Legislation requires the report to be presented to Council at intervals of not more than 3 months.

Implementation

The report will be published and available for community access via Council's website and a copy will be provided to the State Library.

8.3 DEVELOPMENT APPLICATION (INCLUDING A VARIATION REQUEST) TO ESTABLISH THE FOREST GLEN VILLAGE CENTRE PLAN OF DEVELOPMENT

File No:	MCU19/0141 & OPW19/0317
Author:	Senior Development Planner Customer Engagement & Planning Services Group
Appendices:	App A - Recommended Conditions of Approval ⇒5/125
Attachments:	Att 1 - State Government Concurrence Agency Response ⇒45/125 Att 2 - Detailed Assessment Report ⇒53/125 Att 3 - Proposed Forest Glen Village Centre Plan of Development ⇒83/125 Att 4 - Plan of Development Master Plans ⇒99/125 Att 5 - Shopping Centre Proposal Plans ⇒103/125

Link to Development.i:

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=DANumber=MCU19/0141>

SUMMARY SHEET	
Applicant:	Forest Glen Village Centre Pty Ltd
Owner:	Forest Glen Village Centre Pty Ltd
Consultant:	RPS Australia East Pty Ltd
Proposal:	<ul style="list-style-type: none"> • Preliminary Approval (including a Variation Request) for Material Change of Use to establish the Forest Glen Village Centre Plan of Development • Development Permit for Material Change of Use of Premises to Establish a Shopping Centre, Shop and Health Care Services • Development Permit for Operational Work (Earthworks)
Properly Made Date:	25/07/2019
Information Request Date:	02/08/2019
Information Response Received Date:	24/12/2019 to original Information request 14/08/2020 to Further Advice request
Number of Properly Made Submissions:	6 submissions were received all of which were in support of the proposed development
PROPERTY DETAILS	
Division:	7
Property Address:	354 & 370 Mons Road and 15 Grammar School Way, FOREST GLEN
RP Description:	Lot 8 RP 313590, Lot 7 SP 246654 & Lot 14 SP 314161
Land Area:	5.966ha
Existing Use of Land:	Vacant
STATUTORY DETAILS	
Planning Scheme:	<i>Sunshine Coast Planning Scheme 2014 (1 April 2019)</i>
SEQRP Designation:	Urban Footprint

Strategic Framework Land Use Category:	Urban
Local Plan Area:	Forest Glen / Kunda Park / /Tanawha Local Plan Area
Zone:	Western part of the site adjacent Mons Road is located within the Local Centre zone The remainder of the site is located within the Emerging Community zone
Assessment Type:	Impact Assessable (Variation Request component) Impact Assessable (Development Permit for Material Change of Use component) Code assessable (Development Permit for Operational Works component)

PURPOSE

The purpose of this report is to seek Council's determination for three proposed aspects of development at 354 & 370 Mons Road, Forest Glen, being:

- Preliminary Approval (including a Variation Request) for a Material Change of Use to establish the Forest Glen Village Centre Plan of Development
- Development Permit for Material Change of Use of Premises to Establish a Shopping Centre, Shop and Health Care Services
- Development Permit for Operational Work (Earthworks)

The application is before Council because the application involves a Variation Request.

EXECUTIVE SUMMARY

The application seeks to develop the subject site as an expansion of the existing Forest Glen local centre, to occur over nine development precincts commencing with a shopping centre and 1,500m² supermarket in Precincts A and E.

The applicant proposes to establish a Variation Approval, to vary the effect of the *Sunshine Coast Planning Scheme 2014*. The approval would introduce a new regulating document, entitled 'Forest Glen Village Centre Plan of Development', to guide the future assessment and levels of assessment of subsequent applications for development permits lodged over the site.

An aerial photograph showing the location of the subject site is included below in Figure 1.



Figure 1 – Aerial Photograph

The application proposes the following components to form part of the proposed Forest Glen Village Centre Plan of Development:

- a precinct plan that identifies a total of nine precincts across the development area.
- a maximum gross floor area allowances table that applies floor area limits to each of the proposed precincts on the site.
- a table that identifies the consistent, potentially consistent and inconsistent uses within each of the proposed precincts on the site.
- a supplementary table of assessment which identifies the level of assessment and relevant applicable benchmarks for all future development within the Plan of Development Area. The supplementary table of assessment identifies assessment benchmarks in the same way that the current planning scheme does for a Local Centre zone. Use codes and the 'Prescribed other development codes' (*Landscape code, Transport and parking code, Nuisance code, Stormwater management code, Waste management code* etc) are listed as applicable benchmarks for most assessable uses. The gross floor area limits identified in each precinct are tied to the table of assessment and any application exceeding the limits would trigger Impact assessment.
- a new local area code entitled 'Forest Glen Village Centre Code' that replaces the Forest Glen / Kunda Park / Tanawha Local Plan code that currently applies to this site. The code provides detailed requirements including acceptable outcomes, performance outcomes, overall outcomes that apply to development applications made within the Plan of Development Area.
- plans that define staging of the site and identifies the vehicle and pedestrian movement network through the site.

The application also seeks a development permit for material change of use to establish a Shopping Centre, Shop and Health Care Services within Precincts A and E. This component of the application proposes three separate buildings to be located in the south eastern part of the site as the first stage of the overall development. Specifically the development involves the following:

- Building A, a single storey building proposing a 1,500m² supermarket and 400m² of supporting tenancies (310m² of retail in 4 tenancies and a 90m² café / retail tenancy).
- Building B, a single storey building proposing a 1,000m² floor plate which is divided into a 600m² retail tenancy and a 400m² medical tenancy.
- Building C, a 2 storey building proposing a total of 2,000m² of medical floor space.

The development proposes a new public road extending from the existing roundabout on Grammar School Way in the east to service the proposed centre. The western part of the site, which proposes to retain the existing Forest Glen shops and other uses in the interim, would be serviced by a connecting driveway in the first stage. The proposed Forest Glen Village Centre Plan of Development would then trigger a full road connection through to Mons Road upon future redevelopment of Precincts B and C.

If a Variation Approval is granted as proposed, it will act to replace the *Sunshine Coast Planning Scheme 2014* for any development occurring within the subject land, and enable the site to grow over time to a scale consistent with a 'Full Service' Local Activity Centre as defined by the *Sunshine Coast Planning Scheme 2014*. The proposal is therefore in conflict with the current Planning Scheme which has zoned the majority of the site as Emerging Community and intends for Forest Glen to expand but to remain as a 'Not Full Service' Local Activity Centre.

An economic impact assessment has been undertaken and peer reviewed by an independent external economic consultant commissioned by Council. The assessment supports the broader use of the Emerging Community zoned land to form an expansion of the Forest Glen Local Centre and elevation of it to a 'Full Service' Local Activity Centre without detrimentally impacting on other centres. The proposed Forest Glen Village Centre Plan of Development sets maximum floor area limits for future uses to constrain growth of the centre and thereby protect the hierarchy of the activity centre network on the Sunshine Coast.

The site is suitable and well located to provide for a master planned expansion of the existing Forest Glen local centre. The application presents an opportunity to redefine Forest Glen as a cohesive, pedestrian-friendly centre with safe access and parking arrangements, issues which have traditionally beset and constrained the centre due to its location adjacent to the Bruce Highway.

The proposed development has been assessed against the *Sunshine Coast Planning Scheme 2014* and satisfies the requirements of the Planning Scheme subject to reasonable and relevant conditions, including several changes / amendments to the proposal to mitigate any impacts as outlined in this report.

The application is recommended for approval.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Development Application (including a Variation Request) to establish the Forest Glen Village Centre Plan of Development”
- (b) APPROVE application nos. MCU19/0141 and OPW19/0317, and grant:
 - (i) a Preliminary Approval (including a Variation Request) for a Material Change of Use to establish the Forest Glen Village Centre Plan of Development
 - (ii) a Development Permit for Material Change of Use of Premises to Establish a Shopping Centre, Shop and Health Care Services
 - (iii) a Development Permit for Operational Work (Earthworks) at 354 & 370 Mons Road and 15 Grammar School Way, Forest Glen subject to reasonable and relevant conditions (Appendix A) and
- (c) delegate authority to the Chief Executive Officer to determine all future requests for a negotiated decision notice and requested changes to the approval where the changes would not have a material impact on the outcome of the original decision.

FINANCE AND RESOURCING

In the event of any approval, Infrastructure charges are payable for the development in accordance with the Infrastructure Charges Resolution. Council’s proportion of infrastructure charges that would be applicable, in the event of approval for the component of the application that is for a Development Permit for a Material Change of Use (Shopping complex, Shops and Health Care services), is approximately **\$847,302**.

CORPORATE PLAN Corporate Plan Goal: *Service excellence*

- Outcome:** 4.4 - Service quality assessed by our performance and value to customers
- Operational Activity:** 4.4.1 - Deliver Planning and Development Services to ensure statutory requirements are met to achieve positive customer experiences and maintain strong industry engagement.

CONSULTATION

Councillor Consultation

The Divisional Councillor T Hungerford has been consulted during the application process.

Internal Consultation

The application was referred and/or discussed with the following internal Council specialists/Branches and their assessment forms part of this report:

- Development Engineer, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Development Engineer - Hydraulics, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group

- Development Engineer - Traffic, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Landscape and Ecology Specialists, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Environment Specialist, Engineering and Environment Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Urban Designer / Architect, Planning Assessment Team, Development Services Branch, Customer Engagement and Planning Services Group
- Strategic Planner, Strategic Planning Branch, Customer Engagement and Planning Services Group
- Transport and Infrastructure Policy Branch, Built Infrastructure Group.

External Consultation

The application was referred to the State Assessment and Referral Agency (SARA) at Queensland Treasury as a concurrence agency due to the sites' proximity to state transport infrastructure (transport corridors and future corridors). The department responded (refer to **Attachment 1**) to the state transport related matters by letter dated 8 November 2019 stating that conditions must be attached to any development approval.

The application was also referred to an independent external economic peer reviewer commissioned by Council to review the economic assessment provided by the applicant.

Community Engagement

The application was publicly notified for 30 business days between 10 January 2020 and 25 February 2020 in accordance with the requirements of the *Planning Act 2016*. A total of 6 submissions were received, all of which were in support of the proposed development.

A summary of the issues raised by submitters together with a response is provided in the officer's Detailed Assessment Report at **Attachment 2**.

PROPOSAL

The applicant proposes to establish a Variation Approval, to vary the effect of the *Sunshine Coast Planning Scheme 2014*. The approval would introduce a new regulating document, entitled 'Forest Glen Village Centre Plan of Development', to guide the future assessment and levels of assessment of subsequent applications for development permits lodged over the site.

The proposed Forest Glen Village Centre Plan of Development includes the following components:

- a precinct plan that identifies a total of nine precincts across the development area.
- a maximum gross floor area allowances table that applies floor area limits to each of the proposed precincts on the site.
- a table that identifies the consistent, potentially consistent and inconsistent uses within each of the proposed precincts on the site.
- a supplementary table of assessment which identifies the level of assessment and relevant applicable benchmarks for all future development within the Plan of Development Area. The supplementary table of assessment identifies assessment benchmarks in the same way that the current planning scheme does for a Local Centre zone. Use codes and the 'Prescribed other development codes' (*Landscape code, Transport and parking code, Nuisance code, Stormwater management code, Waste*

management code etc) are listed as applicable benchmarks for most assessable uses. The gross floor area limits identified in each precinct are tied to the table of assessment and any application exceeding the limits would trigger Impact assessment.

- a new local area code entitled 'Forest Glen Village Centre Code' that replaces the Forest Glen / Kunda Park / Tanawha Local Plan code that currently applies to this site. The code provides detailed requirements including acceptable outcomes, performance outcomes, overall outcomes that apply to development applications made within the Plan of Development Area.
- plans that define staging of the site and identifies the vehicle and pedestrian movement network through the site.

The proposed Plan of Development identifies a total of nine precincts including an open space precinct as shown below in Figure 2.



Figure 2 – Proposed Precinct Plan

The nine precincts are described below:

Precinct A – This precinct allows a total gross floor area of 2,500m² and is the only precinct that supports a supermarket and shopping complex. The proposed development permit component of this application for the shopping complex including the proposed supermarket is located within Precinct A.

Precinct B – This precinct allows a total gross floor area of 1,400m². This precinct accommodates the part of the site associated with the existing Forest Glen Shops that fronts Mons Road.

Precinct C – This precinct allows a total gross floor area of 3,840m². This precinct accommodates the part of the site associated with a number of existing buildings that are currently used for a mix of industrial and commercial uses. This precinct has consideration for the existing buildings and uses occurring on the site and supports a mix of new uses that align with some of those existing uses. This precinct also allows a micro brewery as a potentially consistent use but does not support additional retail and shop uses.

Precinct D – This precinct allows a total gross floor area of 2,250m². This precinct supports a mix of uses traditionally found in local centre zones with the inclusion of light Industrial uses, warehouse and micro brewery as a potentially consistent use. This precinct does not support additional retail and shop uses.

Precinct E – This precinct allows a total gross floor area of 2,400m². The proposed development permit component of this application for Health Care Services is located within Precinct E. This precinct does not support additional retail and shop uses.

Precinct F – This precinct allows a total gross floor area of 6,000m² or a residential density of 80 equivalent persons / hectare. This precinct aligns with a medium density residential zone and supports a mix of residential uses. Retail and commercial uses are not supported with the exception of Food and Drink Outlets where forming part of a mixed use development.

Precinct H – This precinct allows a total gross floor area of 200m² if for a Shop, and 900m² otherwise. This precinct supports a mix of uses traditionally found in local centre zones with the inclusion of Showroom up to a maximum GFA of 900m².

Precinct I – This precinct is open space area and is predominantly drainage reserve through the development area site. This precinct does not support urban development.

Precinct J – This precinct allows a total gross floor area of 1,000m². This precinct supports a mix of uses traditionally found in local centre zones and includes indoor sport and recreation uses. This precinct does not support additional retail and shop uses.

The application does not seek to vary the effect of the overlays of the *Sunshine Coast Planning Scheme 2014*. Overlays and the associated overlay codes relating to the site would continue to apply where relevant to all future development within the development plan area.

The following proposed plans and documents have been attached to this report:

- **Attachment 3** - the proposed new regulating document, entitled 'Forest Glen Village Centre Plan of Development' document.
- **Attachment 4** - the proposed master plans associated with the Forest Glen Village Centre Plan of Development.
- **Attachment 5** - the proposal plans associated with the proposed shopping centre in Precincts A and E.

ASSESSMENT

The Council officers Detail Assessment Report is included as **Attachment 2** to this report. Below is a summary of the key assessment considerations for this application:

Forest Glen Local Plan

The site is located within the Emerging Community zone of the Forest Glen Local Plan area. The Elements map in the local plan code identifies three main requirements that are intended to be incorporated into any future development of this land:

- A definitive access location and road and pedestrian linkage through the site.
- Retention of the character vegetation along the southern boundary of the site.

- Maintaining a primary active street frontage and streetscape treatment area to Mons Road.

The proposed layout achieves all three of these requirements. It would deliver a road and pedestrian links through the site, protect the existing vegetation along the southern boundary within a reserve and maintain the existing Forest Glen shops that address the Mons Road frontage of the site to the west. The variation request document also carries these requirements through to all future development applications in this area.

Economic Impact

The proposed Forest Glen Village Centre Plan of Development seeks to replace the *Sunshine Coast Planning Scheme 2014* for any development occurring within the subject land, and enable the site to grow over time to a scale consistent with a 'Full Service' Local Activity Centre as defined by the *Sunshine Coast Planning Scheme 2014*. The proposal is therefore in conflict with the current Planning Scheme which has zoned the majority of the site as Emerging Community and intends for Forest Glen to expand but to remain as a 'Not Full Service' Local Activity Centre.

The proposed Plan of Development sets maximum floor area limits for future uses within each of the precincts, adopted from the submitted economic impact assessment. The limits seek to constrain the growth of this site to prevent it from having an economic impact on other centres in the region.

The economic information provided supports the growth of Forest Glen to a scale aligning with a 'Full Service' Local Activity Centre without detrimentally impacting on other centres in the area, and is therefore able to be supported.

The application proposes a substantial extension of the existing Forest Glen Local Centre such that it would become a full service local centre. Accordingly, the proposed Plan of Development document generally follows the requirements that would normally be associated with a Local Centre (Full Service) zone in the *Sunshine Coast Planning Scheme 2014*. However, there are some differences between the proposal and a traditional Local Centre zone, which are intended to recognise the unique characteristics of the site and take into account the existing uses that have established historically and will continue to operate on parts of the site. The primary differences include:

- Inclusion of Gross Floor Area caps to limit the size of the centre;
- Inclusion of Medium and High impact industry uses where for a Micro Brewery as Code assessable and as a potentially consistent use on part of the site;
- Inclusion of Warehouse and Light Industry uses as code assessable on part of the site noting that these uses are already existing on the site;
- Inclusion of Showrooms as a Consistent Use and Code Assessable in Precinct H;
- Increasing the gross floor area of a Supermarket to be Code Assessable from 1000m² to 1500m².

An economic impact assessment has been undertaken and peer reviewed by an independent external economic consultant commissioned by Council. The assessment supports the broader use of the Emerging Community zoned land to form an expansion of the Forest Glen Local Centre and elevation of it to a 'Full Service' Local Activity Centre without detrimentally impacting on other centres.

Development Permit for Stage 1

The application also seeks a development permit for material change of use to establish a Shopping Centre, Shop and Health Care Services within Precincts A and E. This component of the application proposes three separate buildings to be located in the south eastern part of the site as the first stage of the overall development. Specifically the development involves the following:

- Building A, a single storey building proposing a 1,500m² supermarket and 400m² of supporting tenancies (310m² of retail in 4 tenancies and a 90m² café / retail tenancy).
- Building B, a single storey building proposing a 1,000m² floor plate which is divided into a 600m² retail tenancy and a 400m² medical tenancy.
- Building C, a 2 storey building proposing a total of 2,000m² of medical floor space.

The development proposes a total 240 car parking spaces orientated to the south of the site with the buildings located north towards the proposed new road.

The proposed development permit site plan is identified below in Figure 3 in the context of the remainder of the Plan of Development area.



Figure 3 – Proposed Site Plan

The proposed Shopping Centre, Shop and Health Care Services within Precincts A and E have been assessed as complying with the *Sunshine Coast Planning Scheme 2014* and also the requirements of the proposed Forest Glen Village Centre Plan of Development.

Open Space / community area

The Forest Glen/Kunda Park/Tanawha local plan code intends for the expansion of the Local Centre to provide a community hub with open space and areas for the community to gather. The overall outcomes of the local plan code requires the following for this site:

- *Development in the local plan area is supported by a network of open space that meets the needs of the local community*
- *Development in the Local centre zone and the adjacent Emerging community zone is designed to support the function of the Forest Glen Local Centre as a community hub and meeting place for the local community, providing a pedestrian friendly environment which is designed to promote community interaction.*

The Performance Outcomes of the code relating to this part of Forest Glen also states: *Development provides for attractive and usable public spaces that provide a focal point for community activity and interaction.*

The application submits that the development provides areas that would support community interaction. However, these are primarily private spaces associated with the entrances and courtyard areas at the front of private businesses. The pathway along the southern boundary of the site does provide opportunity for gathering with the nodes / viewing platforms proposed, but its linear nature and location adjacent the drainage area and away from any activity generating uses is unlikely to be sufficient to create the community hub anticipated by the planning scheme and expected in a town centre of the scale proposed. Given that the application seeks to create a new expanded town centre for Forest Glen, and is proposed at a scale beyond what the planning scheme currently intends for this location, there is considered a need for the new centre to facilitate a meaningful community hub space as expressed by the planning scheme for Forest Glen.

The development is a large scale greenfield site and has not demonstrated that the overall outcomes of the Forest Glen local plan area can be delivered for the new town centre to justify the scale of the centre proposed. It is therefore, recommended that a plan amendment be incorporated into any approval granted that requires a land area to be provided as public urban plaza / park and achieving the intent of the planning scheme.

Hydrology

Council's Hydrology Engineer has assessed the applicant's stormwater management plan for the site and has identified some outstanding issues that have not been resolved during the application.

The applicant's stormwater management outcome has proposed to adopt bioretention to deal with the water quality of the development. The application has not demonstrated that the design of the bioretention basins including the interaction with the retaining wall can comply with Council's design requirements within the allocated space proposed. Council's hydrology engineers have recommended conditions and plan amendments to resolve all of the outstanding hydrology issues for this site.

Summary

The site is suitable and well located to provide for a master planned expansion of the existing Forest Glen local centre. The application presents an opportunity to redefine Forest Glen as a cohesive, pedestrian-friendly centre with safe access and parking arrangements, issues which have traditionally beset and constrained the centre due to its location adjacent to the Bruce Highway.

The proposed development has been assessed against the *Sunshine Coast Planning Scheme 2014* and satisfies the requirements of the Planning Scheme subject to reasonable and relevant conditions.

Legal

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

Policy

The application has been processed under the *Planning Act 2016* and assessed against the *Sunshine Coast Planning Scheme 2014* and all relevant Council policies.

Risk

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

Previous Council Resolution

There is no previous Council resolution which is applicable to this application.

Related Documentation

A copy of the State Government's concurrence agency response is included as **Attachment 1** to this report.

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

A copy of the proposed new regulating document, entitled 'Forest Glen Village Centre Plan of Development' document is included as **Attachment 3** to this report.

A copy of the proposed master plans associated with the Forest Glen Village Centre Plan of Development are included as **Attachment 4** to this report.

A copy of the proposal plans associated with the proposed shopping centre in Precincts A and E are included as **Attachment 5** to this report.

Critical Dates

There are no critical dates relevant to this report. Council's decision for the application was due on 17 June 2020 and the applicant may elect to appeal to the Planning and Environment Court against a 'deemed refusal' of the application prior to a Council decision.

Implementation

Should the recommendation be accepted by Council, it is noted that Council officers will communicate the outcome of Council's resolution to the applicant and submitters as appropriate.

8.4 SUNSHINE COAST HERITAGE PLAN 2021-2031

File No:	Council meetings
Author:	Coordinator Cultural Heritage Services Economic & Community Development Group
Appendices:	App A - Draft Sunshine Coast Heritage Plan 2021-2031 157 ↓

PURPOSE

The purpose of this report is to seek Council's endorsement to progress the draft Sunshine Coast Heritage Plan 2021-2031 (Appendix A) to public consultation.

EXECUTIVE SUMMARY

In 2015, Council endorsed its first strategic Sunshine Coast Heritage Plan 2015-2020 (2015-2020 Plan), to provide a strategic framework, clear heritage vision and agreed heritage outcomes for the region. The 2015-2020 Plan is nearing the end of its life, and has seen the successful delivery of its Implementation Plan.

A draft Sunshine Coast Heritage Plan 2021-2031 (Heritage Plan 2021-2031) has now been developed, drawing on the proven framework of the 2015-2020 Plan. It builds on the successes of the past, recommends the continuation of several ongoing programs and sets direction for the future.

The draft Heritage Plan 2021-2031 was prepared in consultation with the region's heritage sector and internal stakeholders. An external peer review completed earlier this year assisted to refine the document.

This report recommends that the draft Heritage Plan 2021-2031 be made available for public consultation to allow the broader community an opportunity to review and provide comment. All feedback received will be used to inform final amendments to the document before the draft Heritage Plan 2021-2031 is presented to Council in 2021 for consideration.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Sunshine Coast Heritage Plan 2021-2031"**
- (b) approve the progression of the "Draft Sunshine Coast Heritage Plan 2021-2031" (Appendix A) to public consultation and**
- (c) request the Chief Executive Officer collate and consider all feedback received during the public consultation period before presenting the Draft Sunshine Coast Heritage Plan 2021-2031 to Council for consideration.**

FINANCE AND RESOURCING

Council's Heritage Levy currently generates over \$1.9 million annually, and is the key funding source for the delivery of the program, and therefore the Heritage Plan.

The Heritage Levy Policy articulates two restricted cash funds:

- (i) Futures Fund (current balance: \$3.738 million) that provide the resources for funding infrastructure outcomes as outlined in the endorsed 2015-2020 Plan.**

- (ii) Built Heritage Conservation Fund (current balance: \$72,000) to undertake ongoing maintenance of Council owned or managed, state or locally listed heritage properties that are leased by community groups or associations.

Once endorsed by Council, the Heritage Plan 2021-2031 will enable the Heritage Levy to continue to be utilised in this strategic and coordinated way.

Together, the Heritage Levy Policy and Sunshine Coast Heritage Plan, guide the annual Heritage Levy program, which is a matter for Council's consideration as part of the annual budget process.

CORPORATE PLAN

Corporate Plan Goal: *A strong economy*

Outcome: 1.3 - A shared future that embraces culture, heritage, diversity

Operational Activity: 1.3.2 - Develop the annual Heritage Levy program to implement the priority activities and projects identified in the Sunshine Coast Heritage Plan 2015-2020.

CONSULTATION

Councillor Consultation

As a result of the consultation, an additional strategy was developed and is now included in the draft Heritage Plan 2021-2031:

3.2.5 Investigate operational models to support the professionalisation of the region's community museums for council consideration.

This addresses the main focus of Councillor feedback in relation to how Council may better support:

- the community museum sector which is run by volunteers
- succession planning for volunteers
- management and exhibition of community owned collections, and
- visitor engagement and audience development.

Internal Consultation

The preparation of the draft Heritage Plan 2021-2031 was informed in consultation with the following internal stakeholders:

Economic and Community Development

- Arts, Heritage & Libraries
- Community Planning and Development
- Economic Development

Liveability & Natural Assets

- Environment & Sustainability Policy
- Environmental Operations
- Design & Placemaking Services
- Open Space & Social Policy

Customer Engagement & Planning Services

- Strategic Planning
- Regional Planning & Advocacy
- Development Services

Business Performance

- Building and Facilities
- Land Management
- Information Technology

Built Infrastructure

- Parks & Gardens

External Consultation

The preparation of the draft Heritage Plan 2021-2031 was informed by the following activities with external heritage industry stakeholders:

- A program of 19 focus group discussions with local heritage groups and museums, May-June 2019
- A sector-wide consultation workshop session attended by 45 people from heritage groups, local government, professional associations and specialist heritage consultants, July 2019
- A round-table discussion with the former Sunshine Coast Heritage Reference Group, August 2019
- A survey to heritage stakeholders, August 2019

The draft Heritage Plan 2021-2031 was then peer reviewed by:

- Queensland Government, Department Environment and Science, Arts and Heritage
- Queensland Government, Queensland Museum Network, Museum Development Officers
- Queensland Heritage Council, independent but affiliated with the Department Environment and Science, Arts and Heritage
- Museums and Galleries Queensland, peak body for the public museum and gallery sector in Queensland
- National Trust of Australia (Queensland)

A program of benchmarking was also undertaken to ensure contemporary thinking, focus areas and realistic (and affordable) deliverables are reflected.

All stakeholders will be invited to provide further commentary on the draft Heritage Plan 2021-2031 as part of the public consultation stage.

Community Engagement

This report seeks Council's endorsement of the draft Heritage Plan 2021-2031 for community consultation, to be released for public exhibition and comment.

This public notification and review period will be held for at least 20 business days, allowing the community to provide comments/feedback.

Community consultation will be undertaken in November/December 2020 and will include a feedback survey, public displays and a number of engaging events to engage a broad and diverse audience for feedback.

Feedback received within the specified consultation period will be collated, reviewed and considered prior to the finalisation of the draft Heritage Plan 2021-2031.

PROPOSAL

In 2015, Council endorsed its first Sunshine Coast Heritage Plan 2015-2020 (the 2015-2020 Plan).

With the endorsement of the 2015-2020 Plan, council had, for the first time, a plan that:

- Sets out Council's vision for heritage – "Our heritage is our gift for the future"
- Identified the importance value of protecting and enhancing the regions heritage
- Provided clarity around the roles and responsibilities of Council in heritage conservation and management
- Identified the key actions structured under five key outcome areas (Knowledge, Conservation, Support, Communication and Advocacy)
- Provided a tool to guide future funding through the Heritage Levy program (endorsed annually by Council).

At that time, the Heritage Levy Policy was also reviewed to align to the 2015-2020 Plan to ensure that the levy revenue supported the agreed heritage outcomes (specifically the endorsed five year action plan of projects and programs).

Over the past five years, the 2015-2020 Plan has successfully delivered its implementation plan via an annual implementation program, funded by the Heritage Levy.

A summary of successes and awards appear as Appendix 1 of the draft Sunshine Coast Heritage Plan 2021-2031 (Heritage Plan 2021-2031).

The draft Heritage Plan 2021-2031 will continue the delivery of successful heritage outcomes.

It is structured around the same five identified outcome areas of: Knowledge, Conservation, Support, Communication and Advocacy.

The outcome areas are interrelated and will continue to be managed through a cooperative approach across Council. This approach will ensure that Council's response to heritage matters is integrated into business practices and is carried out in a sustainable way.

The draft Heritage Plan 2021-2031 was developed via the following process:

- A progress review of the 2015-2020 Heritage Plan to determine which actions had been completed, which were underway, and which were yet to be commenced
- An extensive program of focus group discussions, workshop sessions with internal and external stakeholders, and a survey to heritage stakeholders (outlined above).
- A program of benchmarking to ensure the draft reflected contemporary thinking, focus areas and realistic (and affordable) deliverables.
- A heritage industry peer review.

The engagement program was led by Positive Solutions, an experienced arts and cultural strategy consultancy. The draft Heritage Plan 2021-2031 was then drafted to reflect the stakeholder discussions while also maintaining the momentum of the current plan, peer reviewed by a number of external parties and all feedback was considered in the final draft.

Once the community have provided feedback and the feedback is considered, the final draft Heritage Plan 2021-2031 will come before council for discussion and final endorsement.

The new Plan will guide council's heritage activities and actions for the next 10 years, and inform the Heritage Levy program to be considered by council as part of its annual budget deliberations.

Legal

There are no legal implications relevant to this report.

Policy

Once endorsed by council, the Sunshine Coast Heritage Plan 2021-2031 will supersede the Sunshine Coast Heritage Plan 2015-2020.

The Heritage Levy Policy 2019 (the Policy) is reviewed annually. The Policy will be reviewed and updated to align to the Heritage Plan 2021-2031, once endorsed by Council. The updated Policy will be provided to council as part of 2021/22 financial year budget considerations.

Risk

It is imperative that council has a plan and policy framework for heritage to ensure that services, programs and projects are appropriately developed, managed and delivered to the community.

Previous Council Resolution

Ordinary Meeting 21 May 2015 (OM15/68)

That Council:

- (a) *receive and note the report titled "Sunshine Coast Heritage Plan 2015-2020"*
- (b) *endorse the "Sunshine Coast Draft Heritage Plan 2015-2020" (Appendix A) for public exhibition and comment*
- (c) *request the Chief Executive Officer collate and consider all feedback received during the public exhibition period before presenting the final "Sunshine Coast Heritage Plan 2015-2020" to Council for adoption.*

Ordinary Meeting 20 August 2015 (OM15/134)

That council:

- (a) *receive and note the report titled "Sunshine Coast Heritage Plan 2015-2020"*
- (b) *adopt the "Sunshine Coast Heritage Plan 2015-2020" (Appendix A) and*
- (c) *note that the Chief Executive Officer may make minor amendments to the "Sunshine Coast Heritage Plan 2015-2020" to allow for final editing and publication.*

Related Documentation

Documentation relevant to this report includes:

- Sunshine Coast Heritage Plan 2015-2020
- Heritage Levy Policy 2019
- Environment and Liveability Strategy 2017
- Regional Economic Development Strategy 2013–2033
- Sunshine Coast Community Strategy 2019–2041
- Corporate Plan 2020–2024

Critical Dates

The Sunshine Coast Heritage Plan 2015-2020 will come to the end of its life at the end of this year, when it is anticipated that the final actions will be delivered.

It is important to maintain the momentum of the current plan, and to ensure the annual program for 2020-2021 can be strategically aligned to the Heritage Plan 2021-2031 once endorsed by Council.

The following proposed timeline allows for this strategic approach:

- November/December 2020: Community engagement
- February 2021: Sunshine Coast Heritage Plan 2021-2031 considered by Council for final endorsement.
- March/April 2021: Heritage Levy Policy, and the Annual Heritage Levy Program 2021-2022, aligned to the Heritage Plan 2021-2031 and presented to council as part of the Budget Workshop presentations.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will commence the community engagement period. A communication and engagement plan will be prepared and implemented for the intended public notification period of at least 20 business days. The public exhibition period is anticipated to commence in November 2020 following Council's endorsement to conduct public consultation.

Feedback received by Council within the specified consultation period will be collated, reviewed and provided to relevant stakeholders for consideration prior to presentation to Council for adoption, currently scheduled for the February 2021 Ordinary Meeting.

The Sunshine Coast Heritage Plan 2021-2031 will inform the development of the annual Heritage Levy Program, funded by the Heritage Levy.

8.5 COMMERCIAL USE OF COMMUNITY LAND - HIGH USE ACTIVITY

File No:	F2020/63404
Author:	Acting Manager Customer Response Customer Engagement & Planning Services Group
Appendices:	App A - Proposed amendment for locations and activities .. 219 ↓
Attachments:	Att 1 - Community Land and Complementary Commercial Activity Policy 229 ↓
	Att 2 - Location and activity assessment 237 ↓
	Att 3 - Information and application pack 241 ↓

PURPOSE

The purpose of this report is to seek Council endorsement for the inclusion of a new activity and location in the 2019-2022 High-use / high-impact commercial use of community land application process (high-use process).

EXECUTIVE SUMMARY

Sunshine Coast Council has a high-use process which is used to offer commercial opportunities at key locations across the region on council owned or controlled land. This process is managed in accordance with the relevant legislation and Council's *Community Land and Complementary Commercial Activity Policy* (Attachment 1).

The high-use process currently includes 32 activities and locations across 7 Council divisions (Appendix A) with activities including surf schools, refreshment vans, beach equipment hire, kayak tours and parachute landings. Council officers are seeking to add a new activity and location to the list, and to open the expression of interest process for the activity.

A not-for-profit group has held a permit to sell refreshments from an all-terrain vehicle on the beach at Mooloolaba for over 18 years. The group did not renew their permit in July 2020. Due to the location and hours of operation the permit would be classed as a high-use / high-impact permit under Council's *Community Land and Complementary Commercial Activity Policy*.

The activity and location has been assessed by stakeholders (Attachment 2) and an application pack (Attachment 3) has been prepared which outlines the application process and the conditions which would apply to the approval if supported by Council.

To allow the permit to be offered to an appropriate applicant Council officers are seeking approval to:

- include the activity and location in the list of approved locations and activities for the high-use process (Appendix A)
- open the expression of interest process from 16 November 2020 to 11 December 2020
- conduct an assessment process between 12 December 2020 and 15 January 2021
- issue an approval to a successful applicant by 22 January 2021.

If a successful applicant is identified the permit would be issued with an expiry date of 30 June 2022 to align with timeframes of existing high-use / high-impact permits. The activity could then be reassessed as part of the next high-use process in 2022 to confirm that activity continues to complement the area when provided by a commercial operator as opposed to a not-for-profit group.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Commercial Use of Community Land - High Use Activity”
- (b) endorse the additional location and activity for the 2019-2022 High-use / high-impact commercial use of community land application process, as outlined in Proposed amendment for locations and activities (Appendix A) and
- (c) endorse the application and approval process for the additional activity and location as outlined in the Implementation section of this report

FINANCE AND RESOURCING

The implementation of the high-use process is funded from the Customer Engagement and Planning Service Group core budget 2020/2021.

All administration costs associated with the application process will be accommodated by the Customer Response Branch and undertaken in conjunction with other role responsibilities.

All applicants will be required to pay a non-refundable application fee of \$555. This is the cost-recovery application fee for the 2020/21 Financial Year, which covers the costs associated with assessing each expression of interest.

The successful applicant will be required to pay an annual rental fee based on the area they use to operate their business. Currently the 2020/2021 annual rental fee is \$97 per square metre of land used.

This activity is estimated to use 5 square metres based on the vehicle and trailer footprint, which is \$485 per year. At the conclusion of the assessment process the equipment for the successful applicant will be measured and the fee will be calculated in accordance with their particular circumstances.

This fee will be adjusted where the operation for the business is 6 hours per day or less, and where the permit is approved for part of a year.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: We serve our community by providing this great service

Operational Activity: S23 - Public health: protecting public health by managing declared pests, controlling mosquitoes and administering environmental health regulations.

CONSULTATION

Councillor Consultation

Councillor input was sought in August 2020 in relation to the proposed activity and location being included in the high-use process. All feedback obtained through the consultation has been included in the location and activity assessment (Attachment 2) and considered in conditioning of the permit (Attachment 3).

The Councillor feedback provided conditions in relation to the location and hours of operation and litter management.

Internal Consultation

Internal stakeholder consultation has been undertaken in relation to the proposed activity and location being included in the High-use / high-impact application process. The following Council groups and branches have been consulted during this process:

- Built Infrastructure, Parks & Gardens
- Built Infrastructure, Traffic and Transport
- Business Performance, People & Culture
- Business Performance, Property Management
- Customer Engagement & Planning Services, Customer Response
- Customer Engagement & Planning Services, Development Services
- Customer Engagement & Planning Services, Waste & Resource Management
- Economic & Community Development, Economic Development
- Economic & Community Development, Sport & Community Venues
- Liveability & Natural Assets, Project Delivery
- Liveability & Natural Assets, Environmental Operations

All feedback obtained through the consultation has been included in the location and activity assessment (Attachment 2) and considered in conditioning of the permit (Attachment 3).

On balance the proposal was supported with conditions to be included in relation to safe food management, giving way for Council related works in the area and appropriate safety procedures. Concerns were raised in relation to the economic benefits to the local area.

Based on the change in operator from not-for-profit to commercial Council officers recommend an initial approval through to 30 June 2022 in line with the existing high-use permits. The activity should then be re-assessed to consider any new impacts to the local community.

External Consultation

External stakeholder consultation has been undertaken in relation to the proposed activity and location being included in the High-use / high-impact application process. The following Council groups and branches have been consulted during this process:

- Surf Life Saving Queensland (Sunshine Coast)
- Queensland Police Service

No feedback was received.

Community Engagement

There has been no community engagement undertaken as part of this report. The activity has been in place for over 18 years with Council having no current record of a complaint or concern in relation to the activity.

PROPOSAL

Sunshine Coast Council has a high-use process that allows Council to provide commercial opportunities at key locations across the region to complement the community's use of Council's owned or controlled land. This process currently includes 32 opportunities across seven (7) divisional areas (Appendix A) with activities including surf schools, refreshment vans, beach equipment hire, kayak tours and parachute landings.

As outlined in Council's *Community Land and Complementary Commercial Activity Policy* Council is committed to ensuring that commercial activities approved under Council's local laws:

- comply with Council's obligations under the *Land Act 1994, Local Government Act 2009*, relevant Council local laws and other agencies requirements
- give priority to community use
- align with Council's vision and strategic direction
- benefit the community and
- have a limited impact to the primary users of the land, the environment and Council's assets.

The existing activities and locations were identified as part of the initial community consultation in 2011 and have been amended as interest has changed or new opportunities have been identified. Where a new activity and location has been added they have been subject to an initial trial period ahead of being endorsed for continued inclusion in the high-use process.

In this case Mooloolaba Beach has hosted a quad bike and trailer selling shaved ice and drinks for over 18 years. This permit has previously not been included in the high-use process as it was a long-standing historical arrangement with a not-for-profit group. The permit was not renewed by the group in July 2020 and Council subsequently received an enquiry from a commercial operator wishing to apply for the permit. Due to the location and operation times of the permit the activity is considered a high-use / high-impact activity. This means the activity and location requires approval from Council before the opportunity is opened for expressions of interest from the public through the high-use process.

A location and activity assessment for the activity has been prepared in consultation with stakeholders and supports the issuing of a high-use / high-impact permit for the activity to continue on Mooloolaba Beach (between Beach Accesses 181 to 194) for this high-use period (Attachment 2). Council officers recommend the activity be reassessed as part of the next high-use process in 2022 to confirm that activity continues to complement the area when provided by a commercial operator as opposed to a not-for-profit group.

Should the activity and location be supported by Council, the opportunity will be offered to the public via an expression of interest and assessment process. If a successful applicant is identified the permit would be issued with an expiry date of 30 June 2022 to align with the existing high-use / high-impact permits.

Date	Activity
16 November 2020	Application process opens and is advertised on council's website and social media
11 December 2020	Applications close
12 December 2020 to 15 January 2021	Council officers assess applications, and circulate the successful applicant to stakeholders for final feedback and conditioning
18 January to 22 January 2021	Council officers notify applicants of the decision and issue the permit to the successful applicant to commence within three (3) months of notification.
22 January 2021 to 30 June 2022	Permit issued with start date of 22 January 2021, and expiry date of 30 June 2022

This process invites members of the public to submit a formal expression of interest to an assessment panel made up of Council officers from:

- Customer Engagement and Planning Services (Customer Response)

- Economic and Community Development (Economic Development)
- Liveability and Natural Assets (Environmental Operations)

As a minimum applicants are required to meet mandatory assessment criteria before proceeding to the next stage of the assessment process, this includes:

- commitment to giving priority to community use
- commitment to non-exclusive use of community land
- commitment to non-transferability of permits
- meeting all industry safety standards and ongoing safety management
- possessing the required level of public liability insurance
- not competing with fixed local businesses
- commitment to commence full operations within three (3) months of the permit being granted
- commitment to operating regular days and hours
- commitment to providing local employment
- payment of required permit fees
- adherence to all conditions of the permit.

Once the application meets these criteria, applicants are assessed on the following selection criteria which are based on the guiding principles of the *Community Land and Complementary Commercial Activity Policy*.

Selection Criteria 1: Professionalism
<ul style="list-style-type: none"> • Outline your professional track record, and any previous experience you have had operating a business.
<ul style="list-style-type: none"> • What training and skills have you obtained over the last two years to contribute to the success of your business?
<ul style="list-style-type: none"> • Outline your current qualifications, and any memberships you hold with affiliated associations, or peak bodies associated with your business.
<ul style="list-style-type: none"> • Provide a time when you introduced an innovative idea into the operation of your business.
Selection Criteria 2: Quality of Equipment
<ul style="list-style-type: none"> • Outline the current standard of the equipment you intend to use when operating your business on council-controlled land.
<ul style="list-style-type: none"> • What will you do to ensure that your equipment is maintained at all times, and is in good working order? What will be your replacement cycle?
Selection Criteria 3: Safety
<ul style="list-style-type: none"> • Outline your general management approach to the workplace, including the health and safety of your employees.
<ul style="list-style-type: none"> • What will you do to ensure that your business is operating in line with, or above industry standards, taking into account local conditions, and/or changing weather?
Selection Criteria 4: Community
<ul style="list-style-type: none"> • In the past, what has been your level of contribution to the local community? What will you do to contribute to the local community if your application is successful?
<ul style="list-style-type: none"> • What is your involvement in industry associations?
<ul style="list-style-type: none"> • How do you propose to promote tourism and ensure the Sunshine Coast is a great place to visit?
<ul style="list-style-type: none"> • How do you propose to support local business and local employment on the Sunshine Coast?

Each item under the selection criteria heading is scored out of 10 for a maximum total of 120 per assessment panel member using the below scale.

Score	Description
10	Excellent (exceeds industry expectations)
8	Fully competent (above industry expectations)
6	Competent (meets industry expectations)
4	Requires development (below industry expectations)
2	Unacceptable (not competent)

In the case a successful applicant is not identified through the high-use process, the location and activity may continue as a commercial low-use / low-impact permit or remain vacant until vacancies are opened again for applications.

Legal

Council manages land that falls into 4 categories:

1. freehold land owned by Council
2. reserves under the control or management of Council as Trustee under the *Land Act 1994* (the *Act*)
3. roadways (formed and unformed) other than State controlled roads (*Local Government Act 2009* and *Transport Operations (Road Use Management) Act 1995*)
4. pathways, footpaths, bathing reserves and foreshores (*Sunshine Coast Regional Council Local Laws (Local Laws)*).

The holding of the land determines the legal framework that applies. Local Laws can apply to Council freehold land and roads, foreshores and bathing reserves. The *Act* applies to reserves under the *Act* that Council holds as trustee.

Council awards permits for high-use / high-impact activities under its *Community Land and Complementary Commercial Activity Policy*. The local law permits are issued on the basis that there are no exclusive use or ongoing rights to the land as under the *Act* this is not permissible under a permit arrangement.

As the proposed location falls under both the State legislation and Local Laws, being a bathing reserve, the following legislative elements have been taken into account in preparing the permit conditions for the application pack (Attachment 3) and subsequent approval for a successful applicant.

Local Laws

For activities approved to take place of freehold land, pathways, footpaths, bathing reserves, foreshores and roads the provisions set out in the *Local Laws* will apply. The applicable *Local Laws* include:

- *Local Law No. 1 (Administration) 2011* and *Subordinate Local Law No. 1 (Administration) 2016*
- *Local Law No. 3 (Community Health and Environmental Management) 2011*, and *Local Law No. 3 (Community Health and Environment Management) 2011*
- *Local Law No. 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011* and *Subordinate 4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011*
- *Local Law No. 5 (Parking) 2011* and *Subordinate Local Law No. 5 (Parking) 2011*
- *Local Law No. 6 (Bathing Reserves) 2011* and *Subordinate Local Law No. 6 (Bathing Reserves) 2011*

Land Act 1994

As trustee, Council is required to adhere to the provisions set out in the *Act* regarding trustee permits and therefore must comply with the following conditions in accordance with *section 60 (Trustee Permits)* and *section 61 (Conditions on trustee leases and trustee permits)* of the *Act*:

1. a trustee may issue a trustee permit for the use of all or part of trust land
2. a trustee permit must not be inconsistent with the community purpose of the trust land and the requirements prescribed under a regulation
3. if a trustee permit is for more than 1 year, the trustee must lodge a copy of the permit for registration in the appropriate register
4. a trustee permit must not be for more than 3 years
5. it is a condition of every trustee permit that the permittee manages the permit so that the land may be used for the purpose for which it was reserved or granted in trust without undue interruption or obstruction.

Land Regulation 2009

As trustee, Council is required to adhere to the provisions set out in the *Land Regulation 2009 (the Regulations)* regarding Trustee Permits and therefore must comply with the following conditions in accordance with *section 13 (Requirements for trustee permits – Act, s60)* of the *Regulations*:

1. the trustee permit must state that the Minister of the trustee must give the permittee 28 days notice of the Minister's or the trustee's intention to cancel the permit
2. may not be issued for a part of the trust land that is subject to a trustee lease
3. must not allow the construction of structural improvements
4. may allow the modification or use of structural improvements existing when the permit is issued
5. if there is a management plan for the trust land under section 48 of the Act – must be consistent with the management plan
6. must state that it is a condition of the permit that the permittee holds the permit do that the trust land may be used for the community purpose for which is was reserved or granted in trust without undue interruption or obstruction
7. must state the permittee's permitted use of the land
8. must not give a right to renew the permit or to be given a more secure tenure over the trust land
9. must not allow the permittee to transfer, sublet or mortgage the permittee's right to use the trust land.

Policy

The *Community Land and Complementary Commercial Activity Policy* (Attachment 1) articulates Council's position on commercial activities in Council's owned or controlled open spaces. The policy balances the needs of the community with the demand for commercial activity.

Risk

Possible risks associated with the inclusion of the activity and location in the high-use / high-impact process and the application process and mitigation strategies include the following:

Risk	Mitigation
The activity is not supported at the location	The activity has been operating at the location for over 18 years with the support of the community. Complaints about the activity will be responded to and addressed in accordance with the permit conditions and relevant legislation.
Risks associated with the activity such as litter, collision, damage to the beach or adjoining foreshore	<p>Risks associated with the activity are managed through permit conditions prepared in consultation with stakeholders. These are outlined in the application pack (Attachment 3).</p> <p>Reduced operating area proposed for open beach with good visibility between beach accesses 181 – 194. Failure to adhere to the permit conditions is managed by Council using an educative and risk-based compliance approach. However, if there are ongoing or safety related issues these can result in on-the-spot infringements or the suspension of a permit approval.</p> <p>As part of the permit the operator is required to hold public liability insurance for the activity.</p>
Assessment of applications results in incorrect recommendations being put forward.	Assessment criteria to be clearly documents and adequate training is provided to the assessment panel.
Applicants are dissatisfied with the process and decision.	<p>Ensure open and transparent communication is provided to applicants.</p> <p>Ensure the selection panel follow selection criteria which are based on the guiding principles of the <i>Community Land and Complementary Commercial Activity Policy</i>.</p> <p>Ensure reviewable decision process is in place, as per Council's Local Laws.</p>
No applications are received	The location can be occupied by a low-use / low-impact permit or placed on hold pending the next round of assessments.

Previous Council Resolution

Ordinary Meeting, 28 February 2019 (OM19/22)

That Council:

- (a) *receive and note the report titled "Commercial Use of Community Land application process"*
- (b) *endorse the implementation of a further expression of interest process for the awarding of three year permits for the period 1 July 2019 to 30 June 2022*
- (c) *endorse the proposed locations and activities to be included in the 2019-2022 High-use / high-impact commercial use of community land application process, as outlined in the Proposed locations and Activities (Appendix A)*

- (d) *note the fees and charges for the 2019-2022 High-use / high-impact commercial use of community land application process will be as per Council's adopted 2018/2019 fees and charges*
- (e) *endorse the proposed fees and charges, including the annual rental fees, proposed discounts, pro-rata arrangements and payment options for all new permits issued from 1 July 2019 to 30 June 2022, as outlined in Proposed Fees and Charges (Appendix B)*
- (f) *endorse the proposed application process for any vacant high-use / high-impact commercial permit locations following the awarding of permits in June 2019 and*
- (g) *endorse the proposed application process for any new requests for high-use / high-impact commercial activities on Council-controlled land.*

Ordinary Meeting, 18 May 2017 (OM17/80)

That Council:

- (a) *receive and note the report titled "Community Land and Complementary Commercial Activity Policy Review"*
- (b) *adopt the Community Land and Complementary Commercial Activity Policy (Appendix A) and*
- (c) *endorse the proposed implementation plan contained in the Implementation section of this report.*

Ordinary Meeting, 10 December 2015 (OM15/243)

That Council:

- (a) *receive and note the report titled "Commercial Use of Community Land"*
- (b) *endorse the proposal to award permits to the recommended applicants for approved locations and activities as detailed in Appendix A and*
- (c) *note that the Chief Executive Officer will make Appendix A publicly available.*

Related Documentation

Related documentation to this report is as follows:

- Sunshine Coast Regional Council Local Laws
- Sunshine Coast Community Land and Complementary Commercial Activity Policy
- *Land Act 1994*
- *Land Regulation 2009*
- *Local Government Act 2009*
- Sunshine Coast Environment and Liveability Strategy 2017
- Regional Economic Development Strategy 2013-2033

Critical Dates

The location and activity can be managed as a low-use / low-impact permit while the high-use / high-impact opportunity is considered and assessed. However to allow Council to award the high-use / high impact permit in January 2021 the following dates are considered critical:

- the application be advertised from 16 November 2020 to 11 December 2020

- Council officers assess applications and circulate the assessment to internal stakeholders 11 December 2020 to 15 January 2021
- Council officers notify applicants of the decision 18 January 2021 to 22 January 2021.

Implementation

Should the recommendations be accepted by Council, it is noted that the Chief Executive Officer will request Council officers:

- update the published list of 'Approved Locations and Activities' to include the activity and location (Appendix A)
- advertise the opportunity on Council's website and social media channels
- receive and assess relevant expressions of interest in accordance with the below timeline
- provide an offer and approval to the highest rated successful applicant identified through the assessment process
- where the successful applicant chooses not to accept Council's offer to conduct business on council owned or controlled land, Council officers may make an offer to the 2nd best applicant if appropriate
- where no successful application is received Council officers may extend the low-use / low-impact permit in consultation with the permit holder and hold the vacant high-use activity for the next round of advertising and assessments.

Date	Activity
16 November 2020	Application process opens and is advertised on council's website and social media
11 December 2020	Applications close
12 December 2020 to 15 January 2021	Council officers assess applications, and circulate the successful applicant to stakeholders for final feedback and conditioning
18 January to 22 January 2021	Council officers notify applicants of the decision and issue the permit to the successful applicant to commence within three (3) months of notification.
22 January 2021 to 30 June 2022	Permit issued with start date of 22 January 2021, and expiry date of 30 June 2022

8.6 RECOGNISING, PROTECTING AND CELEBRATING OUR NIGHT SKY

File No:	Council meetings
Author:	Manager Environment and Sustainability Policy Liveability & Natural Assets Group
Appendices:	App A - Night Sky Protection - Review of Mechanisms 269 ↓

PURPOSE

The purpose of this report is to respond to a Council resolution (OM20/16) in relation to recognising, protecting and celebrating the Sunshine Coast night sky.

EXECUTIVE SUMMARY

A dark sky is the natural occurrence of the sky at night free from human-caused light pollution. With light pollution being the excessive use of artificial light, the amount of light pollution on the Sunshine Coast could be expected to increase as our population also increases across the next 20 years and beyond.

In January 2020, Council resolved (OM20/16) for the Chief Executive Officer to:

- investigate appropriate mechanisms, including International Dark Sky Reserve designations that recognise, protect and celebrate the night sky and
- report findings to the Ordinary Meeting scheduled in November 2020.

In response, an independent investigation was undertaken (Appendix A) which:

- identified existing mechanisms that recognise, protect and celebrate the night sky
- summarised the benefits, constraints and considerations for each mechanism
- provided recommendations on the most appropriate mechanism(s) for the Sunshine Coast.

The investigation determined that there were two certification programs that could be considered by Sunshine Coast Council to recognise, protect and celebrate the night sky. These were:

1. International Dark Sky Place through the International Dark Sky Association
2. Certified Place through the Starlight Foundation.

An International Dark Sky Place designation through the International Dark Sky Association rated marginally higher due to there being existing Dark Sky Places within Australia which could provide additional benefits, such as greater opportunities to build partnerships and share knowledge if this mechanism was to be progressed for the Sunshine Coast.

Based on the outcomes of the investigation, this reports seeks Council's support to undertake further investigations to scope the potential location/s, requirements and benefits for an appropriate Sunshine Coast Dark Sky Places designation for consideration in November 2021. These further investigations would incorporate targeted input from key stakeholders and potential partners.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Recognising, protecting and celebrating our night sky”
- (b) receive and note the “Night Sky Protection – Review of Mechanisms Report” (Appendix A) and
- (c) support further investigations with targeted input, to scope potential Sunshine Coast Dark Sky Place designations and associated location/s, requirements and benefits and report back to Council by November 2021 for consideration.

FINANCE AND RESOURCING

Investigations associated with this report have been completed within the endorsed Environment and Sustainability Policy Branch operating budget. Further scoping and proposed investigations can be completed within existing resources.

Budget and resource implications would need to be considered if Council determines to progress a future International Dark Sky Place designation.

CORPORATE PLAN

Corporate Plan Goal:	<i>A healthy environment</i>
Outcome:	2.1 - A resilient region shaped by clever planning and good design
Operational Activity:	2.1.1 - Implement priority activities from the Environment and Liveability Strategy 2017.

CONSULTATION**Councillor Consultation**

A workshop was held with Council in October 2020 to present the findings of the investigation of appropriate mechanisms to recognise, protect and celebrate the night sky.

A briefing was also undertaken with Councillor W Johnston.

Internal Consultation

During the investigation of appropriate mechanisms, input was provided by the:

- Strategic Planning Branch
- Business and Innovation Branch.

External Consultation

Preliminary discussions were had with the:

- International Dark-Sky Association to understand the International Dark Sky Places Program.
- Australasian Dark Sky Alliance to understand learnings and experience from an Australian perspective in relation to the International Dark Sky Places Program.

Community Engagement

Communication has continued with interested stakeholders to keep them informed of the investigations Council has been undertaking.

No formal community engagement was undertaken as part of the mechanisms investigation.

Targeted input is proposed as part of the next steps, with key stakeholders and potential partners including:

- International Dark-Sky Association
- Australasian Dark Sky Alliance
- Queensland Government Department of Environment and Science
- Energex
- University of the Sunshine Coast
- Local interest groups.

PROPOSAL

A dark sky is the natural occurrence of the sky at night, free from human-caused light pollution. When outdoor lighting is inefficient, overly bright, poorly targeted and/or improperly shielded, light spills into the sky, rather than focusing it on to the actual objects and areas that people want illuminated (International Dark Sky Association, 2020).

Increasing urbanisation and over-lighting of the earth increases light pollution, decreasing the availability of night sky environments.

As our population continues to grow and is expected to exceed 500,000 by 2041, Council is planning for the future to protect our natural assets, live more sustainability and maintain our liveability.

Council's Environment and Liveability Strategy includes a Transformational Action recognising the need to increase our understanding of how people interact with the natural environment. More specifically the strategy includes a task to investigate mechanisms to provide long-term protection of core environmental areas and green spaces and promote approaches to minimise the impact of human use and activities across the region.

Mechanisms Investigation

Complementary to this task, Council resolved (OM20/16) at the Ordinary Meeting on 30 January 2020, for the Chief Executive Officer to:

- investigate appropriate mechanisms, including International Dark Sky Reserve designations that recognise, protect and celebrate the night sky and
- report findings to the Ordinary Meeting scheduled in November 2020 (OM20/16).

In response, an independent investigation of available mechanisms (Appendix A) was undertaken, which:

- identified existing mechanisms that recognise, protect and celebrate the night sky
- summarised the benefits, constraints and considerations for each mechanism
- provided recommendations on the most appropriate mechanism(s) for the Sunshine Coast.

The investigation determined that there were two certification programs that could be considered by Sunshine Coast Council to recognise, protect and celebrate the night sky:

1. International Dark Sky Place through the International Dark Sky Association
2. Certified Place through the Starlight Foundation.

An International Dark Sky Place through the International Dark Sky Association rated marginally higher due to there being existing Dark Sky Places within Australia which could provide additional benefits, such as greater opportunities to build partnerships and share knowledge.

The review also identified a number of other tools and approaches that could be considered, which either would directly or indirectly recognise, protect, and/or celebrate night sky environments.

International Dark Sky Places Program

The International Dark Sky Places Program was founded in 2001 to encourage communities, parks and protected areas around the world to preserve and protect dark sites through responsible lighting policies and public education.

The International Dark Sky Places certification process is modeled on other conservation and environmental designation programs, such as the UNESCO World Heritage Sites and Biosphere Reserves. Certifications are made on the basis of a written application. The process to nominate a place can take 1-3 years to complete.

The International Dark Sky Places Program offers five types of designations. Each designation has its own set of guidelines based on land management, size, and sky quality.

There are over 130 certified International Dark Sky Places in the world of which three are within Australia.

Proposed next steps

Recognising, protecting and celebrating our night sky broadly aligns with implementing policies and programs to provide for the long-term protection and management of the region's natural assets and transition the Sunshine Coast to a more sustainable, resilient and low carbon way of living. Based on the findings to date, it is considered that there is merit in further exploring the International Dark Sky Places Program to understand the opportunities for our region. It is proposed that a review of the of the International Dark Sky Places Program and its five designation types is undertaken with targeted stakeholder input for Council consideration. This includes:

- scoping potential Sunshine Coast Dark Sky Place designations and possible location/s within the local government area.
- determining eligibility and requirements of pursuing these designations including planning and resource implications, process and benefits/opportunities.
- determining interest and support of required partners for any proposed Dark Sky Place designation for the Sunshine Coast.

Targeted input with key stakeholders and potential partners would include the International Dark-Sky Association, Australasian Dark Sky Alliance, Queensland Government Department of Environment and Science, Energex, University of the Sunshine Coast, and local interest groups.

Findings are proposed to be presented back to Council in November 2021.

Legal

There are no legal implications relevant to this report.

Policy

The Sunshine Coast Council Corporate Plan 2020-2024 identifies a "Healthy Environment" as one of five goals to deliver on a vision of Australia's most sustainable region – Healthy, Smart, Creative.

Risk

There are no risks for Council in relation to this report.

Previous Council Resolution**Ordinary Meeting 30 January 2020 (OM20/16)**

That Council request the Chief Executive Officer

- (a) to investigate appropriate mechanisms, including International Dark Sky Reserve Designations that recognise, protect and celebrate the night sky and*
- (b) report findings to the Ordinary Meeting scheduled in November 2020.*

Related Documentation

- Sunshine Coast Environment and Liveability Strategy 2017
- Sunshine Coast Council Corporate Plan 2020-2024
- International Dark-Sky Association - <https://www.darksky.org/>
- International Dark Sky Places Program - <https://www.darksky.org/our-work/conservation/idsp/>

Critical Dates

There are no critical dates in relation to this report.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer would:

- Undertake a review of the International Dark Sky Places Program and its five designation types with targeted stakeholder input for Council consideration to:
 - scope potential Sunshine Coast Dark Sky Place designations and possible location/s within the local government area
 - determine eligibility and requirements of pursuing these designations including planning and resource implications, process and benefits/opportunities
 - determine interest and support of required partners for any proposed Dark Sky Place designation for the Sunshine Coast
 - present findings to Council by November 2021.

8.7 OCTOBER 2020 FINANCIAL PERFORMANCE REPORT

File No:	Financial Reports
Author:	Acting Chief Financial Officer Business Performance Group
Attachments:	Att 1 - October 2020 Financial Performance Report - To be provided 299 ↓

PURPOSE

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

EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 31 July 2020 in terms of the operating result and delivery of the capital program.

Operating Performance

Table 1: Operating Budget as at 31 October 2020

	Original Budget \$000	Current Budget \$000
Total Operating Revenue	465,069	464,397
Total Operating Expenses	460,733	461,868
Operating Result	4,336	2,711

Details of the monthly financial report are contained in Attachment 1.

OFFICER RECOMMENDATION

That Council receive and note the report titled "October 2020 Financial Performance Report".

FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month ending 31 October 2020 and meets Council's legislative reporting requirements.

CORPORATE PLAN

Corporate Plan Goal:	<i>An outstanding organisation</i>
Outcome:	5.7 - A financially sustainable organisation
Operational Activity:	5.7.1 - Develop and monitor Council's budget, including legislated requirements.

CONSULTATION

Portfolio Councillor Consultation

Consultation has been undertaken with the Portfolio Councillors E Hungerford and J Natoli.

Internal Consultation

This report has been written in conjunction with advice from:

- Acting Group Executive Business Performance
- Acting Chief Financial Officer

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

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

Sunshine Coast Council's 2020/21 Investment Policy and
Sunshine Coast Council's 2020/21 Debt Policy.

Risk

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

Previous Council Resolution**Special Meeting Budget 25 June 2020 (SM20/16)**

That Council adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2020/21 financial year incorporating:

- i. the statement of income and expenditure*
- ii. the statement of financial position*
- iii. the statements of changes in equity*
- iv. the statement of cash flow*
- v. the relevant measures of financial sustainability*
- vi. the long term financial forecast*
- vii. the Debt Policy (adopted by Council resolution on 11 June 2020)*
- viii. the Revenue Policy (adopted by Council resolution on 11 June 2020)*
- ix. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- x. the Revenue Statement*
- xi. Council's 2020/21 Capital Works Program, endorse the indicative four-year program for the period 2022 to 2025, and note the five-year program for the period 2026 to 2030*

- xii. the rates and charges to be levied for the 2020/21 financial year and other matters as detailed below in clauses 3 to 12 and*
- xiii. endorse the full time equivalent establishment as per the Sunshine Coast Council Establishment 2020/2021 report.*

Related Documentation

2020/21 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.8 2019/20 FINANCIAL STATEMENTS AND COMMUNITY FINANCIAL REPORT

File No:	Audit External
Author:	Coordinator Financial Accounting Business Performance Group
Attachments:	Att 1 - Independent Auditors Report and Certified General Purpose Financial Statements 2019/20 5/127 Att 2 - Queensland Audit Office Final Management Report 2019/20 75/127 Att 3 - Community Financial Report 2019/20 89/127 Att 4 - SunCentral Maroochydore Pty Ltd Annual Report 2020 95/127

PURPOSE

The purpose of this report is to present to Council the audited Financial Statements for the financial year ended 30 June 2020, Queensland Audit Office Final Management Report 2019/20 and Community Financial Report 2019/20 in accordance with the requirements of the *Local Government Act 2009 and Local Government Regulation 2012*.

The 2019/20 audited Financial Statements and Annual Report for Council's controlled entity, SunCentral Maroochydore Pty Ltd, is also attached (Attachment 4).

EXECUTIVE SUMMARY

1. Financial Statements 2019/20 (Attachment 1)

The 2019/20 Financial Statements have been audited by Council's external auditors the Queensland Audit Office (QAO) to ensure accounting and legislative compliance.

Queensland Audit Office has issued an unmodified audit opinion, as contained in their *Independent Auditor's Report and Certified General Purpose Financial Statements 2019/20* attached.

This is the twelfth consecutive unmodified audit opinion achieved by Sunshine Coast Council.

The result of Council's audit will be included in the annual Auditor-General's report to Parliament on the results of local government audits.

2. Queensland Audit Office Final Management Report 2019/20 (Attachment 2)

The QAO Final Management Report for the 2019/20 financial statements is attached. This report provides details on audit matters and other important information related to the audited financial statements.

The report also provides a full list of issues and other matters related to the financial statements that have been formally reported to management, along with an update on actions taken to resolve these issues.

3. Community Financial Report 2019/20 (Attachment 3)

Council is required to prepare a community financial report for each financial year. The report contains an easy to understand summary and analysis of Council's financial performance and position for the financial year, and will be included in the Annual Report.

4. SunCentral Maroochydore Pty Ltd (Attachment 4)

The 2019/20 audited Financial Statements and Annual Report for Council's controlled entity, SunCentral Maroochydore Pty Ltd, is also attached. The financial results of Council's controlled entities are included the Consolidated columns of Council's Financial Statements where material.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "2019/20 Financial Statements and Community Financial Report" and**
- (b) note the 2019/20 Community Financial Report, 2019/20 Financial Statements and associated financial information will be included as Section 4 of the 2019/20 Annual Report.**

FINANCE AND RESOURCING

The original estimate for the cost of the 2019/20 audit was \$250,000 which was provided for in Council's budget. However, due to COVID-19, the bulk of the audit was completed remotely resulting in a fee reduction to \$239,000.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*

Outcome: 5.7 - A financially sustainable organisation

Operational Activity: 5.7.1 - Develop and monitor Council's budget, including legislated requirements.

CONSULTATION**Portfolio Councillor Consultation**

The Portfolio Councillors, Councillor E Hungerford and Councillor J Natoli, have received advice of this report from the Audit Committee process.

Internal Consultation

Internal liaison occurred with various staff members within the Finance Branch and other areas of Council in compiling the 2019/20 Financial Statements. The 2019/20 Financial Statements have been presented to Council's Audit Committee for review and comment.

External Consultation

- Queensland Audit Office
- Queensland Treasury Corporation
- Department of Local Government, Racing and Multicultural Affairs
- Australis Advisory Group Pty Ltd
- Cardno (Qld) Pty Ltd
- Unitywater
- SunCentral Maroochydore Pty Ltd
- Sunshine Coast Events Centre Pty Ltd
- Sunshine Coast Arts Foundation Ltd

External auditors Queensland Audit Office have audited the draft 2019/20 Financial Statements and Current Year Financial Sustainability Statement. The Long Term Financial Sustainability Statement is not able to be audited as it is based on forward estimates.

Community Engagement

No community engagement was required for this report.

PROPOSAL

1. Financial Statements 2019/20 (Attachment 1)

The statutory Financial Statements for the year ended 30 June 2020, along with comparative figures for 2019, are attached (Attachment 1).

These statements have been reviewed through the Audit Committee process as follows:

- Draft Financial Statements presented to Audit Committee on 7 September 2020
- Draft Financial Statements audited by Queensland Audit Office during September 2020
- Final draft Financial Statements and Queensland Audit Office Closing Report for the year ended 30 June 2020 presented to Audit Committee on 6 October 2020.

Queensland Audit Office has issued an unmodified audit opinion as contained in their *Independent Auditor's Report and Certified General Purpose Financial Statements* (Attachment 1).

This is the twelfth consecutive unmodified audit opinion achieved by Sunshine Coast Council.

These results will be included in the annual Auditor-General report to parliament on the results of Local Government audits, published in February 2021.

Council v Consolidated Statements

Council's Financial Statements are presented in consolidation format, with 2 columns representing Council's stand-alone position, and a second two columns where Council's interest in its subsidiaries is disclosed.

On consolidation, Council's interest in its wholly owned subsidiaries (SunCentral Maroochydore Pty Ltd, Sunshine Coast Events Centre Pty Ltd and its associate Unitywater), are included. The financials for Council's newest controlled entity, Sunshine Coast Arts Foundation Ltd, were not consolidated into Council's financial statements as the amounts were not material.

Council's stand-alone results are reported as they are more directly comparable to Council's Budget and Monthly Financial Performance Reports. In addition the operating result and cash flows for Council are considered to be a better reflection of Council's position.

The consolidated statements include accounting entries to recognise a share of the profits of Council's subsidiaries and associated entities. In the case of Unitywater this share of profit is not directly available to Council until received in the form of dividends in future years.

Council's key financial outcomes for 2019/20 are as follows.

Council Comparatives	2019/20 (\$000)	2018/19 (\$000) Restated
Operating Revenue	452,940	444,973
Less: Operating Expenditure	454,408	431,599
Operating Result	(1,468)	13,374
Net Result	121,615	96,419
Cash	197,632	263,421
Debt	551,051	407,487
Net Assets	5,349,477	5,241,227
Key Indicators	(%)	(%)
Operating Surplus Ratio (1)	(0.3)	3.0
Asset Sustainability Ratio (2)	70.5	72.5
Net Financial Liabilities Ratio (3)	105.1	62.6

- (1) Operating Surplus Ratio – This indicator measures the extent to which our operating revenue exceeds our expenditure. Target: Between 0% and 10%. Council's operating result for 2019/20 was adversely impacted by approximately \$9 million due COVID-19.
- (2) Asset Sustainability Ratio – Measures the extent to which our infrastructure assets are managed, with an orderly renewal regime in place. The ratio of 70.5% is indicative of a relatively young Council investing in new assets.
- (3) Net Financial Liabilities Ratio – The indicator measures the extent to which the net financial liabilities of Council can be repaid from our operating revenue streams. Target: Not greater than 60%.

Council has exceeded the target for 2019/20 due to borrowings for the Sunshine Coast Airport Expansion Project. These borrowings will be repaid on receipt of the \$290 million runway construction payment from Palisade Investment Partners Limited, which is due on the later of 30 June 2022 and completion of the new runway.

The Department of Local Government, Racing and Multicultural Affairs Financial Management (Sustainability) Guideline 2013 states "*high average Net Financial Liabilities ratio projections over the long-term are typically indicative of a local government that is undertaking/has undertaken significant infrastructure projects. Whilst some local governments may not achieve the recommended target for Net Financial Liabilities Ratio on average over the long-term, this does not necessary indicate that a local government is likely to be unsustainable over the long-term. In such cases, well-managed local governments with robust financial management systems and the ability to service current and projected debt levels, can maintain long-term sustainability and average Net Financial Liabilities ratio projections over the long-term that exceed the recommended target.*"

2. Queensland Audit Office Final Management Report 2019/20 (Attachment 2)

The QAO Final Management Report for the 2019/20 financial statements provides details on audit matters and other important information related to the audited financial statements.

The report also provides a full list of issues and other matters related to the financial statements that have been formally reported to management, along with an update on actions taken to resolve these issues.

As part of the 2019/20 audit, QAO identified 7 Control issues (including one carried over from the prior year), no Financial Reporting issues, and 6 Other Matters.

Control Issues

QAO classifies issues as either Significant Deficiencies (requiring immediate action), Deficiencies (requiring timely action) or Other Matters (at management's discretion).

A summary and status is in the below table.

Item	No.	Status	Comments
Significant deficiency	3	Resolved	
Deficiency	3	Resolved	
Deficiency (from prior year)	1	Work in progress	Downgraded from a Significant Deficiency due to substantial improvements made
Financial Reporting issues	Nil		
Other Matters	6	Resolved	

3. Community Financial Report 2019/20 (Attachment 3)

Council is required to prepare a community financial report for each financial year. The report contains an easy to understand summary and analysis of Council's financial performance and position for the financial year, and will be included in the Annual Report.

4. SunCentral Maroochydore Pty Ltd (Attachment 4)

The 2019/20 audited Financial Statements and Annual Report for Council's controlled entity, SunCentral Maroochydore Pty Ltd, is also attached (Attachment 4). The financial results of Council's controlled entities are included the Consolidated columns of Council's financial statements where material.

Legal

Section 182 of the *Local Government Regulation 2012*, states that the Financial Statements must be presented to Council within one month of receiving the signed Auditor's report.

Policy

There are no relevant policies related to this report.

Risk

Council has a statutory obligation to prepare annual general purpose Financial Statements that are subject to audit by the Auditor-General or their contracted representative.

Previous Council Resolution

Audit Committee Meeting 6 October 2020 (AC20/40)

That the Audit Committee:

- (a) *note the discussions held in confidential session in relation to the Draft 2019/20 Financial Statements and Current Year Financial Sustainability Statement and*
- (b) *endorse the results of the external audit and recommend management sign-off and*
- (c) *acknowledge the efforts of Council's Finance Team and the Queensland Audit Office Team.*

Ordinary Meeting 17 September 2020 (OM20/101)

That Council receive and note the report titled “Queensland Audit Office – Second Interim Management Report for the financial year ended 30 June 2020”.

Audit Committee Meeting 7 September 2020 (AC/33)

That the Audit Committee note the discussions held in confidential session in relation to the Draft 2019/20 Financial Statements.

Ordinary Meeting 25 June 2020 (OM20/63)

That Council receive and note the report titled “Queensland Audit Office – Interim Management Report for the financial year ended 30 June 2020”.

Audit Committee Meeting 25 May 2020 (AC20/21)

That the Audit Committee receive and note the report titled “Annual Financial Statement Risk and Planning Assessment”.

Audit Committee Meeting 25 May 2020 (AC20/22)

That the Audit Committee receive and note the report titled “Update on the Audit Issue – Delays in Recording of Contributed Assets”.

Audit Committee Meeting 28 January 2020 (AC20/6)

That the Audit Committee receive and note the report titled “Planning for the 2019/20 Financial Statements”.

Related Documentation

There is no related documentation for this report.

Critical Dates

The 2019/20 Financial Statements must be presented to Council within one month of receiving the signed Auditor’s report.

Implementation

The 2019/20 Financial Statements and 2019/20 Community Financial Report will be included in Section 4 of Council’s 2019/20 Annual Report. The Annual Reports for both Council and SunCentral Maroochydore Pty Ltd will be published on Council’s website.

8.9 ACQUISITION OF LAND CALOUNDRA

File No: F19/00262
Author: Project Development Officer
Office of the CEO

PURPOSE

The purpose of this report is to seek Council's endorsement to progress the acquisition of the Old Caloundra Lighthouses site located at 3 Canberra Terrace, Kings Beach, described as Lot 1 on RP135230. The purpose of the acquisition is to complement Council's open space network.

EXECUTIVE SUMMARY

The Lighthouses precinct located at 3 Canberra Terrace, Kings Beach (Lot 1 RP135230) is owned by the State of Queensland, represented by the Department of Transport and Main Roads (Maritime Safety Queensland). The 868 m² parcel is zoned Open Space and improved with two lighthouses; the original 1896 structure and its 1968 replacement. A generator shed that accompanied the 1968 lighthouse is also located on the site.

In December 2010, the Department of Transport and Main Roads (DTMR) issued a licence to occupy the Old Caloundra Lighthouses to Council for 'Community and Tourism purposes' which expires on 7 December 2020. With the Department's approval, Council issued a 3 year sub-licence to The Friends of Caloundra Lighthouses Incorporated ("The Friends"). This licence has been renewed twice, with the current licence due to expire on 6 December 2020. The Friends of Caloundra Lighthouses Inc (The Friends) are a not for profit organisation which promotes and operates the iconic lighthouse structures.

The subject property at 3 Canberra Terrace adjoins the Lions Park amenity reserve owned by Council, and the combined site forms part of the Council controlled Open Space network. The lighthouses are considered a symbol of Caloundra, the oldest lighthouse is one of the most important structures associated with the early development of Caloundra and as such has a strong and social significance for the Sunshine Coast Community. The property is listed on the Queensland Heritage Register and for the last 20 years the lighthouses have been a tourist attraction that has opened for tours.

In August 2019, the State of Queensland declared the property surplus to their requirements and as per the Queensland Government Land Transaction Policy (QGLTP) included it on the Government Land Register to offer it for sale to other State Government agencies and Council.

In November 2019, Council formally wrote to Department of Transport and Main Roads to request that consideration be given to transferring the property to Council at nil cost, as per the QGLTP Inter-Agency exemption. Department of Transport and Main Roads has recently advised Council that it agrees to the transfer of the property to Council in freehold for \$1. This report therefore seeks authority to acquire this iconic community asset to ensure the preservation of the historical landmark and associated park.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Acquisition of Land Caloundra” and
- (b) delegate authority to the Chief Executive Officer to enter into negotiations, execute and finalise the acquisition of 3 Canberra Terrace, Caloundra, described as Lot 1 on RP135230 for open space purposes.

FINANCE AND RESOURCING

Department of Transport and Main Roads have agreed to transfer the property to Council for \$1 as per the QGLTP Inter-Agency exemption. Council will be liable for paying stamp duty and transfer fees which will cost approximately \$7,000 and is to be funded from the Open Space Network Management budget.

Funding will be required to undertake identified planned maintenance works over the next 10 years. Council’s Property Management Branch – Building and Facilities Asset Management Unit have estimated \$160,500 will be required for these identified works. An additional \$23,500 has been estimated for external expertise to conduct inspections and prepare reports on these maintenance items. Funding for condition assessment, engineering reports and subsequent works will form part of Capital Works Program development by Building and Facilities Asset Management Unit. However, it should also be noted that under the existing licence agreement between Council and Department of Transport and Main Roads, Council are already responsible for maintenance of the structures.

CORPORATE PLAN

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

CONSULTATION**Councillor Consultation**

Division 2 Councillor T Landsberg has been consulted regarding this proposal. In addition, the relevant Portfolio Councillor Representatives have also been advised:

- Community Portfolio Councillors R Baberowski and D Law.
- Environment and Liveability Portfolio Councillors P Cox and M Suarez.

Internal Consultation

- Coordinator Planning Scheme and Projects
- Coordinator Cultural Heritage Services Team
- Building and Facilities Asset Manager
- Integrated Property Strategy Team
- Coordinator Open Space and Social Policy
- Legal Services

External Consultation

Savills (Valuers) have provided an estimate of market value for the property.

Community Engagement

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

PROPOSAL

The lighthouses precinct located at 3 Canberra Terrace, Kings Beach (Lot 1 RP135230) is owned by the State of Queensland, represented by the Department of Transport and Main Roads (Maritime Safety Queensland). **Refer Figure 1- Location Map.** The 868 m² parcel is zoned Open Space and is improved with two lighthouses; the original 1896 structure and its 1968 replacement. A generator shed that accompanied the 1968 lighthouse is also located on the site.



Figure 1 - Location Map

The 1896 lighthouse (1 of 8 of this type in Queensland) and the 1968 lighthouse (1 of only 2 of this type in Australia) are both substantially intact examples of their type. **(Refer Figure 2).** They are important in demonstrating the evolution of lighthouse design in Queensland between the 1890s and 1970s, and offer a rare opportunity for close comparison. The site has significant aesthetic and landmark characteristics, and has a strong association to the development of Caloundra as a coastal settlement and early tourist destination.

The property is listed on the Queensland Heritage Register (QHR) and the listing identifies the significant elements and associations of the Caloundra Lighthouses site, its extant buildings, broader connections and stories. It also identifies the historical significance, the rarity of some of the structures, its aesthetic and landmark character, and its strong associations with the local community.



Figure 2 - Lighthouses Photograph

The QHR listing also notes the social significance for Sunshine Coast residents and tourists, being a symbolic and functional source of pride and identity for the region. It is one of only 34 Queensland heritage places on the Sunshine Coast.



Figure 3 – Subject site at 3 Canberra Tce

The subject property at 3 Canberra Terrace adjoins the Lions Park amenity reserve owned by Council, and the combined site forms part of the Council controlled Open Space network. The site at 3 Canberra Terrace compliments this amenity reserve which is a cultural, park and community asset providing a range of highly valued activities. **(Refer Figure 3).**

In December 2010, Department of Transport and Main Roads issued a licence to occupy the Old Caloundra Lighthouses to Sunshine Coast Council for 'Community and Tourism purposes' which expires on 7 December 2020. With Department of Transport and Main Roads' approval, Council issued recurring 3 year sub-licence to Friends of Caloundra Lighthouses Incorporated ("The Friends"), with the current licence due to expire on 6 December 2020. A renewal of this sub-licence will be issued to The Friends upon an extension to the licence between the Department of Transport and Main Roads and Council (should the property not be transferred before expiry of the current licence), or a guarantee from Department of Transport and Main Roads of an extension to The Friends' tenure until settlement of the contract.

The Friends contribute to the management and maintenance of the property. Over the last 20 years, Council and then subsequently The Friends, have opened the buildings to the public on a regular basis, for special purpose tourism and educational occasions.

The lighthouses are considered a symbol of the town, and the oldest lighthouse is one of the most important structures associated with the early development of Caloundra and as such has a strong and social significance for the Sunshine Coast Community. For the last 20 years the lighthouses have been a tourist attraction that has opened for tours.

It should also be noted that over the last 20 years Council has invested substantial resources and finances into the ongoing structural and cosmetic maintenance for the preservation of this landmark, including funding the \$50,000 relocation and restoration of the old lighthouse from Golden Beach to its original site location at 3 Canberra Terrace.

In August 2019, the State of Queensland declared the property surplus to their requirements and as per the Queensland Government Land Transaction Policy (QGLTP) included it on the Government Land Register to offer it for sale to other State Government agencies and Council.

In November 2019, Council formally wrote to Department of Transport and Main Roads to request that consideration be given to the transfer of the property to Council at nil cost for open space purposes, as per the QGLTP Inter-Agency exemption. Since this time Council has been in discussions with Department of Transport and Main Roads, including providing further information to merit an exemption under the QGLTP.

Department of Transport and Main Roads have recently agreed to transfer the property to Council in freehold for \$1 and as a result, this report is seeking authority to acquire the property.

Acquisition of the property will secure the iconic structures for the Sunshine Coast community and simplify the ability for Council to make decisions about the future of the site, including determining the necessity of future works and executing longer term tenure over the site (if desired).

Legal

There are no legal implications associated with this report.

Policy

The Environment and Liveability Strategy 2017 provides the policy framework for the standards of service for the park – amenity reserve. This property contributes to the open space land target of 5 ha per 1,000 persons on the sunshine coast.

The continued interpretation of the historic site and ongoing provision of public access aligns to the *Sunshine Coast Heritage Plan 2015 – 2020* and the *Heritage Levy Policy 2019*.

Risk

Due to the nature of Heritage listed properties, maintenance is a significant ongoing issue. Should the land be transferred to Council, there will be a moderate financial operating liability to maintain the assets, however it should be noted that under the current licence agreement this liability is already borne by Council.

If Council were not to proceed with the acquisition of the site, and Department of Transport and Main Roads sold it to another party the loss of 3 Canberra Terrace from the open space network would have a significant detrimental impact on the role and function of the park precinct with Lions Park and the Heritage listed Lighthouses, increase the current shortfall of public open space and remove the historical and cultural significance from the site.

Previous Council Resolution

There are no previous Council resolutions associated with this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

Whilst there are no critical dates, Department of Transport and Main Roads have requested the transfer be completed as soon as practical.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer will:

- Delegate officers to enter into contracts and finalise the acquisition of the subject property with the State. The Strategic Property and Legal teams will be responsible for the above actions.
- Delegate officers to enter in to a licence extension with Friends of Caloundra Lighthouses Incorporated upon settlement of the property. The Property Management Branch will be responsible for this action.

8.10 AUDIT COMMITTEE MEETING 6 OCTOBER 2020**File No:** Council Meetings**Author:** Manager Audit and Assurance
Office of the CEO**Appendices:** App A - Audit Committee Minutes 6 October 2020 317 [↓](#)

PURPOSE

To provide Council with information on matters reviewed at the Audit Committee Meeting held on the 6 October 2020 (*Section 211 Local Government Regulation 2012*) and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

EXECUTIVE SUMMARY

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

The Audit Committee agenda was distributed electronically to all Councillors on 30 September 2020 with agenda comprised of the following:

- Draft 2019/20 Financial Statements and Current Year Financial Sustainability Statement
- CONFIRM Project Risk Update To Audit Committee.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Audit Committee Meeting 6 October 2020” and
- (b) endorse the Audit Committee Minutes 6 October 2020 (Appendix A).

FINANCE AND RESOURCING

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

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

CONSULTATION

Councillor Consultation

Councillor members of Audit Committee were present at Audit Committee meeting when Minutes were confirmed.

Internal Consultation

- Acting Chief Executive Officer, Group Executives and Chief Strategy Officer were present at Audit Committee meeting when Minutes were confirmed.
- Acting Chief Financial Officer

External Consultation

External members of the Audit Committee were present at Audit Committee meeting when Minutes were confirmed.

PROPOSAL

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

The Audit Committee is comprised of Mr Peter Dowling (External Chair), Mr Len Scanlan (External Member), Councillor J Natoli and Councillor E Hungerford. The Audit Committee agenda was distributed electronically to all Councillors.

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

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

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

The matters reviewed at the 6 October 2020 Audit Committee Meeting are recorded per agenda sequence below:

6.1 External Audit

6.1.1 Draft 2019/20 Financial Statements and Current Year Financial Sustainability Statement

Council has a statutory obligation to prepare “General Purpose” Financial Statements on an annual basis, culminating in audit certification later in October, before publication in Council’s Annual Report.

The general purpose financial statements and current year financial sustainability statement for 2019/20 have been audited by our external auditors, the Queensland Audit Office (QAO) to ensure accounting and legislative compliance.

A summary of the final audit is contained in the Queensland Audit Office Closing Report to the Audit Committee for the financial year ended 30 June 2020.

The risks associated with the timing and accuracy of contributed asset write-on has been reduced due to the significant work undertaken by the Finance Contributed Assets Working Group and the Queensland Audit Office discussions with Economic Development Queensland. The efforts of the Finance Contributed Assets Working Group were acknowledged by the Audit Committee.

The Queensland Audit Office expect to issue an unmodified audit opinion in relation to the audited 2019/20 general purpose financial statements and current year financial sustainability statement.

6.2 Audit and Assurance

6.2.1 CONFIRM Project Risk Update To Audit Committee

Phase 1 of the Confirm Project was completed on June 30th 2020 with Phase 2 on target to finish on December 18th 2020.

The risk of the asset valuations module not meeting the requirements will mean that this functionality will not be included in the Phase 2 deliverables.

In addition, risks are being addressed associated with:

- The data integrity of the Confirm system and the integration with council’s existing Geographical Spatial System (GIS)
- The data integrity of the standard costing data within the Confirm system

The Audit Committee requested that a further progress report be presented at the 21 January 2021 Audit Committee.

Legal

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

Risk

Specific risks have been detailed in the various agenda reports.

Previous Council Resolution

Audit Committee Charter was endorsed at the Council Ordinary Meeting 20 February 2020.

Ordinary Meeting 15 October 2020 (OM20/112)

That Council:

- (a) receive and note the report titled “Audit Committee Meeting 7 September 2020” and*
- (b) endorse the Audit Committee Minutes 7 September 2020 (Appendix A).*

Related Documentation

Audit Committee Agenda for 6 October 2020 was distributed electronically to all Councillors on 30 September 2020.

Implementation

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

8.11 APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBERS

File No: Council meetings
Author: Manager Audit and Assurance
Office of the CEO

PURPOSE

The purpose of this report is to seek Council's approval for the appointment of two Independent Audit Committee Members in accordance with the Independent Audit Committee Transition Strategy endorsed at the Ordinary Meeting 28 May 2020.

EXECUTIVE SUMMARY

Council endorsed recommendations associated with the "Independent Audit Committee Member Transition Strategy" report (Ordinary Meeting 28 May 2020) which outlined the strategy for the replacement of the two existing Independent Audit Committee Members.

The two Independent Audit Committee Member positions were publicly advertised 17 August 2020 for a two week period.

The selection panel conducted interviews and the following applicants are recommended for appointment;

- Mr Mitchell Petrie
- Mr Patrick McCallum

The recommended appointees will replace the two existing independent members, Mr Peter Dowling AM and Mr Len Scanlan whose contracts expire June 2021. Accordingly, the Audit Committee will be comprised of six members for the period January to June 2021.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Appointment of Independent Audit Committee Members"**
- (b) appoint Mr Mitchell Petrie as the Independent Audit Committee Member from January 2021 to December 2024 (4 years) and**
- (c) appoint Mr Patrick McCallum as the Independent Audit Committee Member from January 2021 to December 2023 (3 years).**

FINANCE AND RESOURCING

Independent Audit Committee Member annual remuneration will be negotiated to reflect annual current market rates, estimated at \$8,000 GST Exclusive per member. These costs will be contained within the Audit and Assurance budget.

CORPORATE PLAN

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

CONSULTATION**Councillor Consultation**

Audit Committee Councillors - Cr E Hungerford and Cr J Natoli

Internal Consultation

Acting Chief Executive Officer

External Consultation

Mr Peter Dowling AM (Audit Committee Chair)

Mr Len Scanlan (Independent Audit Committee Member)

Community Engagement

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

PROPOSAL

The Audit Committee is an advisory Committee of Council with an overall objective to assist the Council and the Chief Executive to discharge their duties. It is established in accordance with the *Local Government Regulation 2012* and these requirements are reflected in the Audit Committee Charter which was last reviewed at the 28 January 2020 Audit Committee meeting and subsequently endorsed at Council's Ordinary Meeting, 20 February 2020.

The Audit Committee is currently comprised of four members:

- Councillor E Hungerford
- Councillor J Natoli
- Mr P Dowling AM (Independent Member Chair)
- Mr L Scanlan (Independent Member)

Council endorsed recommendations associated with "Independent Audit Committee Member Transition Strategy" report (Ordinary Meeting 22 August 2019) which outlined the strategy for the replacement of the two existing Independent Audit Committee Members whose contracts expire 30 June 2021.

In accordance with the endorsed transition strategy, Independent Audit Committee Member positions were publicly advertised 17 August 2020 for a two week period.

The selection panel conducted interviews and the following applicants are recommended for appointment;

Mr Mitchell Petrie

- Former Partner of KPMG Australia in charge of the Queensland Risk Advisory practice providing advice and assurance in the areas of corporate governance, risk management and internal audit
- Currently independent member of the Audit Committee of Brisbane City Council, Bundaberg Regional Council Audit and Risk Committee and the LGIAsuper Audit and Risk Committee. Until recently was Chair of Gold Coast City Council Audit and Risk Committee

Mr Patrick McCallum

- Career history in governance and integrity issues in public and private sectors. Significant consulting and review roles in the public sector and program assurance consulting on major public sector projects. Professional roles with Ernst & Young and O'Connor Marsden & Associates
- Recently completed four-year term as independent member with the Moreton Bay Regional Council Audit Committee and was previously Chair of the Audit and Advisory Committee for the Queensland Ombudsman

Legal

Local Government Act 2009

Local Government Regulation 2012

Policy

Audit Committee Charter endorsed by Council 20 February 2020.

Risk

The proposed Independent Audit Committee Member Transition Strategy mitigates legislative compliance risks.

Previous Council Resolution

The "Independent Audit Committee Member Transition Strategy" report was endorsed by Council Resolution at the Ordinary Meeting 28 May 2020 (refer below).

Ordinary Meeting 28 May 2020 (OM20/52)

That Council:

- receive and note the report titled "**Independent Audit Committee Member Transition Strategy**"*
- endorse the revised implementation timetable associated with the Independent Audit Committee Member Transition Strategy and*
- appoint Mr Peter Dowling AM as Audit Committee Chair and Mr Len Scanlan as an Independent Audit Committee Member by extending their existing individual contracts to 30 June 2021*

Related Documentation

The Audit Committee Charter is reviewed annually and it was last endorsed by Council Resolution at the Ordinary Meeting 20 February 2020 (refer below).

Ordinary Meeting 20 February 2020 (OM20/31)

That Council:

- (a) receive and note the report titled "**Audit Committee Meeting 28 January 2020**" and
- (b) endorse the Audit Committee Minutes 28 January 2020 (Appendix A), Audit Committee Charter (Appendix B) and Internal Audit Charter (Appendix C).

Critical Dates

Current Independent Audit Committee Member contracts expire 30 June 2021 with recommended appointee contracts to be established prior to 1 January 2021.

Implementation

Independent Audit Committee Member contracts to be negotiated and the contract duration for each member will be staggered.

9 NOTIFIED MOTIONS**10 TABLING OF PETITIONS**

Petitions only eligible for submission if:

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

11 CONFIDENTIAL SESSION**11.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - STRATEGIC LAND ACQUISITION - VERRIERDALE****File No: F2020/8342****Author: Coordinator Biodiversity and Waterways
Liveability & Natural Assets Group**

In preparing this report, the Chief Executive Officer recommends it be considered confidential in accordance with Section 254J (3) of the *Local Government Regulation 2012* as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

11.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PROPOSED DISPOSAL OF COUNCIL ASSETS IN MAROOCHYDORE**File No: Statutory Meeting****Author: Group Executive
Economic & Community Development Group**

In preparing this report, the Chief Executive Officer recommends it be considered confidential in accordance with Section 254J (3) of the *Local Government Regulation 2012* as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Council has entered into a Non-Disclosure Agreement with the party involved in this transaction and that Agreement restricts both parties from disclosing information to other persons in regard to the commercial negotiations. The public release of information relating to this transaction prior to the transaction being endorsed by Council and finalised with the proponent will most likely result in the proponent withdrawing from the negotiations and expose Council to a potential action for breach of its confidentiality obligations in the Non-Disclosure Agreement. Council will need to resolve its decision on this report in that part of the Council meeting which is viewable by the public.

The report also contains a recommendation for the Chief Executive Officer to release certain details relating to the transaction once it is finalised.

12 NEXT MEETING

The next Ordinary Meeting will be held on 10 December 2020.

13 MEETING CLOSURE