

Agenda

Ordinary Meeting

Thursday, 13 October 2016

commencing at 9:00am

Council Chambers, Corner Currie and Bury Streets, Nambour

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1 DECLARATION OF OPENING

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

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

That the Minutes of the Ordinary Meeting held on 15 September 2016 be received and confirmed.

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

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

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

5.2 DECLARATION OF CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

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

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

8 REPORTS DIRECT TO COUNCIL**8.1 PLANNING AND ENVIRONMENT****8.1.1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES (EXTRACTIVE INDUSTRY) AND DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (ENVIRONMENTALLY RELEVANT ACTIVITIES), EUDLO FLATS ROAD, MALONES ROAD AND MAROOCHYDORE ROAD, FOREST GLEN**

File No: MCU15/0030

Author/Presenter: Manager Development Services
Planning and Environment Department

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Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1589875>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Maroochydore Sands Pty Ltd
Proposal	<ul style="list-style-type: none"> • Development Permit for Material Change of Use of Premises (Extractive Industry) • Development Permit for Material Change of Use (Environmentally Relevant Activities)
Properly Made Date:	19 February 2015
Acknowledgement Notice:	5 March 2015
Amended Acknowledgement Notice:	17 March 2015
Second Amended Acknowledgement Notice:	19 May 2015
Information Request Date:	7 April 2015
Information Response Received Date:	18 September 2015
Number of Submissions	<ul style="list-style-type: none"> • 1,140 properly made submissions all opposing the proposal • 313 not properly made submissions, all opposing the proposal • 4 petitions, totalling 1,571 signatures, all opposing the proposal
PROPERTY DETAILS	
Division:	7
Property Address:	Malones Road, Forest Glen 750-770 Maroochydore Road, Forest Glen

	235-269 Eudlo Flats Road, Forest Glen
RP Description:	Lot 5 RP 128773 Lot 1 SP 182998 Lot 7 SP 182998 Lot 2 SP 194361 Lot 2 SP 182997
Land Area:	95,490 m ² 189,100 m ² 193,300 m ² 222,770 m ² 334,522 m ² 23,890 m ² Site total 105.9 hectares
Existing Use of Land:	Agricultural and rural purposes (grazing activities)
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (10 November 2014)
SEQRP Designation:	Regional Landscape and Rural Production Area
Strategic Framework Land Use Category:	Rural Enterprise and Landscape Area
Local Plan Area:	Not Applicable (Rural Tiles 20 and 30)
Zone:	Rural
Assessment Type:	Impact Assessment

PURPOSE

The purpose of this report is to seek council's determination of an application for:

- Material Change of Use (Extractive Industry)
- Material Change of Use for Environmentally Relevant Activities (ERAs)
 - ERA 16(2)(b) Extracting, other than by dredging, in a year, the following quantity of material – more than 100,000 tonnes but not more than 1,000,000 tonnes
 - ERA 16(3)(b) Screening, in a year the following quantity of material – more than 100,000 tonnes but not more than 1,000,000 tonnes.

The application is before council due to the scale and potential impacts of the proposal, and because of the significant level of public interest. During the public notification period, 1,140 properly made submissions were received which objected to the proposed development. The application is assessed against the Sunshine Coast Planning Scheme 2014.

EXECUTIVE SUMMARY

The development application seeks approval to establish a sand extraction operation on a 105.9 hectare site located at Eudlo Flats Road and Maroochydore Road, Forest Glen, over five existing rural lots. The applicant proposes to extract approximately 200,000 tonnes of sand per year, over a total period of 30 years, of an estimated 6 million tonnes of sand product that is reported to exist on the site.

It is important, from the outset of this report, to note that council and the state government are both concurrence authorities for this application, even though council remains the

nominated “assessment manager”. In short, this means that both parties must concur in the granting of approval in order for any approval to issue.

It should also be noted that the state, in addition to its concurrence power, also retains responsibility for the assessment and issuing of an Environmental Authority permit in respect of the two “environmentally relevant activities” proposed. These are:

- extracting material (between 100,000 and 1,000,000 tonnes per annum) and
- screening material (same limits to volume).

As outlined in detail below, the state government has already given its concurrence to the issuing of a development permit. It has also already issued the necessary Environmental Authority Permit and attached its required conditions.

Accordingly, the following report does not deal with those two operations in detail, but assesses matters of the impacts arising from the proposed land use, as required by council’s planning scheme.

The predominant issues associated with the proposal can be summarised into the following categories:

- Flooding
- Water Quality
- Dust
- Visual Amenity
- Traffic
- Noise.

Matters relating to water quality, dust and noise are regulated by the Department of Environment and Heritage Protection through the *Environmental Protection Act 1994*. In its role as a concurrence agency to the application, the department has the responsibility to assess the environmental aspects of the application and the power to direct refusal or impose conditions. As noted above, the department has issued an Environmental Authority Permit and required that conditions be applied to any approval by council.

Matters relating to traffic impact on the local roads, flooding and visual amenity are key items that are assessed by council under the Sunshine Coast Planning Scheme 2014.

Nevertheless, in determining its own view on the application, council is able to consider all impacts of the proposal, as a cumulative whole, whether or not the issue lies within its jurisdiction of control. Thus, the full range of issues is reported below for completeness.

Extractive industry is a necessary industry which supplies materials for infrastructure and construction. Extractive industries must be located where suitable geological resources are available and, thus, locational flexibility is not available, as would be the case for industries in other sectors. Up until May 2014, the site was designated in the planning scheme for such a use.

The applicant states this site contains a sand resource which is suitable for use as fine aggregate in concrete manufacture and other construction materials including mortar sand, filter sand, bio-retention sand and fill sand. The applicant has stated that the available resource can efficiently supply high quality sand to the Sunshine Coast and surrounding areas for an estimated 30 years. The industry is market driven and, therefore, focused on price, quality and service. The applicant submits that independent operators, such as Maroochydore Sands Pty Ltd, can provide market choice and special services which are important to local communities, as well as supplying affordable materials to the building and construction industries.

Technical reports submitted by the applicant include a Flood Management Report, Flood Impact Assessment, Air Quality Report, Ecological and Environmental Assessment Reports,

Noise Impact Assessment, Acid Sulfate Soils Management Plan, Protected Flora Survey Report, Traffic Impact and Pavement Assessment Report. Council's assessing team includes specialists in the fields of civil engineering, hydrology, water quality, urban design, ecology, environmental health and landscaping. External experts were engaged by council in the field of air quality (dust) to review the technical reports submitted.

If approved, rehabilitation work would be required throughout the development on a progressive basis. No more than two pits would be permitted to be extracted at any one time and, once dredging within a pit has concluded, it would need to be rehabilitated within 12 months.

In response to community consultation, the applicant has offered to donate portions of land alongside Eudlo Creek and East Eudlo Creek to council as a community benefit for the project. An esplanade of a minimum 30m width alongside East Eudlo Creek, which forms the eastern boundary of the subject site, would be transferred into public ownership in the event of an approval of the development application. It is envisaged that this land donation may assist in the creation of a future walking/bikeway trail for the public.

Overall, it has been demonstrated, to the satisfaction of assessing officers, that matters relating to flooding, dust, traffic and noise can be satisfactorily addressed and mitigated.

However, a deficiency of the proposal will be the visual impact from Maroochy Road in the short term until the landscaping matures, which is estimated to take between 3 and 5 years. To mitigate this, a 20m wide vegetation screen is proposed to be conditioned along the southern boundary of the site, to provide a visual screen between Maroochy Road and the proposed development. Once it matures, this would provide an effective vegetative screen and "green corridor" to match that in parts of the south side of the main road.

However, until it does so, the visual impact will be considerable. The northern, eastern and western boundaries of the site adjoin existing mature vegetation associated with Eudlo Creek, which acts as a suitable screen from surrounding uses.

The subject site was historically used for cane farming and is now predominantly used for grazing cattle. The operation is proposed to be located within the previously cleared portions of the site, maintaining buffers to adjacent Eudlo Creek. Extractive Industry is a "potentially consistent" use within the Rural zone of the Sunshine Coast Planning Scheme. The purpose and overall outcomes of the Rural zone code state that extractive industry operations may be established in the zone provided that adverse environmental and amenity impacts are avoided or appropriately managed.

OFFICER RECOMMENDATION

That Council APPROVE with Conditions Application No. MCU15/0030 and grant a Development Permit for Material Change of Use of Premises (Extractive Industry) situated at Malones Road, 235-269 Eudlo Flats Road & 750 - 770 Maroochy Road, Forest Glen, in accordance with Appendix A.

FINANCE AND RESOURCING

The Extractive Industry use is proposed to be established on five existing rural lots. Each of these lots has a charge credit for potential development rights of 1 dwelling per lot. The total credit attributable to the five existing lots is \$168,000. The extractive industry proposal has only a small component that is chargeable under the Infrastructure Charges resolution, e.g. three small buildings to house administration facilities and a 180m² storage building. The existing use credits exceed the charges generated by the extractive industry use.

Accordingly, council's Transport and Infrastructure Policy Branch have advised that, in the event of an approval, no infrastructure charges would be applicable.

PROPOSAL

The application seeks approval for extractive industry within a 105.9 hectare site, spread over five allotments on both sides of Eudlo Flats Road. In particular, the operations would involve sand extraction with site access from Eudlo Flats Road. Sand would initially be extracted by excavator and transported to the processing plant by truck until a pond is created and a cutter suction dredge can be employed.

Once a dredge is installed, the extracted material is proposed to be pumped via a pipeline to the processing plant.

In the later stages of the development, sand dredged from the areas east of Eudlo Flats Road would be transferred by a proposed pipeline under Eudlo Flats Road, to the processing area, with limited vehicle access required to the eastern portion of the site.

Sand processing would involve screening and washing to remove fine silt and clay particles and dewatering of the final product prior to stockpiling. No blasting or crushing of sand is to occur on site. Water for processing activities would be sourced from the open extraction ponds, and returned to the bed of the extraction pond. The sand would be suitable for use within construction materials including fill sand, mortar sand, filter sand and bio-retention sand.

The haulage route would involve only a very short distance on local roads, leaving the site via Eudlo Flats Road and turning west onto Old Maroochydore Road. Vehicles would travel past the Forest Pines estate and enter Maroochydore Road via the on-ramp located in front of the Montessori School. Some of the haulage would then travel east down Maroochydore Road and turn into the Kunda Park Industrial Estate. The rest would turn west towards the Bruce Highway. Traffic would primarily impact on the following roads:

- Eudlo Flats Road (council road)
- Old Maroochydore Road (state-controlled road)
- Maroochydore Road (state-controlled road).

The site would not be operational all at once, with the application proposing to start in the western portion of the site (proposed pit 1) and gradually move from west to east. The applicant has stated that, before the commencement of extraction, access and haul roads would be developed and topsoil stripping and stockpiling would be completed over the development area. Construction of site infrastructure, including the western stockpile, processing area, office, amenities, storage shed and processing plant, would occur. Once the infrastructure is established, extraction would commence. In order to construct the stockpile and processing area, all of the overburden above the extraction pits is required. The overburden above the sand deposit would be stripped in one go for Pits 1, 2 and 3 (all on the western side of Eudlo Flats Road). Pit 4 (on the eastern side of Eudlo Flats Road) is not proposed to be operational in the short term.

Proposed Pit 1 is very large in size. The applicant contends the reason for this is that having an initial smaller pit would be largely unfeasible as the constant requirement for backfilling prior to the next stage would be impracticable. This is due to the fact that fill material may not be available when it is required, which could potentially restrict operations from moving to the next stage.

Extraction from a maximum of two ponds should be all that is needed at any one time. As one pond is nearing completion, the next pond can be started to ensure continuous supply. In this way, all the pits would not be exposed at once and one pit is to be rehabilitated while another pit is being extracted. The rehabilitation is extensive as the pits would be extracted initially to have batter slopes at 1:3 grading, much steeper than the required 1:6 final grading. Also, the pits may be backfilled to 2m depth (from up to 15m depth).

Given the low lying, wet nature of the site, the site layout and dredge pits have been located to maintain overland flow paths. The location of the processing plant has been positioned on

a slightly higher portion of the site. This location is also away from the main flow of water and highest velocity, but is immediately adjacent to the main road.

Hours of operation are proposed to be 6am to 6pm Monday to Friday and 6am to 12pm Saturdays. No work is proposed on Sundays and public holidays. Internal access roads would be necessary to facilitate the movement of personnel, plant and equipment and light vehicles around the site. The on-site lakes, cumulatively, propose to cover 37.5% of the site. The extraction depth is up to approximately 15 metres below ground level. The applicant estimates that there is approximately 6 million tonnes of sand product on site and proposes to extract 200,000 tonnes of sand a year. This equates to a 30 year life cycle for the project.

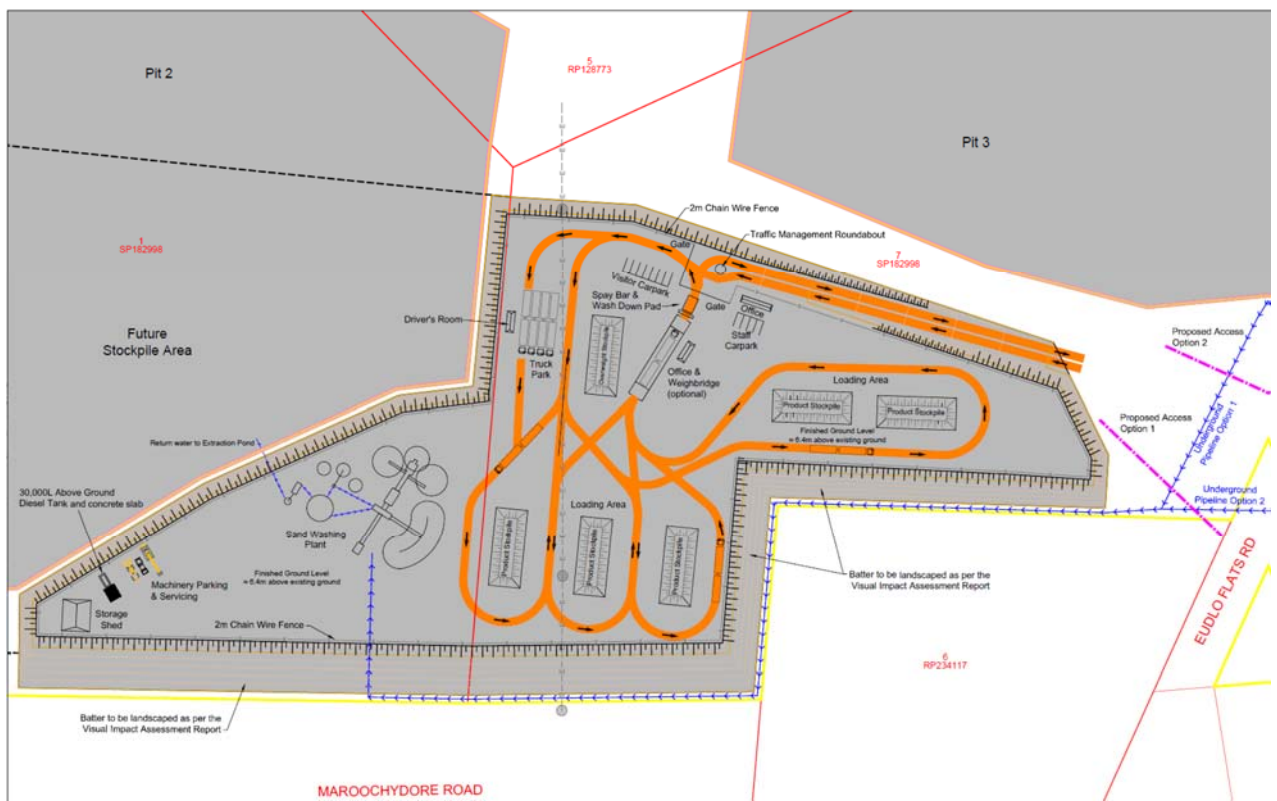
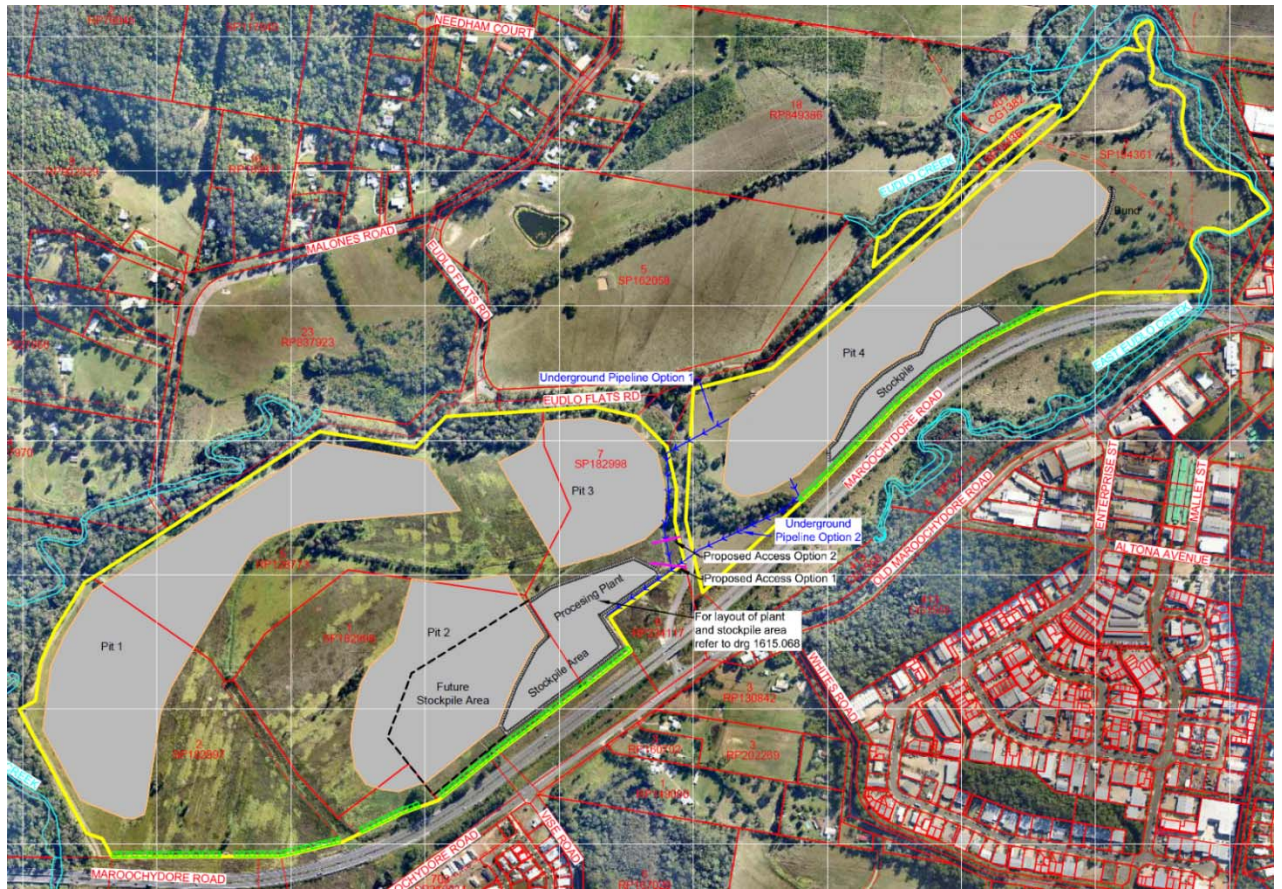
The applicant states that stockpiling of products of up to 5m would be necessary to meet customer requirements and schedules, and for quality control testing. Stockpiling on site can be restricted to a maximum of 3m in height until the newly planted vegetation and landscaping matures and to a maximum of 5m in height thereafter. The height of the processing plant is proposed to be a maximum of 5m.

The applicant states that the major plant and equipment to be used as part of the proposed development would include:

- Excavator
- Haul truck
- Cutter suction dredge
- Processing plant
- Hopper and feeding conveyor
- Static screen
- Density tank
- Sand pump
- Tower
- Hydrocyclone
- Spray bar
- Wash down pad
- Office
- Amenities
- Driver's room
- Storage shed.

In response to community consultation, the applicant has offered to donate portions of land alongside Eudlo Creek and East Eudlo Creek to council as a community benefit for the project. An esplanade of a minimum 30m width alongside East Eudlo Creek, which forms the eastern boundary of the subject site, would be transferred into public ownership in the event of an approval of the development application. The esplanade would add publicly accessible land to the western bank of East Eudlo Creek and complete a circuit of continuous public ownership around the perimeter of the subject site. Additionally, a continuous 10m wide corridor of land would be transferred into public ownership along the northern and western boundaries of the site where it adjoins Eudlo Flats Road and Rafting Ground Road, providing a total land reserve width of around 30-50m. Both land transfers would add to council's open space network around the perimeter of the site and provide increased opportunities for future recreational use such as walking trails.

The general layout of the proposed processing plant, stockpiles and extent of extraction is shown below:



SITE DETAILS

Site Description

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



The 105.9 hectare site is centrally located and has direct road frontage to Eudlo Flats Road which traverses the development site. The subject site abuts Eudlo Flats Road to the north-northwest, and Maroochydhore Road to the south-southeast. Unconstructed road reserve, known as Rafting Ground Road, adjoins the site to the north-east.

Much of the site has been cleared, with a small portion of significant vegetation existing on the eastern portion of the development site and along Eudlo Creek. The proposal seeks to retain the majority of the significant vegetation on the site and retain all the significant vegetation along the frontage to Eudlo Creek.

Surrounding Land Uses

The site is bounded by a number of land uses. The Maroochydhore Road road reserve adjoins the southern boundary. This road has substantial daily traffic volumes travelling between the Bruce Highway and the Kunda Park industrial area, and further to Maroochydhore, to the east.

To the immediate south of the road corridor is a recently established low density residential estate, known as “Forest Pines”, which is accessed via Vise Road and Old Maroochydhore Road. A noise attenuation barrier has been erected to mitigate noise impacts from both Old Maroochydhore Road and the Maroochydhore Road corridors.

The Kunda Park industrial area is located to the east of the site and is separated by existing vegetation. To the north of the site, there is a mix of sparsely located rural and rural residential properties. A place of worship has also been approved to the north of the site and is yet to be constructed. To the west is an established landscape buffer along Eudlo Creek, followed by the Montessori School campus, zoned as Community Facilities Zone.

The land was formerly utilised for sugarcane harvesting and is now used for cattle grazing purposes.

Previous Approvals

MCU08/0021; REC08/0018; OPW08/0046 – Preliminary Approval for a Material Change of Use (Indoor and Outdoor Recreation), Development Permit for Reconfiguration of a Lot (Rural Boundary Realignment – 10 Lots into 6 Lots)

An application was submitted on 13 February 2008 seeking approval for:

- Material Change of Use (Indoor and Outdoor Recreation)
- Reconfiguration of a Lot (Rural Boundary Realignment - 10 Lots into 6 Lots)
- Operational Works (Bulk Earthworks)

At its 10 June 2009 Ordinary Meeting, council granted a Preliminary Approval only for a Material Change of Use (Indoor and Outdoor Recreation) for a golf course and associated infrastructure (originally intended to be the relocated site for the Horton Park Golf Course). A Development Permit for the Reconfiguration of a Lot (Rural Boundary Realignment – 10 Lots into 6 Lots) was approved. The Operational Works (Bulk Earthworks) application was refused.

The proposal did not proceed and this approval has now lapsed.

ASSESSMENT FRAMEWORK

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

- State Planning Policy
- South East Queensland Regional Plan 2009-2031
- State Planning Regulatory Provisions
- Sunshine Coast Planning Scheme 2014 (10 November 2014)

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

Statutory Instruments – State Government

State Planning Policy

The State Planning Policy has been deemed by the Minister for State Development, Infrastructure and Planning as being appropriately reflected in council's planning scheme and, therefore, does not require a separate assessment.

South East Queensland Regional Plan 2009-2031

The site is located within the Regional Landscape and Rural Production Area of the *South East Queensland Regional Plan 2009-2031*. The proposed development is not inconsistent with the regional land use intent, regional policies and desired regional outcomes for the Regional Landscape and Rural Production Area. Protecting Natural Resources is a key element of the *South East Queensland Regional Plan* and extractive industry is generally

anticipated in areas located within the Regional Landscape and Rural Production Area as opposed to within the Urban Footprint. The *South East Queensland Regional Plan* states that natural resources underpin the region's major economic activities and support diverse industries that rely on their quality and accessibility.

Under the *South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions*, the proposed development is not an urban activity outside the urban footprint and, therefore, does not trigger assessment against the *State Planning Regulatory Provisions*.

Environmental Authority Permit from the State Government

Prior to any operations commencing on site, the applicant is required to obtain an Environmental Authority Permit from the Department of Environment and Heritage Protection. Under the *Environmental Protection Act 1994*, the Department of Environment and Heritage Protection is responsible for regulating various environmental matters, which include, but are not limited to:

- Air Quality
- Water Quality
- Acid Sulfate Soils
- Noise Pollution
- Hazardous Materials.

Any conditions in relation to the above matters are to be issued and regulated by the Queensland Government through the *Environmental Protection Act 1994*. Accordingly, any conditions regulating these issues must appear in either the Concurrence Agency Response (issued by the Department of Infrastructure, Local Government and Planning) or the Environmental Authority (issued by the Department of Environment and Heritage Protection).

Any approval issued by council should not attempt to regulate matters already regulated by the Queensland Government, to avoid overlapping jurisdictions in audit and compliance processes.

For the subject proposal, an Environmental Authority Permit was issued by the state government to the applicant in February 2016, which provided conditions in relation to air quality, water quality, acid sulfate soils and noise. However, the Environmental Authority Permit does not have any effect until a planning approval is issued by the relevant assessment manager (Sunshine Coast Council). In the event of council issuing an approval, the Environmental Authority Permit would take effect, and it would be the responsibility of the Department of Environment and Heritage Protection to enforce it through the *Environmental Protection Act 1994*.

Environmentally Relevant Activities

The development application includes Material Change of Use for two Environmentally Relevant Activities (ERAs):

- (i) ERA 16(2)(b) Extracting material: extracting, other than by dredging, in a year more than 100,000t but not more than 1,000,000t. (Note: dredging means; "*dredging from the bed of naturally occurring surface waters*" e.g. extracting material from the bed of a river)
- (ii) ERA 16(3)(b) Screening material: screening, in a year, more than 100,000t but not more than 1,000,000t.

Assessment of the environmental performance of the proposed development, triggered by the two Environmentally Relevant Activities, is the responsibility of the state government. It is not recommended council impose any additional conditions in relation to the

Environmentally Relevant Activities because it is regulated by the Queensland Government and additional or overlapping conditions would bind council to the responsibility of enforcing matters already enforced by the state government.

The state government was required to assess the Environmentally Relevant Activities against the State Development Assessment Provision *Module 4: Environmentally Relevant Activities*. Subsequent to the assessment, the state government has provided conditions (concurrence agency response) to be attached to a development approval for both Environmentally Relevant Activities, and the State *Department of Environment and Heritage Protection* has been nominated for the administration and enforcement of the conditions.

An Environmental Authority (Permit No. EPPR03097015) has also been issued by the Department of Environment and Heritage Protection and it authorises the operation of the Environmentally Relevant Activities within conditioned limits (e.g. noise limits, water quality limits not to be exceeded) to minimise the likelihood of environmental harm being caused.

The enforcement provisions of the *Environmental Protection Act 1994* are available to the state government to enforce condition compliance or to apply penalties for non-compliance. The permit comes into force at the time of a development approval, should one be issued by council.

The conditioned requirements from the state government for the operation of the ERAs are summarised as follows:

- (i) the ERAs are to be undertaken generally in accordance with the Approved *Conceptual Site Lay-out Plan*
- (ii) the storage of hazardous contaminants (fuel, chemicals) must prevent release to the environment including in flood events e.g. secured within a bunded storage area and above Q100 levels
- (iii) the monitoring and management of the of dust release to be maintained within prescribed limits given by Australian Standards (*AS3580.10.1-Methods for sampling and analysis of ambient air*) so as not to present a nuisance or health risk to sensitive premises. For example, the watering down of haul roads, pit areas during extraction, stockpiles, the covering of all loads and site soil stabilisation by vegetation
- (iv) the monitoring and management of water quality within limits (e.g. pH, turbidity and iron and aluminium levels) to ensure released water or groundwater beyond the pits is not detrimental to the Maroochy River. For example, clean water diversion off-site, stabilised bunds to pits to prevent turbid water release, use of flocculation agents to reduce turbidity prior to release and the implementation of the acid soils management plan to ensure pH, iron and aluminium levels remain within conditioned limits. A receiving waters/groundwater monitoring program must be established to inform the operators and to alert of action to prevent any adverse impacts to the receiving environment and the Maroochy River
- (v) the monitoring and management of operational noise levels within limits to protect the wellbeing of the occupiers of sensitive premises (dwellings, community facilities). The limits required must be managed to achieve the intent of the Environmental Protection (noise) Policy 2008 given below:

The environmental values to be enhanced or protected under this policy are:

The qualities of the acoustic environment that are conducive to human health and wellbeing, including by ensuring a suitable acoustic environment for individuals to do any of the following:

- (i) *sleep;*
- (ii) *study or learn;*
- (iii) *be involved in recreation, including relaxation and conversation; and*

- (iv) *the qualities of the acoustic environment that are conducive to protecting the amenity of the community.*
- (vi) the monitoring and management of any acid sulphate soils encountered as excavation proceeds in accordance with Queensland Acid Sulfate Soil Technical Manual. Monitoring would reveal level of acid sulphate soil (low, medium and high) at the various soil depths within each pit. Management is either via avoidance (i.e. extraction ceases) or, where excavated, then the acid soil fines are removed and returned back into the pits where oxidation and acid release cannot occur whilst they remain under water. Low quantities of soils not managed via these methods may be treated with lime quantities in accordance with the guidelines to neutralise any acid produced
- (vii) the management of the site against erosion and the transport of sediment off-site by the progressive rehabilitation (e.g. native grasses and natural regeneration of native species) of disturbed areas as the extraction activity progresses and the stabilisation of the landform to protect human safety. Prior to ceasing the operations the site must be decommissioned to prevent the likelihood of environmental harm e.g. stabilised against erosion
- (viii) waste generated must be managed e.g. all general and recyclable waste generated is removed via Council's waste collection service.

Sunshine Coast Planning Scheme 2014

The applicable planning scheme for the application is Sunshine Coast Planning Scheme 2014. The following sections relate to the provisions of the Planning Scheme.

Zoning

The subject site is located with the Rural Zone. The proposed land use is identified as a "potentially consistent" use in the Rural Zone, meaning that its acceptability within the zone is dependent on the suitability of the site and the particular operation to manage all potential off-site impacts.

No specific Local Plan Codes apply as this site is not located within a Local Plan Area.

Sunshine Coast Planning Scheme Codes

The following planning scheme codes are applicable to this application:

- Rural Zone Code
- Extractive Industry Code
- Landscape Code
- Stormwater Management Code
- Transport and Parking Code
- Works, Services & Infrastructure Code
- Acid Sulfate Soils Overlay Code
- Biodiversity, Waterways and Wetlands Overlay Code
- Bushfire Hazard Overlay Code
- Flood Hazard Overlay Code.

The application has been assessed against each of the above applicable codes and found to be compliant with, or can be conditioned to comply with, each. Both the Rural Zone Code and the Extractive Industry Code describe the circumstances under which an extractive industry may be considered appropriate for a particular site. Under the Rural Zone Code, the proposed land use is a "potentially consistent" use. The purpose of the Extractive Industry Code is to ensure that the exploitation of extractive resources is undertaken in an environmentally sound manner which avoids, or if avoidance is not practicable, minimises and mitigates, any adverse impacts on environmental and landscape values, public safety and the amenity of surrounding premises. The Code provides that:

The purpose of the Extractive industry code will be achieved through the following overall outcomes:-

- (a) extraction of extractive resources occurs in a safe and environmentally sound manner;*
- (b) ecologically important areas and water quality are protected from any environmental degradation potentially arising from extractive industry operations;*
- (c) extractive industry operations are located, designed, constructed and operated to avoid, or if avoidance is not practicable, minimise and mitigate, adverse impacts on any sensitive land use;*
- (d) transport routes allow extractive materials to be transported with the least amount of impact on development along those roads and on the function of those roads;*
- (e) land used for extractive industry operations is effectively rehabilitated.*

Further, Performance Outcome PO1 provides that:

The extractive industry is designed and established so as to provide:-

- (a) adequate buffering measures including separation distance to protect the surrounding area from significant noise, dust, vibration and visual impacts of operations;*
- (b) suitable vehicle access;*
- (c) protection against erosion;*
- (d) acceptable quality of water leaving the site;*
- (e) public safety;*
- (f) acceptable restoration measures;*
- (g) protection of groundwater quality and quantity;*
- (h) avoidance of land contamination;*
- (i) effective stormwater management; and*
- (j) waste management practices which maximise recycling and reuse of wastes.*

Strategic Framework

The Strategic Framework of the Sunshine Coast Planning Scheme considers the following matters:

- Settlement Pattern
- Economic Development
- Transport
- Infrastructure and Services
- Natural Environment
- Community Identity, Character and Social Inclusion
- Natural Resources
- Natural Hazards

The Strategic Framework is applicable to impact assessable development and includes broad strategic statements or statements of general principle, which are to be read in conjunction with the specific planning intents identified for the localities. The application has been assessed against each of the above with the pertinent matters discussed below.

Settlement Pattern

The site is mapped as Rural Enterprise and Landscape Area on Sunshine Coast Council's *Strategic Framework Map 1*.

Under *Element 1 – Character, lifestyle and environment attributes*, the Strategic Framework states that:

- (a) *The character, lifestyle and environment attributes of the Sunshine Coast are recognised as essential contributors to the region's natural (competitive) advantage by:-*
- (i) *protecting and enhancing the natural environment and undeveloped rural and coastal landscapes that create large, uninterrupted and diverse areas of open space which weave throughout the region and define the boundaries of urban and rural residential areas;*

The site forms part of a broader network of rural open space area that traverses the hinterland landscape. In considering the rural character of the site, it is impacted upon by a range of land uses either adjacent to or in close proximity to the site. The site is bounded by a high capacity road corridor that carries significant daily traffic volumes.

In terms of the development, the elevated processing and stockpile area would change the landscape character, and the proposal does present some conflict with the strategic element insofar as it would have an impact on the natural environment and interrupt the open space that defines the boundary between urban and rural. However, this must be balanced with consideration of other surrounding land uses and the planning intent expressed for the Rural Zone to allow extractive industry to occur in suitable locations.

Under *Element 2 – Growth management boundaries and land use categories*, the Strategic Framework states that:

- (d) *The physical extent of urban development and rural residential development is contained within defined local growth management boundaries so as to:-*
- ...
- (ii) *protect natural resources including agricultural land class A and class B1 , strategic cropping land and potential strategic cropping land, rural land in general and extractive resources;*
- ...
- (iv) *maintain the largest possible area of land for rural, landscape and environmental protection purposes into the future;*

It is noted that this element specifically seeks to protect extractive resources (including sand) as a natural resource from encroachment of urban development and rural residential development. The site was previously used for growing sugar cane and, more recently, cattle grazing, and has been previously recognised as a potential sand and gravel resource area. The proposed operation would be progressive and staged, facilitating the continuation of grazing on the eastern portion of the site for a period of time.

Economic Development

Under *Element 1 – Natural (competitive) advantage and key economic sectors*, the Strategic Framework states:

- (a) *Business and employment activities:-*
 - (i) *build on traditional economic sectors whilst encouraging the establishment of a range of new innovative and high value industries;*
 - (ii) *leverage off major investments in public and private infrastructure associated with the 'game changer' projects and enhance the competitive value offer of the Sunshine Coast; and*
 - (iii) *acknowledge, protect and draw upon the character, lifestyle and environment attributes of the Sunshine Coast which underpin its natural (competitive) advantage.*

The site comprises a sand resource which is, reportedly, suitable for use as fine aggregate in concrete manufacture, and other construction materials, including mortar sand, filter sand, bio-retention sand and fill sand. The applicant states that the available resource can

efficiently supply high quality sand to the Sunshine Coast and surrounding areas for an estimated 30 years. Approximately two employees would be on the site per shift, and contractors such as drivers and equipment maintenance personnel would be on site intermittently.

The applicant states that access to fine sand from local resources on the Sunshine Coast, essential for the production of products such as concrete, is limited with a number of resources coming to the end of life or yet to be developed to sufficient levels to enable production and supply to the market.

Natural Environment

Under *Element 1 – Natural habitats and biodiversity*, the Strategic Framework states:-

- (c) *Ecologically important areas are not disturbed or diminished by development except where:*
 - (i) *on the balance of social, economic and environmental considerations, it is demonstrated that the development is in the interests of the community; and*
 - (ii) *any adverse impacts incurred are compensated by the provision of a biodiversity offset that results in a net gain and enhancement to the overall habitat values of the Sunshine Coast.*

The site comprises predominantly cleared rural land currently used for cattle grazing adjoining a busy road. Areas of remnant vegetation are avoided in the proposed design. By staying clear of these areas, the proposed development is unlikely to diminish their value.

Water quality in the resultant lakes would be managed pursuant to the *Environmental Protection Act 1994* as regulated by the state government.

In order to ensure any ecologically important areas are appropriately managed, and any potential impacts avoided and/or minimised, a range of reports were carried out, including an Ecological Assessment, Protected Flora Survey Report, Targeted Frog Surveys, Environmental Assessment Report, Environmental Management Plan, Flood Management Plan and Geomorphic Assessment Report. Council's officers are satisfied that any ecological impact can be compensated and offset through conditions of approval.

Under *Element 3 – Waterways, wetlands and natural water catchments*, the Strategic Framework states:

- (c) *Where adjoining a natural waterway or wetland, development provides for ecological buffers and other measures to protect and improve ecological functioning and water quality.*
- (d) *The quality of ground and surface water is protected and enhanced in a manner that ensures its long- term environmental values and sustainability.*

The proposed development maintains a minimum 30m buffer to all tidal areas on the site, and over 100m to mapped fish habitat located to the north-east of the site. Water quality would be managed pursuant to the *Environmental Protection Act 1994* as regulated by the state government. The Department of Environment and Heritage Protection require that environmental harm not occur to Eudlo Creek which eventually flows in the Maroochy River.

Community identity, character and social inclusion

Strategic Framework Map 6 identifies the site within the 'Rural' setting and the wooded hills to the north as 'High Value Scenic Area'. Maroochy Road is designated as a 'Scenic Route'.

Element 1 – Landscape elements and features

- (a) *The landscape elements identified conceptually on Strategic Framework Map SFM 6 (Community identity, character and social inclusion elements) which include regional and sub-regional inter-urban breaks, high value scenic areas, regional gateways and scenic routes are protected and enhanced.*
- (b) *Regional and sub-regional inter-urban breaks are not reduced, fragmented or otherwise adversely impacted by urban or rural residential development.*
- (d) *Scenic routes are protected and enhanced as major transport routes providing a high level of scenic and visual amenity to travellers.*

The site forms part of the rural lands along the Eudlo Flats, being former canelands and now grazing lands. It forms part of an inter-urban break between the highway to the west and the Kunda Park industrial estate to the east. The site is essentially vacant and abuts a local waterway and forms part of a floodplain. The proposal seeks to develop the site on a staged basis. This staged basis would, over time, rehabilitate the site and create a series of lakes on the site. The character and visual amenity impacts of the proposal have been discussed in detail elsewhere in this report.

Natural Resources

Under *Element 1 – Rural and Agricultural Land Resources Specific*, the Strategic Framework states:-

- (a) *Rural land is retained predominantly for rural production, natural habitat and landscape protection purposes.*

The site is mapped as within Agricultural Land Classification (ALC): Class A area.

However, the Rural Zone is generally where extractive industry establishes and the planning scheme identifies the proposal as a “potentially consistent” use in a rural zone. The applicant anticipates that the existing cattle grazing use would continue for a few years on areas of the 105 hectare site not being used for extraction. The rural use of the land could continue after completion of the sand extraction activity.

Under *Element 1 – Rural and agricultural land resources*, the Strategic Framework states:-

- (b) *Development ensures that agricultural land class A and class B, identified conceptually on Strategic Framework Map SFM 7 (Natural resource elements), strategic cropping land and potential strategic cropping land remains available for productive and sustainable agricultural and rural pursuits and is not fragmented, alienated or diminished, except where:-*
 - (i) *on the balance of social, economic and environmental considerations, it is demonstrated that the development is in the interests of the community; and*
 - (ii) *no alternative suitable site is available for that purposes.*

Under *Element 5 – Extractive resources*, the Strategic Framework states:-

- (b) *A new extractive industry is located only:-*
 - (i) *on land identified as a key resource area;*
 - (ii) *on land identified as a locally significant extractive resource area; or*
 - (iii) *on other land where it has been demonstrated that the extractive industry would fulfil a demonstrated need for the resource in development projects in the region.*

No further fragmentation of the land is anticipated and the recommended conditions require amalgamation of the lots on either side of Eudlo Flats Road.

The subject site is not specifically identified as a key resource area and so does not comply with Element 5(b)(i). The merit of the application in the absence of a key resource area designation over the site is discussed in the Need section elsewhere in this report.

The site is reported to contain a resource which is finite and fixed in location. Council's Economic Development Branch believes this would contribute to the efficient and affordable supply of construction materials to the Sunshine Coast region.

DETAILED ASSESSMENT OF KEY ISSUES UNDER SUNSHINE COAST PLANNING SCHEME

The following section of this report deals with a more detailed assessment of the key issues arising from the above assessment against the general framework of the Sunshine Coast Planning Scheme.

The following criteria are covered below:

- Flooding, stormwater and water quality (on site)
- Dust and particulates
- Visual impacts
- Traffic movements and impacts on Local Roads
- Noise
- Vegetation and environmental protection
- Acid Sulfate Soils
- Bushfire
- Need
- End usage
- Dedication of land.

Flooding

The site is subject to flooding from Eudlo Creek, and portions of the site are also subject to flooding from external catchments entering the site from under Maroochydore Road. The depth of floodwater over the site during the defined flood event is generally around 2m.

A detailed Flood Study and Flood Emergency Management Plan has been submitted by the applicant. The model used is an extract from council's calibrated flood study for Eudlo Creek. The Flood Study includes results for the base case and the ultimate developed case only. It is noted that the ultimate case model has been run with the pits at a depth of 2m. This is considered the worst case scenario in terms of flooding because the pits are not filled and they would provide additional conveyance capacity.

The flood study has been undertaken based on no bunds around the extraction pits to separate floodwaters from the water in the extraction pits. The flood model predicts that the extraction pits would be inundated by floodwaters in the smallest event modelled, being the 2 year ARI event (39% chance of occurring each year). It is noted the flooding consultant has stated that, if bunds are included to prevent flood waters entering the extraction pits, then unacceptable flood impacts would result. The implications of this are that, once the extraction pits are "on line" as proposed, and the monitoring shows that this results in water quality impacts, then opportunities to mitigate any impacts are very limited because building bunds to exclude even minor floodwaters would have unacceptable off-site impacts.

A levee at the end of Pit 4 is required to prevent impacts on the downstream industrial estate. These timing requirements are not specified in the Flood Management Report, nor the concurrence agency response, so are recommended for conditions.

The Flood Emergency Management provisions of the Flood Management Report included a provision for emergency access onto Maroochydore Road. This section has been deliberately excluded from the conditions imposed by the state government. The state government has given advice in Attachment 3 of the concurrence agency response that the use of Maroochydore Road for emergency flood evacuation purposes, as detailed in the

Flood Emergency Management Plan, is not approved. The implication is that access from the site, when Eudlo Flats Road is cut, is not possible and is, therefore, a Probable Maximum Flood, and refuge is required on the site. A refuge area above the Probable Maximum Flood is available on the processing plant and stockpile area.

A condition is recommended relating to any filling of the site beyond that shown in the Flood Management Report. The recommended condition requires that any additional filling beyond 50m³ requires approval from council. This condition is designed to prevent a situation where additional filling results in off-site flood impacts, contrary to the design end modelling.

The flood study shows that, in the ultimate case for all modelled events, no off-site impacts are produced and, generally, flood levels and inundation extents on surrounding properties are reduced. The exception to this is Eudlo Flats Road which is discussed further below.

It is considered that the most likely area where flooding could become an issue is for people who use Eudlo Flats Road. In response to council's information request, the applicant has provided further information with regard to how flooding on Eudlo Flats Road would change as a result of the development. The analysis shows that, although there would be some increases in the flood level along this road over a range of recurrence interval flood events, these increases do not affect the overall trafficability of Eudlo Flats Road. Therefore, the localised increases are not considered to be a "worsening" because the trafficability of the road does not change.

The flooding from Eudlo Creek produces the highest flood levels, so local flooding from the external catchments which enter the site from under Maroochydore Road has not been considered in the Flood Study. This is discussed further under Stormwater Quantity.

An analysis of bed shear stress has been undertaken of the pits, which provides a good indication of where scour is likely to occur. This analysis shows that bed shear stress is highest where floodwaters initially enter each extraction pit and rock scour protection is proposed to address this.

Potentially interim impacts on flooding were not considered in the Flood Study. Further analysis was requested and two "worst case scenarios" were modelled, being the situations where the fill pads for the stockpile areas have been created, but the ponds not yet created. The analysis shows that no off-site impacts would result (outside of impacts on Eudlo Flats Road) during operation of the development. The impacts on Eudlo Flats Road are not on the section of Eudlo Flats Road where peak depths of floodwaters currently occur, so these impacts would not reduce the trafficability of Eudlo Flats Road.

Vegetation Protection Covenants have been recommended at the end of the resource extraction over all of the site, with the exception of the fill platforms. The environment covenant would preserve the area post-development for flood management, and additional clauses are recommended to be added to the covenant documents to establish rights to discharge floodwaters through the area and restrict what works can be undertaken.

Further, the assessing environment officer has recommended that a river red gum forest be planted between Pits 1 and 2 within a critical area of the floodplain. The existing manning's roughness value used in the model is 0.08 and this is the same post-development. The proposed forest, with trees at wide spacing, located in rows, with no under-storey or shrubs, would have a lower roughness than modelled.

Conditions of the state government's concurrence agency conditions include requirements in relation to flooding, including that:

- storage areas for hazardous contaminants must be located above Q100 flood levels
- the development be undertaken in accordance with Section 4 and 5 of the submitted Flood Management Report
- erosion protection measures be applied to the pit walls.

Stormwater Quantity and Lawful Point of Discharge

A number of drainage lines discharge onto the site from under Maroochydore Road. Some of these drainage lines, in particular the channel associated with the Forest Pines Estate, have very low grade and are subject to backwater issues partly caused by this site. The proposed development needs to accept these stormwater flows and convey them through the site in a way which does not cause ponding on upstream properties. A condition of approval is recommended to require the flowpaths to be maintained and 20m wide easements be extended over the site to establish formal discharge rights.

Some of the flowpaths currently pass through proposed Pits 1 and 3. Directing stormwater from council controlled land into the extraction pits is not an acceptable outcome and would cause issues with regard to discharge of water from the pits. It would be necessary to divert these external catchment flows around the extraction pits. The diversion cannot be achieved through bunding, and would instead consist of swales which have been set at 20m width. This is considered reasonable and is the same width as the existing easement on the site. These swales would only be able to convey minor stormwater flows within the 20m width due to the grade of the site being so low and the swales would be shallow. The detail of these swales would need to be provided as part of a subsequent OPW development application. By having the swales shallow, and no bunds, they would not negatively impact on regional flooding.

Operational Water Quality on Site

The critical aspect of the application in relation to water quality is the water quality of the extraction pits during operation. The sand deposit contains clay lenses so, when the sand is washed and the clay returned to the pits, the pits become turbid like all other sand extraction operations on the Sunshine Coast. Due to electrical charges on the clay particles, they do not aggregate together and remain in suspension. Turbid water can also be expected when the extraction pits are being backfilled to 2m below ground level as proposed at the end of extraction from the pit.

Two methods of extraction are proposed, firstly, dry excavation using excavators until a pond is formed. This would occur quite quickly as the water table is close to the ground surface. Once a pond is deep enough for a dredge, a cutter suction dredge would be used. This type of dredge has a rotating cutting head for cutting and fragmenting the soil, then dredge pumps are used to vacuum the dislodged material. The dredged material is then sent to the processing plant where the sand is washed and the water and clay mixture is sent back to the pit making it turbid.

The usual way to get the fine particulates out of suspension is to add flocculants to cause the fine particles to aggregate. However, flocculation would be ineffective if the return water is continuously pumping turbid water into the extraction pits.

The applicant has provided an Environmental Management Plan with associated Water Quality Management Plan and Pre and Post Flood Water Quality Management Plan. In terms of turbidity management, these management plans state that, if turbidity gets over 50 NTU (Nephelometric Turbidity Units), start adding coagulant.

As stated above, the site is very low lying and the extraction pits are proposed to be inundated by floodwaters during the smallest event modelled, being the 1 year ARI event, and bunds to exclude floodwater would cause off-site impacts so have not been proposed.

The state government is responsible for regulating the water quality within the extraction pits during operation. An Environmental Authority has been issued by Department of Environment and Heritage Protection under the *Environmental Protection Act 1994*. The conditions imposed on the development by the Department of Infrastructure, Local Government and Planning, in relation to water quality, require a management plan, including a monitoring program, to be provided.

Water quality issues are a very important consideration for this proposal, as illustrated by the following example:

- Pit 1 has an ultimate area of 150,000m² and depth of 15m prior to backfilling so has a volume of 2,250,000m³. An approximate expected TSS (Total Suspended Solids - concentration of the pond during extraction) would be in the order of 3,000mg/L. or 3.0kg/m³. With the proposed pond volume, this equates to 8,400 tonnes of sediment being in just one pit, which could be transported out of the pit during an event as minor as the 2 year ARI event. The reduced flow velocities of river water flowing through the pits would result in larger particulates such as sand to settle out, but would not help the fine material to settle out no matter how slow the waters move. The fine material would likely settle once the salinity of the river increases as the salinity helps particle deposition.

If the development results in fine sediment being discharged to Eudlo Creek, it would be very difficult to clean up for the reasons outlined above. It would not be the case of sucking coarse sediment out of Eudlo Creek, as the fine sediment would likely to have settled out in the lower Maroochy River or the ocean. If sediment is discharged, the operator may receive a fine from the Department of Environment and Heritage Protection. However, no money would be received by council to clean up the creek and river. Calculating the tonnage of sediment lost during a flood event is also very difficult without real time turbidity and flow monitoring being implemented. Unlike coarse sediment, there would be little to no evidence of the sediment loss around the site following the flood event. Real time turbidity monitoring, therefore, has been recommended at sites upstream and downstream of the development.

The water quality issue has been discussed with the applicant and, although not required by Department of Environment and Heritage Protection, the applicant has proposed to treat the return water in a treatment basin, located above the 10% AEP flood level, prior to sending the return water back to the pits. This will hold the turbid water back from the extraction pits so the entire pit does not need to be treated, just the treatment basin. This not only reduces the cost, but means the pits would have much better water quality than other sand extraction sites. A portion of the proposed stockpile and processing area is suggested for this purpose. A condition of approval is recommended to ensure this system of using elevated treatment basins is adopted. It would still be the Department of Environment and Heritage Protection's responsibility to regulate the water quality at the site.

Post Extraction Water Quality

Once extraction within the pits has been completed, and the ponds converted to their post-extraction landform, the state government would no longer be responsible for regulating the water quality.

The proposed development is resulting in the ponds being created so it is reasonable and relevant that conditions are recommended requiring the ponds to be rehabilitated and be able to be maintained in the longer term. The site is proposed to remain in private ownership once extraction is complete (with the exception of the land being offered to council).

Although the Environmental Authority would require the extraction pits to be rehabilitated, there are concerns about this being delivered to council's standard. The Department of Environment and Heritage Protection do not hold any bonds with regard to rehabilitation and, once the extractive industry use ceases, so does the Environmental Authority's responsibility. To provide the necessary certainty regarding the ponds being rehabilitated, it is recommended that only two ponds remain uncompleted at any one time and, for the last two ponds, a performance bond is provided prior to extraction of sand from these pits commencing.

The extraction depth is approximately 15m below ground level. The applicant has stated that they may fill the pits with clean fill to result in a depth of 2m. Clean fill is generally seen as a

resource on the Sunshine Coast, so the potential outcome could still be deep ponds, with only the fill creating the stockpile and working platforms available.

Once the lake depth goes below approximately 2m, stratification can occur. It must, therefore, be assumed that the post extraction ponds would be stratified. Nevertheless, it is not considered reasonable that council requires the lakes to be backfilled to 2m maximum depth. The reality of approving the extractive use on the site is that ponds would result and these ponds would require maintenance to ensure they do not cause downstream water quality problems.

Lake turnover is very dependent on flooding. The ponds would have very small catchments during normal operating conditions and the lake turnover time would be in the order of many years, based on local catchment inflows. This is good in that few pollutants would enter the ponds, but a disadvantage in terms of residence times for algae. Floodwaters would result in the ponds turning over as the ponds are subject to flooding, with at least a 39% chance every year.

If the ponds start to discharge poor quality water to Eudlo Creek then action can be taken under the *Environmental Protection Act 1994*.

Erosion and Sediment Control

Department of Infrastructure, Local Government and Planning have conditioned that best practice erosion and sediment control measures be implemented.

Dust and Particulates

Issues related to dust and particulates are regulated by the Department of Environment and Heritage Protection through the *Environmental Protection Act 1994*. Accordingly, conditions relating to dust and particulates should not form part of any decision notice that is issued by council. Nonetheless, the issue of dust and particulates has been a key public concern in relation to this application.

Assessing staff engaged the services of Katestone Environmental to independently evaluate the material provided by the applicant in relation to air quality.

On 2 September 2016, Katestone Environmental provided the following response:

In conducting this review Katestone has considered:

- *The report Dust Impact Assessment Proposed Extractive Industry Sand Extraction and Processing Eudlo Flats Road Forest Glen by MWA Environmental*
- *Modelling input and output files provided by MWA Environmental*
- *Emission summary and scaling document provided by MWA Environmental*

The proposed product stockpile of the sand quarry is located between 230 metres to 330 metres from residences to the east, southeast, and south and 850 metres to 1000 metres from residences to the northwest and north. There is a school located 300 metres to the west of the proposed Pit 1 and an approved church 240 metres to the north of the proposed Pit 1.

Katestone has reviewed the recommended separation distances in the literature and has found that recommended separation distances range between 300 metres to 500 metres (EPA Western Australia, 2005) and 200 metres (Queensland Department of Infrastructure Local Government and Planning, 2016) for sand extractive industries that do not include milling, grinding, blasting or crushing. The literature also indicates that these separation distances have been nominated to minimise the potential impact of noise and dust. Separation distances are used as a guide for siting new activities. However, non-compliance with recommended separation distances is not necessarily a fatal flaw. Where the available distances between a sand quarry and

residences are shorter, detailed air quality modelling may be used to demonstrate that emissions from the extractive industry would not adversely affect residences located closer than the recommended separation distance.

A summary of the outcomes of Katestone's technical review of the air quality assessment is provided below.

The key aspects considered in this review of the air quality assessment are:

- *Emissions inventory*
- *Assessment criteria*
- *Meteorological data*
- *Background air quality*
- *Dispersion modelling methodology and results.*

The review has found:

- *Emission inventories were developed to account for emissions of dust in the form of total suspended particulates (TSP), particulate matter with diameter less than 10 µm (PM10), particulate matter with diameter less than 2.5 µm (PM2.5), silica and dust deposition. The emissions inventories accounted for:*
 - *Emissions associated with material handling of the sand (loading, unloading, extraction), wind erosion of stockpiles and exposed areas as well as transport of sand from pit to the processing plant and sales.*
 - *Five operational emission scenarios were developed.*
 - *Emission rates of TSP, PM10 and PM2.5 were based on National Pollutant Inventory Emission Estimation Technique (NPI) Manual for Mining (2012) and United States Environmental Protection Agency (USEPA) AP-42 Ch13.2.2 Unpaved Roads (2006) and AP-42 Ch13.2.4 Aggregate Handling and Storage Piles. Emission rates of all air pollutants were calculated correctly.*
 - *Silica was assumed to make up 100% of all PM2.5 emissions. This is a conservative assumption that would not occur in practice as there is no crushing, screening or grinding to occur on site.*
- *The study referred to the air quality standards and objectives contained in:*
 - *National Environment Protection (Ambient Air Quality) Measure (amended 2016) (Air NEPM) and in the Environmental Protection (Air) Policy 2008 (Air EPP) for TSP, PM10 and PM2.5. These air quality criteria are appropriate.*
 - *The Air NEPM and Air EPP do not specify standards or objectives for dust deposition and silica and therefore:*
 - *A guideline for silica was sourced from the Victorian Environment Protection Authority's Protocol for Environmental Management: Mining and Extractive Industries. The guideline for silica is appropriate.*
 - *An annual dust deposition guideline was based on a "common ERA condition". The Department of Environment and Heritage Protection's (EHP) Model Mining Conditions (EHP, 2016) contains a guideline for dust deposition of 120 mg/m²/day averaged over one month, which is stricter than the annual average guideline used. However, the predicted annual average dust deposition rates are well below the EHP guideline and consequently it is unlikely that peak monthly dust deposition rates would exceed the guideline.*
- *The assessment utilised the TAPM and CALMET meteorological models. These models are appropriate and were configured generally in accordance with standard methodologies.*
- *The background levels of air pollutants used in the assessment are appropriate.*

- *The assessment utilised the CALPUFF dispersion model. This model is appropriate and was configured generally in accordance with standard methodologies.*
- *Characterisation of the sources of dust in the dispersion model is appropriate.*
- *Overall the air quality assessment is sound and the outcomes of the assessment indicate compliance with all relevant air quality objectives and standards for dust and silica.*

Consequently, no further information is required by Katestone to address air quality issues. From the information provided, it is likely that the proposed extractive industry can be operated without causing adverse impacts on air quality. To ensure that this is achieved, the extractive industry would need to be maintained and operated in a proper and efficient manner, in accordance with the information provided in the Development Application and in accordance with a competent Dust Management Plan. If Council chooses to approve the proposed development, Katestone recommends that the following conditions be included:

- *The Applicant must not carry out any activity that causes or is likely to cause environmental harm, unless measures to prevent or minimise the harm have been taken.*
- *The Applicant shall prepare a dust management plan to be provided to Council prior to commencement of operation. The dust management plan should reflect the detailed commitments contained in the Development Application and the MWA Environmental air quality assessment and include as a minimum (but not be limited to):*
 - *Details of each dust producing activity, including design and operation*
 - *Air quality objectives*
 - *Strategies and mitigation measures to be implemented to minimise dust emissions*
 - *Monitoring of dust and meteorological conditions that would be undertaken to ensure that dust emissions and impacts are being adequately managed*
 - *Monitoring of complaints*
 - *Training of operators*
 - *Record keeping*
 - *Provision for regular auditing of compliance, ongoing review, continual improvement and reporting.*

In relation to the conditions recommended by Katestone Environmental, as previously stated, conditions relating to air quality are regulated by the Department of Environment and Heritage Protection through the *Environmental Protection Act 1994*. Review of the Concurrence Agency Response and Environmental Authority Permit show that equivalent conditions have been imposed by the state government within the Concurrence Agency Response and Environmental Authority Permit.

Potential for Silica Emissions

Serious concerns have been raised by local residents regarding this particular aspect of dust emissions. In formulating the above response it was assumed that 100% of PM_{2.5} emissions were in the form of crystalline silica. This is a conservative assumption that would over-estimate the risk of adverse impacts as there would be no crushing or grinding at the site.

Council's external expert, Katestone Environmental, advise that, even with the conservative assumption predicted, ground level concentrations are below the air quality objective and, therefore, there is negligible risk of adverse public health impacts associated with silica emanating from the site.

Visual Impacts

The subject site is included within the Scenic Amenity Overlay as shown below. Scenic amenity would be impacted along the Scenic Route by the proposal during the life of the development, and particularly in the short term. It must be noted that all visual impacts are being assessed for the life of the proposal only, and would not be an issue following the closure of the operations, once all stockpiles and machinery are removed and the site rehabilitated. Once the operations are complete, the lake system and re-vegetated landscape would be a suitable outcome for the “scenic route” and would support the rural setting and high scenic amenity rating of the land.

The location of the processing plant and stockpile area may remain into the future, depending on the need for fill material for the rehabilitation of the site. Distance views available on-site may remain limited by the two platforms and landscaping.

Buffer screening can be planted for the length of the processing areas and the pits, with additional revegetation of the open flood plain. It is considered that the 20m landscape buffer proposed will hold enough plant stock to eventually screen the process from the boundary. This berm would need planting at the top and sides. It is recommended that the fill platform batter be included in the first phase of the development and be planted for the entire length of the future stock pile area.



The purpose of the Scenic Amenity Overlay Code is to ensure that development does not adversely affect scenic amenity and landscape values within the Sunshine Coast. The code seeks development that protects the significant landscape elements and features, and which contributes to the unique character and identity of the Sunshine Coast. This includes the scenic amenity values visible from scenic routes and the sub-regional inter-urban breaks, which provide continuity of separation between urban communities within the Sunshine Coast and define individual communities as separate places within the sub-region.

Performance Outcome PO1 of the Scenic Amenity Overlay Code states that:

- Development does not detract from the visual amenity of a scenic route and:-*
- (a) is visually unobtrusive, relative to its urban or nonurban setting and surroundings, when viewed from the scenic route;*
 - (b) maintains or enhances important view corridors or distance views from the scenic route to significant landscape features; and*
 - (c) is low key, both visually and in scale, so as not to detract from the scenic amenity offered from the scenic route.*

The applicant provided a visual analysis of the proposal with a number of vantage points discussed in relation to what would be visible or not from the scenic route. The report concluded that it was unable to completely shield the use from view of the road, but included mitigation measures which would assist to screen and provide vegetation to the berm and vehicle storage areas.

The lands are considered to have a rural setting with a high value scenic area surrounding the initial sand pit areas. The view would be changed along the approach road to Maroochydore driving through a current rural setting, with a high value scenic amenity, until reaching the Kunda Park industrial area. The inter-urban break that currently exists between the Montessori School and Kunda Park would also be impacted.

The visual impact assessment report provided by the applicant is considered, by council's Urban Design Specialist, to be a methodical response to the mitigation of impacts from the sand extraction. The visual analysis report details itemised views of the landform alterations and the visibility of the site. The main mitigation factor proposed by this development is to plant a dense landscape buffer in order to soften the appearance of operations. Screening the land use will shorten the view currently experienced when driving along this route, thereby changing the view from "long valley views" to a vegetated buffer view. This will be a fundamental change to the landscape.

A drawback of the proposal is the location of the stockpiles and overburden proximate to Maroochydore Road where they would be visible from the public realm. Further, the applicant's proposed location of the 180m² Gross Floor Area storage shed would be highly visible in the position shown on the proposal plans, set back about 20m from the Maroochydore Road boundary. Conditions are recommended that require the shed to demonstrate a minimum 40m setback from the Maroochydore Road boundary. This measure would assist in mitigating the visual appearance of the development. Tree and shrub planting would be carried out in the buffers to provide visual amenity screening from Maroochydore Road and to enhance vegetative rehabilitation. However, until such time that the landscaping matures, the operations would be visible from Maroochydore Road, especially when travelling from the Bruce Highway towards Kunda Park.

The work required to create the stockpile area and processing plant would be the most substantial early change to the landform. This area is required to locate buildings out of the flood plain and would cause an elevation in finished ground level. This is the most concerning point from a visual impact point of view, as the development proposes to locate the stockpile and processing plant and equipment on top of this elevated platform, adjacent to the elevated section of roadway. The location of this raised area was considered during the assessment, but the levels of the flood plain do not allow other suitable options for the location of the processing area further away from Maroochydore Road.

Acceptable Outcome AO1 of the Scenic Amenity Overlay Code states that:

Development on land adjoining a scenic route, as identified on a Scenic Amenity Overlay Map:

(a) retains existing vegetation and incorporated landscape treatments to visually screen and soften built form elements, whilst not impeding distance views or view corridors from the scenic route."

The proposal would impede distance views/view corridors with screening vegetation. The visual impact of the proposal would be mitigated with vegetation and landscape berms to the edges. The vegetation would reduce the overall impacts of the development by incorporating landscape treatments to visually screen and soften built form elements of the development, as required by the Code. However, this would not be effective for some time (years) and the operational area is very close to the road. There would be some open space views

maintained due to the requirement of having less vegetation in the drainage corridors. This would allow some of the open rural landscape characteristics to be retained and visible from Maroochydoore Road.

Photo montages provided by the applicant demonstrate the impact of the proposed vegetation. Council officers believe that the correct landscaping species can realistically reach maturity within 3-5 years and will be successful in screening the elevated processing area adjacent to Maroochydoore Road. The species shown on the applicant's photo montage do not accurately portray the vegetation types that are recommended for conditions by council's specialists. The conditions include recommendations for alternative species with better reliability and performance.

The applicant's drawings appear to have overestimated the amount of fill that is required for the processing platform, with some imagery depicting the platform to be higher than Maroochydoore Road. In the image below, 6.4m of fill is shown which equates to 10m Australian Height Datum (AHD). Council's specialists conclude there is no need for the platform to be this high. It is recommended that the fill platform be conditioned to be a maximum of 6.4m AHD. This would require approximately 2.5m of fill rather than 6.4m of fill. Council's Hydraulics Specialist confirms that this revised level achieves Q100 flood immunity. Council's Urban Design Specialist states that lowering the fill platform would have the benefit of the operations being less pronounced compared to the views shown in the applicant's imagery.

A condition is recommended to be imposed which limits the fill to 6.4m AHD, as discussed above, which means that the processing platform would be lower to that shown below.



VP3 - PHOTOMONTAGE - PROCESSING PLANT AND STOCKPILE AREA - WITH IMMATURE SCREENING VEGETATION



VP3 - PHOTOMONTAGE - PROCESSING PLANT AND STOCKPILE AREA - WITH ESTABLISHED SCREENING VEGETATION



VP4 - EXISTING VIEW



VP4 - PHOTOMONTAGE - PROCESSING PLANT AND STOCKPILE AREA - WITH IMMATURE SCREENING VEGETATION



VP4 - PHOTOMONTAGE - PROCESSING PLANT AND STOCKPILE AREA - WITH ESTABLISHED SCREENING VEGETATION

The top of the stockpiles proposed by the applicant are approximately 5m high. It is recommended to restrict the height of these stockpiles to 3m until the landscaping reaches maturity. Stockpiles of 5m maximum could be permitted thereafter.

Concerns were raised from locations higher than the existing site levels as to what overlooking views onto the sand operations would be like. Assessment has revealed that the visual opportunities to the site are limited to a few higher residential properties. The residents of the Forest Pines estate would not view the operations from their homes as there is an existing acoustic barrier along this route. There are a few rural residential properties to the north that may also have long distance views down the hill to the site.

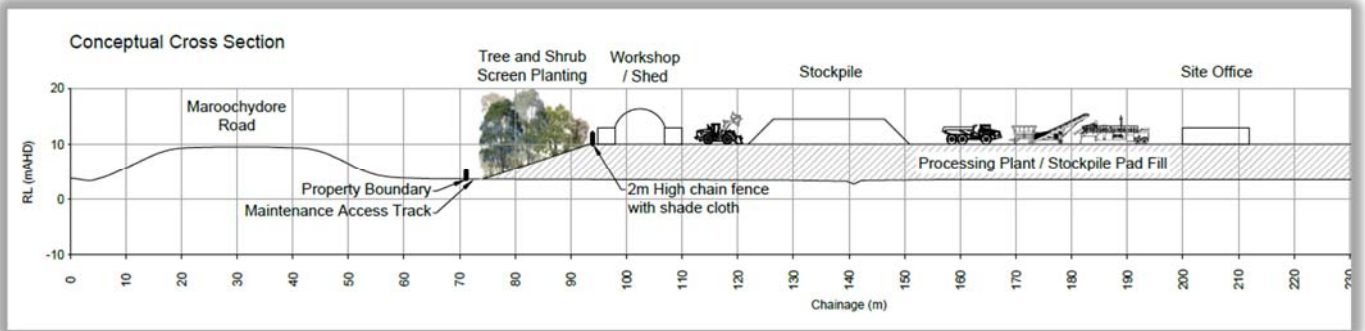
The proposal includes a detailed design for the entry facility to the development and would provide a suitable interaction with Eudlo Flats Road (shown below). It is recommended conditions be imposed that require no signage or advertising be visible from Maroochydore Road.



PROPOSED ACCESS OPTION - INDICATIVE CHARACTER IMAGE



PROPOSED ACCESS OPTION - CONCEPT PLAN



The landscape mitigation includes batter walls adjacent to the pits and bands of vegetation buffers around Pit 2, and along the road edge of Pit 4. Vegetation setbacks are included to all site boundaries in addition to the screening proposed at certain locations. Conditions are recommended for the landscaping between Pit 4 and Maroochydore Road to be planted early, with operations in relation to Pit 4 prohibited until such a time that the vegetation has reached a sufficient height for screening purposes.



Remediation of the site

On balance, it is considered the identified impacts can be appropriately managed and mitigated during the life of the extractive use, noting that the proposed processing and stockpile area will be more exposed during the early years.

Traffic Movements and Impacts on Local Roads

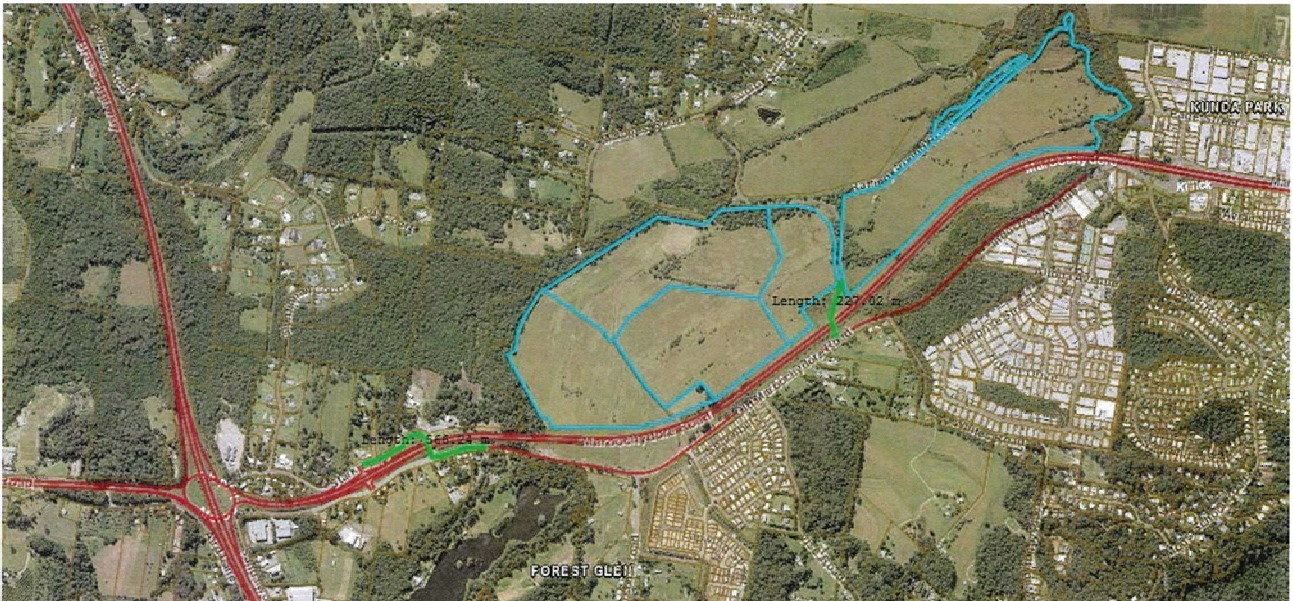
The purpose of the Transport and Parking Code is to ensure that transport infrastructure, including pathways, public transport infrastructure, roads, parking and service areas, are provided in a manner which meets the needs of the development. In terms of on-site car spaces, the Transport and Parking Code requires the provision of “sufficient spaces to accommodate a number of vehicles likely to be parked at any one time”. The proposed development identifies five car parks to be provided for staff and seven car parks to be provided for visitors. These car parks are located next to the site office. The car parking layout is considered to be suitable for this development. End of trip facilities, such as change rooms, showers, sanitary compartments and wash basins, are not required by the planning scheme for extractive industry.

Information submitted by the applicant identified that, based on a haulage of 300,000 tonnes per year, on average approximately 100 haulage vehicle trips are generated each day (assuming 50 working weeks per year, 5.5 working days per week, 12 working hours per day). This is inclusive of haulage vehicle movements to and from the site. The average hourly number of haulage vehicle movements is estimated to be approximately eight. Production is likely to vary during the year such that, during peak operating conditions, the number of haulage vehicle movements during peak times is expected to be up to 12 per hour.

All materials from the site would be transported by road via an access point along Eudlo Flats Road from the western portion of the site. Materials extracted from the eastern portion of the site would be piped to the western portion of the site for processing and haulage.

Proposed Transport Route

The applicant has advised that approximately 60% of demand for the product would be at locations west of the site (e.g. Bruce Highway), with the remaining 40% of demand from locations east of the site (e.g. Sunshine Motorway). The Department of Transport and Main Roads has required that all heavy vehicle movements associated with the site must travel between Eudlo Flats Road and Maroochydore Road via Old Maroochydore Road (west of Eudlo Flats Road). Both Maroochydore Road and Old Maroochydore Road are state controlled roads as shown on the image below.



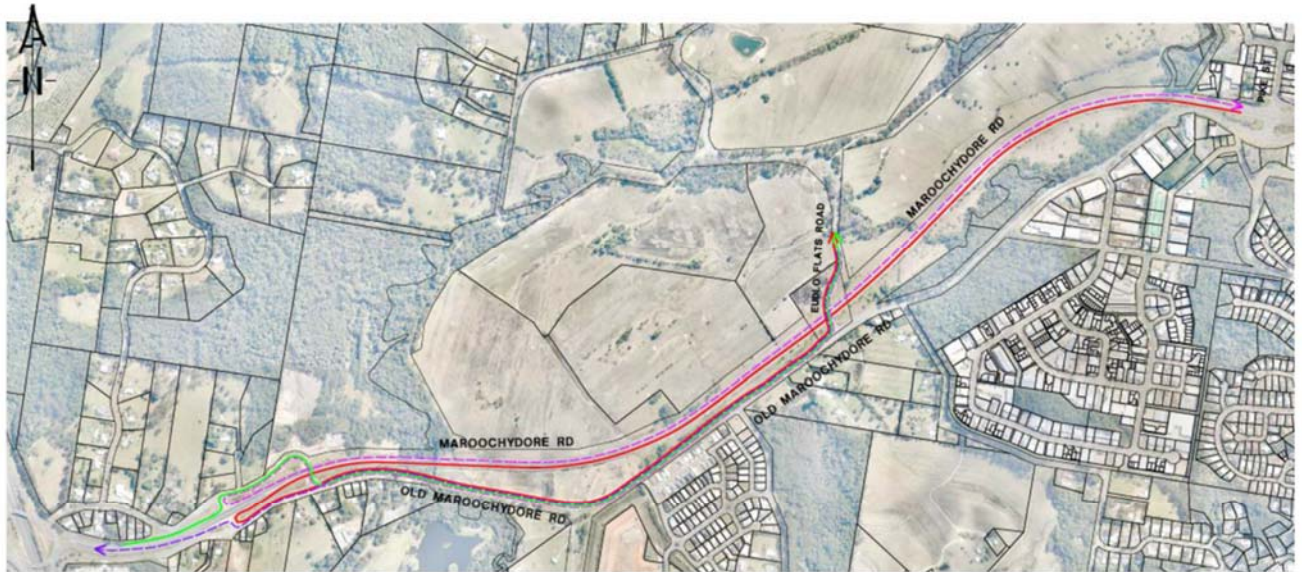
Regarding haulage route to Kunda Park:

Red Line denotes state-controlled road

Green Line denotes local (council) road

The department has not permitted use of Old Maroochydore Road east of Eudlo Flats Road to be used for haulage purposes, due to the existing congestion at the signalised intersection where Old Maroochydore Road joins Maroochydore Road in Kunda Park. No traffic movements are proposed north along Eudlo Flats Road, and no truck movements are proposed to/from the north travelling to the site along Eudlo Flats Road. This is also covered by the recommended conditions.

The haulage route as imposed by the Department of Transport and Main Roads as conditions of any approval requires trucks leaving the site to turn west at Eudlo Flats Road onto Old Maroochydore Road. Vehicles head west past the Forest Pines Estate and enter Maroochydore Road via a roundabout and on-ramp near the Montessori School. For east-bound vehicles, after entering Maroochydore Road, the vehicles would then head east, back past the subject site, and turn left at Pike Street to enter the Kunda Park industrial estate, or travel further east. The haulage route is shown on the image below. The majority of the haulage route is along the state controlled road network, with local roads only amounting to a total of approximately 800 m of the specified haul route.



LEGEND

	IN FROM WEST
	OUT TO WEST
	IN FROM EAST
	OUT TO EAST

The subject site is well located for sand extraction operations insofar as haulage vehicles can quickly access the state controlled road network. For example, the traffic impact would be of far more concern if the subject site required access further north onto Eudlo Flats Road and proposed to travel greater distances on local roads that were of a lower standard and passed a greater number of houses that did not have established acoustic barriers. Trucks are proposed to pass directly in front of the Forest Pines Estate. However, the impact on these dwellings is mitigated due to the constructed acoustic barrier that fronts Old Maroochydore Road.

The type of traffic that would be utilised by this development would not be new or unexpected for the road network. Similar heavy vehicles already use a similar haulage route on a regular basis to service businesses and industries located off Stark Lane and Sandalwood Lane. The additional number of vehicles on the road network would not be significant in comparison to the existing daily volumes, and the design of the relevant intersections is satisfactory.

The applicant has negotiated with the state regarding its contributions to the state road network. Within their Concurrence Agency Response dated 12 April 2016, the Department of Infrastructure, Local Government and Planning conditioned that the applicant pay the Department of Transport and Main Roads a monetary contribution of \$101,600 (indexed). The contribution is to be used for the future pavement rehabilitation and maintenance works for Old Maroochydore Road and would be payable within 18 months of commencing the transportation of material extracted from the site.

Traffic Impact on Montessori School

Concerns were raised over increased heavy traffic movements outside the Montessori School, at the current roundabout and surrounding locality. Traffic impact models were analysed for both the previous Montessori School approval and the current Maroochydore Sands application. The models indicate an increase of six and eight vehicles, respectively, for the morning and afternoon peak hours. This compares with intersection morning and afternoon existing peaks for the school access point of 144 and 148 vehicles (2012) and 177 and 192 vehicles (2018). This indicates the increased traffic due to the proposed

Maroochydore Sands development is less than 5% at the anticipated time of commencement of operations and, consequently, is well inside the traffic increase already anticipated for this time in the school analysis.

Furthermore, it is relevant to note that the road at the school entry currently serves a predominantly industrial catchment and, therefore, the increased traffic vehicle type (i.e. heavy vehicles) would not be significantly different existing vehicle types using the road. The increased traffic is within the anticipated increase for the school study and has been shown to not exceed road and intersection capacities. The traffic generated by the sand extraction is expected to be relatively uniform with no significant peaks to conflict with school peaks.

The increased traffic impact on the Montessori School access due to the proposed Maroochydore Sands development is not significant.

NOISE

Issues related to noise are regulated by the Department of Environment and Heritage Protection through the *Environmental Protection Act 1994*. Accordingly, conditions relating to noise should not form part of the recommended condition package. Nonetheless, the issue of noise is addressed for completeness below.

The applicant has provided a noise impact assessment report which addresses potential noise impacts of the proposed sand extraction and processing activities on surrounding sensitive land uses (e.g. dwellings, school). This report factored in the Montessori School to the west and the approved (but unconstructed) Place of Worship to the north of the site as being sensitive receptors.

The report recorded that existing ambient (background) noise levels on the site, as a result of road traffic, was an average of 50 dB(A) at a location 80 metres from Maroochydore Road and 42 dB(A) at 700 metres from Maroochydore Road. The report determines maximum acceptable noise limits for the development impacting on sensitive receivers, and then models predicted noise levels at the location of those receivers during operations. The report concludes that, at all sensitive receivers, noise from the development would be less than the existing background noise level coming from Maroochydore Road. These noise limits are imposed in the state's Environmental Authority Permit.

The noise report identifies a number of noise control measures to be implemented on the site. Providing the operators adopt the recommended noise control measures, the proposal can operate in compliance with the relevant objectives and not cause unreasonable noise impacts at surrounding sensitive land uses.

The nearest house to the north of the site is located at least 800m from the processing plant operations, and approximately 280m to the nearest boundary of the subject site.

The applicant states that the proposed sand extraction and processing facility would incorporate best available technology, where required, to mitigate potential noise amenity impacts, including:

- acoustic treatment of the dredge (e.g. engine housing, upgraded exhaust silencer) to achieve a maximum sound power level of 104 dB(A)
- acoustic treatment of any booster pump or other pump associated with the transfer of sand and/or supply of water to the wash plant to achieve a maximum sound power level of 101 dB(A)
- use of modern mobile plant (e.g. front-end loaders, excavators, off-road trucks) with effective exhaust silencers and

- use of broadband reversing alarms for mobile plant (e.g. frontend loaders, dozers, off-road trucks, excavators) to mitigate potential nuisance from tonal characteristics of traditional beeper alarms.

The applicant states that the proposed sand extraction and processing facility would incorporate noise control infrastructure and management measures as necessary to achieve the regulatory noise standards conditioned by the state government at surrounding sensitive land uses.

In summary, the noise impact assessment has concluded that, with appropriate management measures and physical emission controls, the proposed sand extraction and processing activities can operate in compliance with the relevant objectives and, thus, would not cause unreasonable noise amenity impacts at the surrounding sensitive land uses.

The noise limits set by the state government are considered achievable for the development.

Vegetation and Environment Protection

The applicant has provided a Protected Flora Survey Report and Ecological Assessment for the proposed development. Council officers have reviewed the report and verified that the proposed planning and design of the layout and sequence of the workings have considered the environmental values and processes on and surrounding the site in accordance with the requirements of the Biodiversity, Waterways and Wetlands Overlay Code. Ecologically important areas are retained on the site and would be regenerated and enhanced to overcome existing degradation caused by current cattle grazing activities, and actively managed to control potential weed infestations. The proposed development retains all waterways and wetlands on the site, as mapped on the "Biodiversity, Waterways and Wetlands Overlay Map".

The submitted Environmental Management Plan details measures to mitigate and manage impacts on ecological values. Council's officer has reviewed the plan and expanded upon the matter of environmental management through the recommended environment conditions.

The proposed extraction area encroaches on a minor area of mapped "Native Vegetation Area". Council's Principal Environment Officer is satisfied that the encroachment will not impact on the biodiversity values and has recommended conditions to offset the vegetation within the buffer areas. It is noted that this mapped vegetation is not identified as "remnant vegetation" as mapped by the Department of Natural Resources and Mines.

During the life of the operation, the applicant would progressively rehabilitate the site to protect and enhance the values of ecologically important areas as above.

Performance Outcome PO5 of the *Biodiversity, Waterways and Wetlands Overlay Code* states the following in relation to Koala Conservation:

Development in koala habitat areas protects and provides for a net gain in mature and actively regenerating koala habitat

Council's Principal Environment Officer is satisfied there would be no loss of koala habitat values as a result of the proposed development. Any potential loss of koala habitat values would be minimised and compensated by the vegetation buffer to be implemented in strategic locations along the southern boundary of the site, as well as progressive restoration which would be undertaken across the site.

Performance Outcome PO9 of the *Biodiversity, Waterways and Wetlands Overlay Code* states the following in relation to Buffers to Natural Waterways and Wetlands:-

Development provides and maintains adequate vegetated buffers and setbacks to protect and enhance the environmental values and integrity of natural waterways and wetlands, having particular regard to:-

- (a) fauna habitats;*
- (b) wildlife corridors and connectivity;*
- (c) adjacent land use impacts;*
- (d) stream integrity;*
- (e) water quality;*
- (f) sediment trapping;*
- (g) resilience to flood and storm tide inundation events and consequent erosion, including the safety of people and risk of damage to property on the site;*
- (h) overland and groundwater flows; and*
- (i) recreational amenity.*

A drainage feature is located in the south-western portion of Lot 2 SP194361. The proposed development maintains a minimum setback of 10m from this feature. The proposal avoids mapped wetlands and waterways on the site and maintains a minimum 20m buffer between the extraction pits and site boundaries. The proposed development would involve rehabilitation around the perimeter of the resultant lakes, and maintenance of remnant vegetation areas on the site.

The limited number of trees impacted by this proposal (consisting of isolated regrowth gums, bull-oak and acacia), located within the footprint of the sand extraction lakes, haulage routes and stockpile areas, would be offset within the buffer planting areas of the site.

The four large lakes that would be created by this development would be surrounded by extensive areas of revegetation, buffer plantings and regenerated wildlife habitat areas. The site presently provides habitat for Lewin's Rail, a ground foraging bird scheduled as endangered in the *Nature Conservation Act*. These birds have been recorded from several areas of the site and their ongoing protection would be secured through the recommended ecology and landscaping conditions.

The ecological conditions which would apply to this development would include the protection of all the buffer areas surrounding the lake by a combination of assisted natural regeneration techniques and revegetation plantings, and revegetation to the shorelines and shallows of the lakes. The landscape conditions, recommended to apply to the Maroochydore Road frontage buffer, specify tree species to achieve an effective visual buffer. For increased reliability and performance, the species recommended in the conditions are different to those nominated by the applicant.

Acid Sulfate Soils

The Department of Environment and Heritage Protection is responsible for regulating the management of disturbed acid sulfate soils during the operation of the extractive activity, in accordance with the Environmental Authority (permit) for the activity and the *Environmental Protection Act 1994*.

The primary strategy for management of disturbed soils would be the separation of the acid sulphate soils from the usable sand (i.e. separation by the hydrocyclone unit as part of the sand extraction plant and equipment) and the return of the acid sulfate soil slurry into the extraction pits where the material would be maintained below water and not subject to oxidation and the release of acid and metal contaminants into the water.

Non-acid sulfate soils available on-site, and located by site monitoring, would be used to construct the site fill platforms and diversion bunds.

The operator has been required to formulate an Acid Sulfate Soil Management Plan (i.e. in accordance with State Concurrence Agency and Environmental Authority Conditions) prior to operations, and to implement the management measures during the construction and operational phases of the project and at the cessation of extraction. The Acid Sulfate Soil Management Plan would ensure the proposed development avoids the release of acid and metal contaminants to the environment through the identification and management of disturbed acid sulfate soils in accordance with the Acid Sulfate Soil Technical Manual: Soil Management Guidelines, prepared by the Department of Science, Information Technology, Innovation and the Arts.

The strategies for Acid Sulfate Soil management are summarised as following:

- hydraulic separation of acid sulfate soil fines
- return of separated acid sulfate soil fines to below water within the created pits
- surface water and groundwater monitoring for pH and dissolved Aluminium and Iron to ensure they remain within limits or the adjustment of the pH of pit water to ensure compliance with the limits
- addition of pH neutralising material such as concrete washout and dolomite dust (ag-lime) to treat any minor quantities of disturbed acid sulfate soil not returned to the pits
- product validation through testing and auditing by qualified persons
- operator training of site personnel to recognise and manage acid sulfate soils encountered during operations and
- senior Site Management obligation to responsibly manage acid sulfate soil and to provide ongoing reports to demonstrate compliance.

It is an offence not to comply with the conditions of approval or to cause (or be likely to cause) environmental harm resulting from the non-compliance. In these cases, the Department of Environment and Heritage Protection has the statutory power to remedy any non-compliance in accordance with the provisions of the *Environmental Protection Act 1994*.

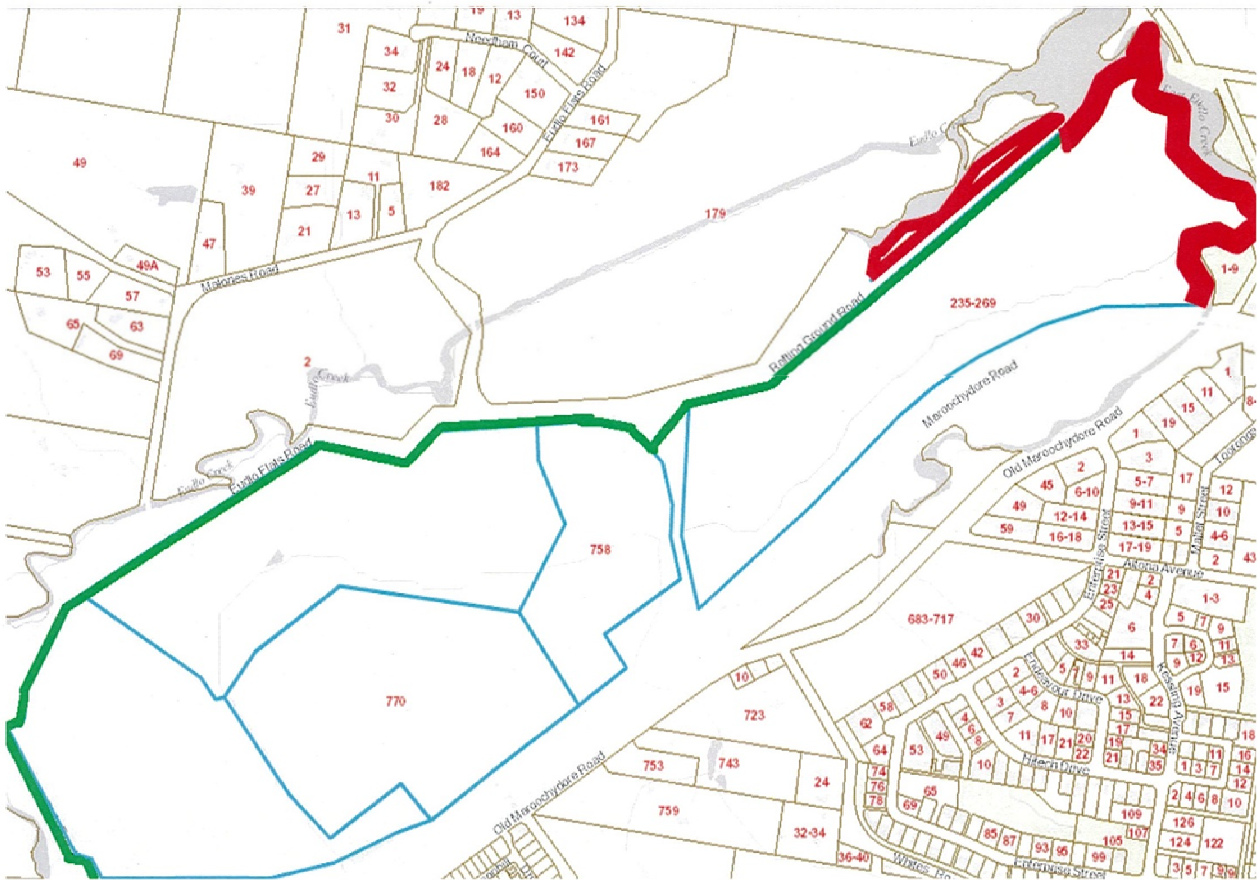
Land Donation for Public Esplanade

The applicant has offered to transfer land adjacent to Eudlo Creek and East Eudlo Creek to contribute to future possibilities for public access along the alignments of the creeks. It is understood the applicant's offer has been made as a result of consultation with community representatives who expressed a desire for land to be given back to the community for environmental protection and recreational purposes. The offer did not form part of the original application but came during the lengthy assessment process.

Currently, the unconstructed road reserves of Eudlo Flats Road and Rafting Ground Road form a public land interface to Eudlo Creek for the northern and western boundaries of the site, but there is no equivalent public land along the eastern boundary of the site where it adjoins East Eudlo Creek. Assessing staff have determined that a minimum 30m wide land transfer in this location as a Reserve for Esplanade would serve a community interest insofar as it would complete a circuit of continuous public ownership around the perimeter of the subject site. Consistent with council policy for public esplanades and waterway protection, the proposed land transfer would enable protection of the riparian zone of East Eudlo Creek and provide increased opportunities for a future recreational trail network.

With regard to the proposed transfer of additional land along the northern and western boundaries of the site, adjacent to the partially unconstructed Eudlo Flats Road and Rafting Ground Road reserve corridors, assessing staff have determined that a minimum 10m wide land transfer would sufficiently expand upon the existing public road reserve land in those locations to a 30m reserve width, and provide improved opportunities for environmental protection and recreational use into the future.

The following plan describes the recommended 30m wide land transfer in red and the recommended 10m wide land transfer in green.



To give effect to the proposed land transfer, it is recommended that council impose conditions as part of any approval of the development. Accordingly, conditions are recommended for land transfer over two stages. The 30m wide strip of new public esplanade land along the bank of East Eudlo Creek is recommended to be transferred to council first, prior to the commencement of the approved use, as this land would complete the circuit of public land around the perimeter of the site and enable immediate riparian protection by virtue of public ownership. The remainder of the proposed land transfer, where it fronts the northern and western boundaries of the site alongside Eudlo Flats Road and Rafting Ground Road, could be transferred at the conclusion of the approved development.

Height of Buildings and Structures

The *Height of buildings and structures overlay code* nominates a height limit of 8.5 m for the subject site measured from natural ground level. However, the Performance Outcome PO1 of the code states the following:

The height of a building or structure does not exceed the maximum height specified on a Height of Buildings and Structures Overlay Map, except where:

- (a) for one of the following:-
 - (i) a structure for an extractive industry or rural industry in the Rural zone;

The proposed fill level is conditioned to be at 6.4 AHD (approximately 2.5 m of fill is involved) and the processing plant and stockpiles will be another 5 m above that again. Therefore, the application complies with the *Height of buildings and structures overlay code* of the Sunshine Coast Planning Scheme.

Bushfire

The site is mapped as low bushfire hazard on Bushfire Hazard Overlay Map. The nature of the proposed use, being a sand resource extraction resulting in lakes, would not have an adverse impact on bushfire hazard. The proposed development would not result in any buildings, structures or works within mapped bushfire hazard areas.

Need

The site is neither a state government Key Resource Area nor a Local Resource Area under the Sunshine Coast Planning Scheme. It is unclear as to why the site was not included as a Local Resource Area within the current scheme. Since the Sunshine Coast Planning Scheme was initially drafted, two designated Key Resource Areas have been impacted. Questions have emerged regarding the quality of the sand resource in some areas of the Meridan Plains Key Resource Area and extraction has ceased in one location of that Resource Area. In addition, the Maroochy River Golf Course has been constructed within the Key Resource Area located at Bli Bli. The issues with these two Key Resource Areas provide support for Extractive Industry to be considered elsewhere. In addition, the existing operations occurring within the Key Resource Area at Glenview are understood to be approaching the end of their life.

The applicant conducted drilling investigations on the subject site between 2013 and 2014, and concluded that the site comprises a significant sand resource which is suitable for use as fine aggregate in concrete manufacture, and other construction materials including mortar sand, filter sand, bio-retention sand and fill sand. Quarried products are used in the building and construction industries and are essential components for construction and infrastructure. The applicant states that, during the past 25 years in Queensland, the trend has been for annual production of quarried products to increase, and they estimate each person in the state requires approximately 10 tonnes per annum of quarry material to support the building of roads, houses and other required infrastructure.

The applicant states that fine sand, unlike medium or coarse sand, is difficult to produce from other sources due to the required size and shape of the material. It is understood that the Queensland Department of Transport and Main Roads also requires, in their material specifications for concrete, that a minimum of 40% natural sand be used within the fine aggregate component of the mix design for concrete and the use of natural fine sand is becoming of greater importance to meet the department's specifications for products supplied to state government projects.

The applicant states that a large proportion of fine sand currently being used by concrete manufacturers on the Sunshine Coast is sourced from Moreton Bay due to the integrated nature of these concrete and quarry businesses having access to offloading facilities and quarry material allocations. In addition, it is also understood that a proportion of fine sand is being supplied from a resource within the Moreton Bay area. This supply of material, from sources a greater distance from the end user, increases the cost of the product and ultimately is passed onto the end user. The applicant estimates that, for each additional kilometre travelled, the delivered cost of the product increases by 12 to 15 cents per tonne.

The applicant further states that quarry resources are fixed in location and the materials produced are "high volume, low value" products and, hence, quarries must be located close to the population that use them. Increasing average transportation distances of quarry material from an average of 60km to 100km increases production costs by 35%.

This site is in proximity to related businesses, including existing concrete batching plants in Kunda Park. This, in association with the proximity of the state-controlled road network, is argued will contribute to the efficient and affordable supply of construction materials to the Sunshine Coast region.

Local extraction and production of sand is expected to provide an ability for a reduction in haulage cost of the end product and also provide for employment opportunities as local

providers increase production to meet local demand. In turn, this employment (both direct and in-direct) contributes to the local Sunshine Coast economy.

The applicant's assessment that there is a need for the proposed operations and associated product is accepted by assessing staff, particularly in the context of review of the existing Key Resource Areas and Local Resources Areas within the region and their locations.

End Usage

A sunset clause is recommended to be imposed to ensure the site is fully rehabilitated and restored within the proposed timeframe of 30 years. In the event of an approval, and with the exception of the land required for the previously discussed esplanade, the subject site is proposed to remain in private ownership.

The ownership at the end of the process was considered and other branches of council were consulted, including Social Policy Branch and Environmental Operations Branch. It was considered that the benefit of owning the water bodies and having additional open space for public use did not outweigh the potential cost to the ratepayer of having the burden of ongoing maintenance costs associated with the lakes. Further the site is not identified in the Open Space Strategy as being required for public purposes.

Thus, the only land that would come into council ownership are the perimeter lands around the creek and road reserves.

In relation to the final edge shaping of the ponds, the slope of the batter below the standing water level in the post extraction ponds would be required to be not steeper than 1:6 between 0.2m above and 0.5m below the normal water level, and not steeper than 1:3 beyond 0.5m below the normal water level. The batters would also be fully vegetated to prevent accidental entry.

Conditions are recommended for the ponds to be rehabilitated and provided with suitable maintenance access to ensure they are maintained in good health after the operators exit the site, especially in the case of stratification and weed growth. In the event that the ponds begin to discharge poor quality water to Eudlo Creek, action can be taken under the *Environmental Protection Act 1994*.

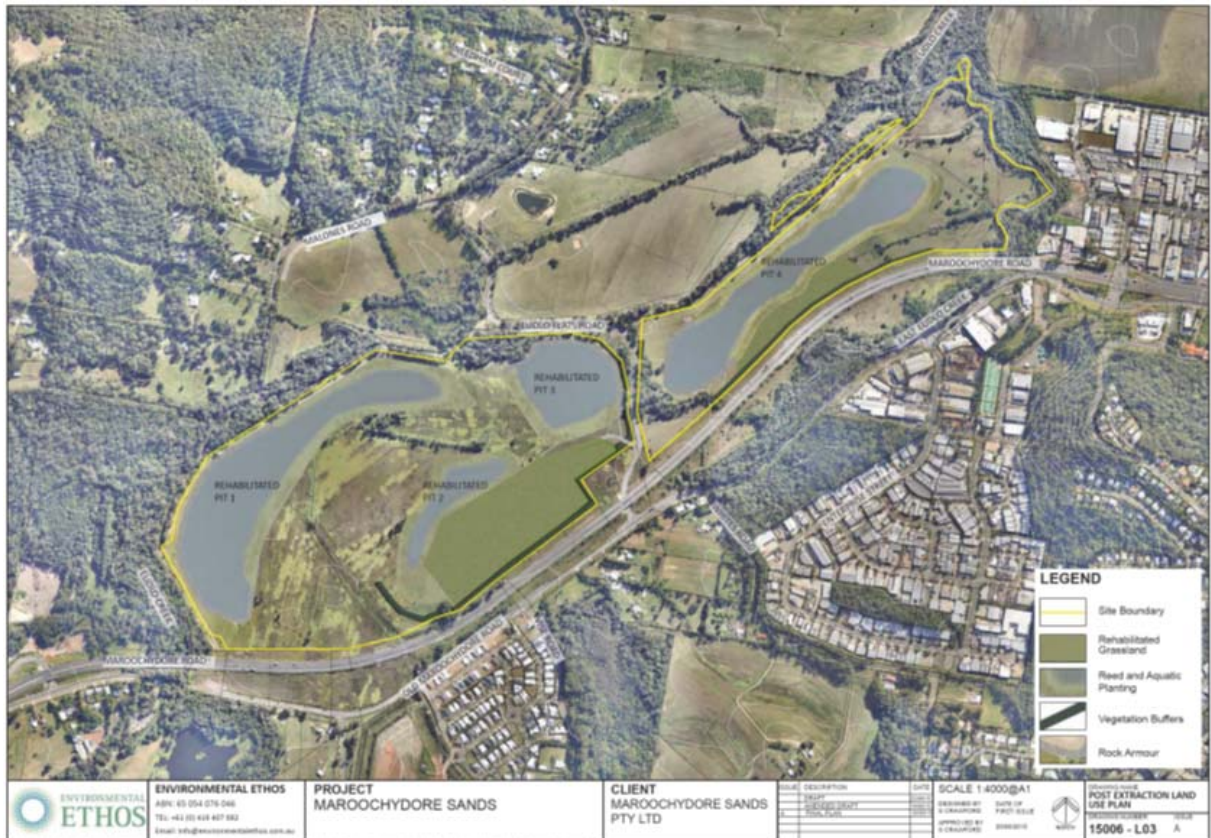


Image showing Post Extraction Land Use Plan

CONSULTATION

IDAS Referral Agencies

The application was referred to the following IDAS referral agencies:

Concurrence

Department of Infrastructure, Local Government and Planning (SARA)

The department is a concurrence agency for the following:

- Environmentally relevant activities
- State-controlled road
- Development impacting on State transport infrastructure
- Coastal management districts
- Land designated for community infrastructure
- Clearing vegetation

The department responded by letter dated 17 February 2016. The applicant lodged representations to the department's response and a further amended concurrence response was issued on 12 April 2016, stating that the development is supported subject to conditions. The key conditions of which are summarised below:

- Development must be carried out generally in accordance with the plans approved by the department
- Storage areas for hazardous contaminants must be located above Q100 flood levels and the facility for the activity must include a container for hazardous contaminants that is secured to prevent movement in a flood event
- Develop and implement erosion and sediment controls in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association)
- A management plan including a monitoring program must be developed and implemented prior to, and for the duration of the use to ensure that management and maintenance measures are in place to minimise adverse effects on areas of high conservation value or special significance, and prevent emissions having an irreversible impact, or widespread impacts, on sensitive land uses at adjacent places
- Pay a monetary contribution of \$101,600 (indexed) to the Department of Transport and Main Roads towards protecting or maintaining the safety or efficiency of the state controlled road Old Maroochydore Road
- Heavy vehicles as defined in the Transport Operations (Road Use Management) Act 1995 associated with the proposed development are only to use the route identified on Transport Routes, prepared by MR Cagney dated 14.10.14, reference 5442-01.DWG, Figure A and
- As a result of works the subject of this approval, any disturbed or oxidised acid sulphate soil must be treated and managed in accordance with the current Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines, prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014.

Advice

Energex Limited were an advice agency for electricity infrastructure and responded by letter dated 12 May 2015 stating that Energex approved their jurisdiction of the application subject to six conditions that primarily referenced plans and easements. Energex also conditioned that the overhead infrastructure contained in Lots 5 and 7 be relocated to avoid conflict with the proposed extraction operations.

Other Referrals

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

- Development Engineer, Engineering and Environment Assessment Unit
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment Unit
- Landscape Officer, Engineering and Environment Assessment Unit
- Environment Officer, Engineering and Environment Assessment Unit
- Ecology Specialist, Engineering and Environment Assessment Unit
- Urban Designer, Planning Assessment Unit
- Traffic Engineering, Engineering and Environment Assessment Unit
- Manager, Economic Development
- Strategic Planning Specialist, Strategic Planning
- Open Space and Social Policy Specialist, Environment and Sustainability Policy
- Biodiversity and Waterways Specialist, Environment and Sustainability Policy
- Environmental Operations Specialist, Infrastructure Services

Economic Development Branch

Council's Economic Development Branch advised the following:

Economic Development has reviewed and considered the information provided regarding MCU15/0030 Maroochy Sand and wishes to provide the following comments:

- *The Sunshine Coast is a region experiencing significant growth. Between 2008 and 2013 the region experienced a growth rate of 10.1% over that 5-year period and is projected to have Queensland's second fastest growth rate (2.1%) to 2036. Indeed, by 2031 the region's population is expected to reach 450,000 compared with the current level of 280,000 residents. This rate and scale of growth is therefore reflective of significant urban expansion across key development fronts encompassing both greenfield sites and major infill projects which would require and consume significant material inputs.*
- *The construction industry is one of the region's key foundational industries and a key driver of the local economy delivering in the order of \$1,408m value add and total employment of approximately 15,000 (second only to Healthcare and Social Assistance) to the region's economic base.*
- *Economic Development recognises the fundamental need for access to sand resources as a resource input to the development sector and the parallel desirability of proximity of source to user. The proximity and availability of such resources and associated price, quality and service provision aspects are seen as significant determinants in the ability of the building and construction industry to deliver affordable, economically viable and timely outcomes.*
- *As a key resource input (of high volume/low value) into value added construction industry products such as concrete production, it is also agreed that the availability of local sand resources and hence reduction of transport costs in particular has the potential to have positive supply chain cost, viability and business development benefits in complementary industries.*
- *Economic Development is, hence, strongly supportive in general of the identification, protection and appropriate exploitation of the region's key natural resources, in this case sand resources.*
- *Given that the proposed development would possess only approximately two (2) employees on site per shift plus intermittent contractors such as drivers and maintenance personnel the direct economic benefit generated via employment outcomes is deemed to be negligible.*
- *Although no comment can be provided in relation to the specific market need for and indeed market dynamics driving this sand extraction development in particular it is clear that the Sunshine Coast would require ongoing access to such resources and that the subject site has a potential role to play in addition to other identified KRAs such as at Glenview, Meridan Plains, Maroochy North Bli and Maroochy North Coolum.*
- *In addition to economic need and benefit aspects any development of this type must of course take into consideration a range of other criteria most notably in relation to operational aspects and environmental impacts which we cannot provide comment on.*

Environment and Sustainable Policy

The Environment and Sustainable Policy Branch were referred primarily in relation to the ownership and management of the final lakes that would result from the proposal in the event of an approval. The following response was provided:

Freshwater lakes like those identified, with their significant size and depth, are likely to be a problematic final landform. Constructed freshwater lakes have been shown to have

significant ongoing management costs and resource implications, and even if well managed, are likely to have nuisance environmental conditions such as periodic stratification, macrophyte and algal blooms, anoxic sediments, etc.

We have discussed the potential lakes with staff from the Environmental Operations Branch, who would ultimately have responsibility for maintaining the lakes if they were ever to be transferred to council. We support the advice they provided independently, paraphrased as:

- A primary recommendation that the final lakes do not get transferred to council due to expected (significant) financial and management burdens. (It is our understanding that it is very difficult to negotiate suitable funding and management arrangements for full life cycles of these kinds of assets);*
- Secondary recommendations for the scenario that the primary recommendation was not adopted and the lakes were transferred to council — that the development be thoroughly conditioned to ensure the developer is responsible for master planning of the final lakes in consultation with council; undertakes full rehabilitation of the extraction pits and handover of final assets in appropriate condition; and provides suitable funding quantity and an appropriate mechanism for the full life cycle of the assets.*

Strategic Planning

Council's Strategic Planning Branch were referred. Strategic Planning provided a response that contained the following points:

- The site is not identified in the Sunshine Coast Planning Scheme as a Key Resource Area and that Extractive industry is a "potentially consistent use" within the Rural zone, and is subject to impact assessment.*
- Having regard to the purpose and overall outcomes of the Rural Zone Code, an extractive industry may potentially be established in the zone provided that adverse environmental and amenity impacts are avoided or appropriately managed (in addition to complying with other relevant scheme provisions).*
- Given the site's location within an important gateway to Maroochydore, the visual impacts of the proposed development should be given a high level of consideration. Maroochydore Road is identified as a Scenic route in the planning scheme and consideration should be given as to whether a 10 metre wide vegetated buffer along the frontage to Maroochydore Road is sufficient to achieve compliance with the Scenic amenity overlay code, particularly considering that the subject land is highly exposed to this road corridor at present with a general absence of established screening vegetation to mitigate adverse visual impacts.*
- The subject site is a strategically important location in relation to the settlement pattern on the Sunshine Coast. The site forms part of an important rural/open space gateway between the Bruce Highway and the future Maroochydore City. This will be increasingly valued by the community in its function of limiting the impression of Maroochydore City sprawl. As such, there are strategic concerns for the future use of this land after the extractive industry use ceases.*
- Consideration should be given as to what measures or safeguards can be put in place to ensure that if the use is abandoned prior to the ultimate development, that the land can be rehabilitated and returned to its former rural/natural state.*
- It is noted that Council's Open Space and Social Policy team and Environmental Operations Branch do not hold any interest in securing the subject land (and associated lakes) upon cessation of the sand extraction use. Instead, it is proposed that Council secures an esplanade dedication along Eudlo Creek, and conditions the proponent to establish a eucalypt forest between the lakes and undertake other site rehabilitation measures. This will provide some connection between core environmental areas (Glenfinnan Bushland Conservation Reserve and Eudlo Creek).*

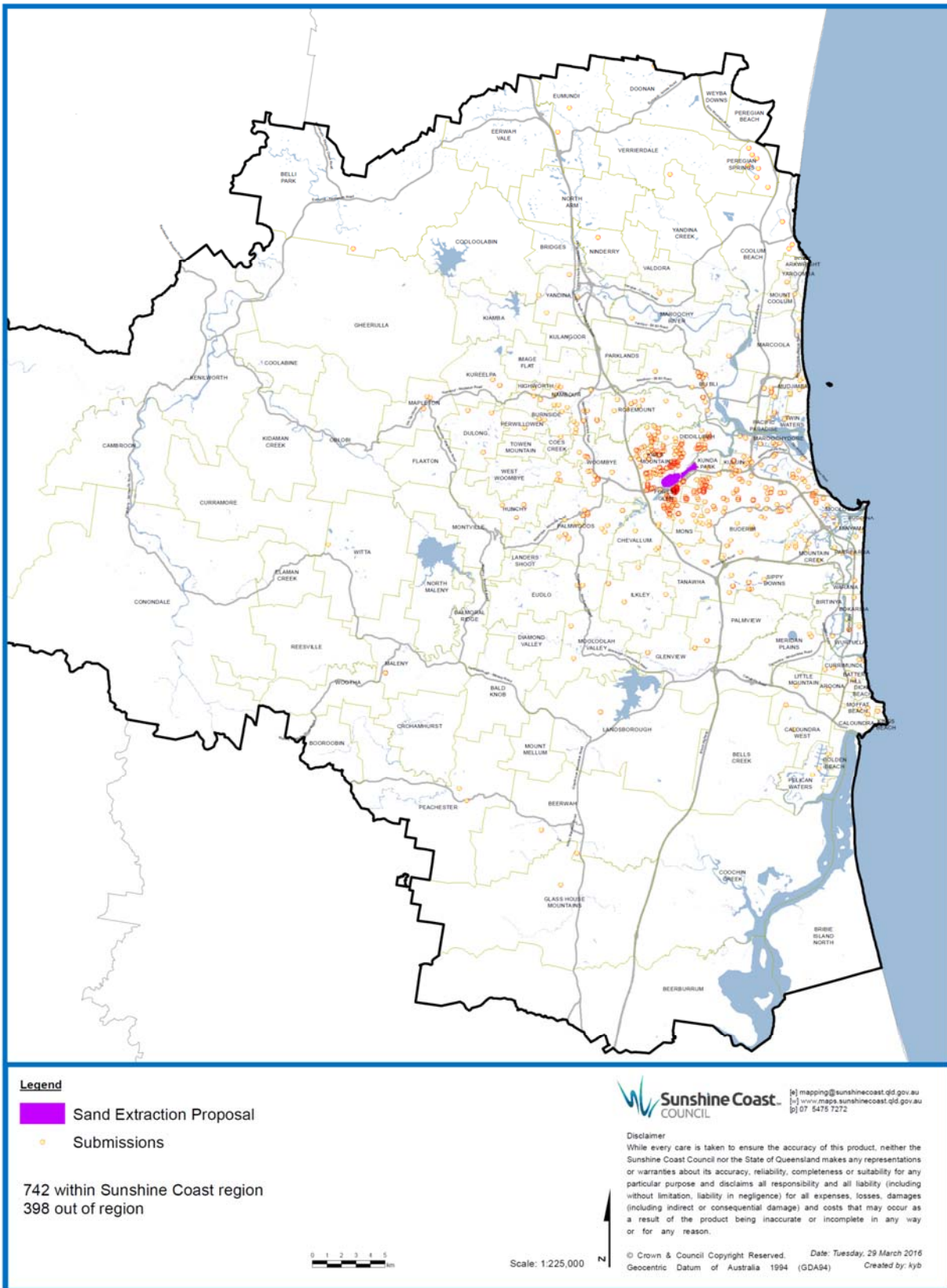
This will merit protection and provide opportunities for further enhancement of the environmental values in this sub-catchment.

- *If the proposed development is ultimately approved, and the use commences, it will need to be determined whether the extractive resource area on the subject land should be identified in the Sunshine Coast Planning Scheme 2014 as a Local Resource Area. This will help to protect the resource into the future and ensure that encroachment from incompatible land uses is avoided or minimised.*

Public Notification

The application was publicly notified for 30 days, in accordance with the requirements of the *Sustainable Planning Act 2009*. A total 1,140 properly made submissions, and 313 not properly made submissions were received. Council continued to receive submissions well after the closing date of 23 October 2015. No submissions supporting the proposal were received during the notification period. Included in the submissions were 4 petitions with a total of 1,571 signatures.

Submissions were received from persons across and outside the region. The figure below maps the origins of the submissions to gauge where the majority of concerns were emanating from. There are a significant number in close proximity to the site. There were also 398 submissions (representing approximately 34% of the total number of properly made submissions) whose address was located outside the Sunshine Coast Local Government Area.



Map identifying the origin of submitters

It should be noted that many submitters lodged the same or similar submissions up to three times. Some submitters lodged numerous submissions during and after the notification period. They have been included in the total numbers.

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

Issues	Comments
Public Notification process	<p>Submitters raised the issue that the proponent had not followed the proper public notification procedures thereby not allowing the community the time to assess and review the details of the application.</p> <p>The applicant lodged the necessary documentation certifying that the application was publicly notified in accordance with the requirements of the <i>Sustainable Planning Act 2009</i>. The public notification requirements, including the duration for which an application must be notified, is set by the state government through its planning legalisation and applies to development occurring anywhere across Queensland.</p>
Consultation	<p>Submitters raised issues about the lack of consultation undertaken by the applicant prior to the application process. There are no statutory obligations on the applicant to undertake community consultation. Nonetheless the applicant did undertake a stakeholder consultation during September – November 2014. The number of submissions received further supports that the local community was well aware of the application and had the opportunity to comment on the proposal.</p>
Site Location	<p>Submitters raised concerns about the location of this proposal to neighbouring land uses being low density residential, educational facilities, rural residential, the industrial area, and proximity to the Eudlo Creek corridor and surrounding waterways in the lower catchment.</p> <p>The site is centrally located on the Sunshine Coast and is located close to a number of various land uses.</p> <p>With the exception of short term visual amenity issues, the site is in fact considered to be suitable for the proposed land use. It is contained and buffered by the Eudlo Creek vegetated corridor, vegetated buffers to the east, and the Maroochydore Road corridor to the south. It also has a transport haulage route almost entirely on the state road network and in an area where the type of vehicles used are already expected. Further details about the suitability of the site have been provided throughout this report.</p>
Property Values	<p>Submitters raised concerns that should the proposal be approved, it would detrimentally impact on surrounding land valuations and property values. Property values are not a matter regulated by the planning scheme.</p>
Acid Sulfate Soils	<p>Submitters raised concerns about the presence of acid sulfate soils and the potential impacts on the adjoining waterways over the life of the proposed use. See discussion under Acid Sulfate Soils in this report.</p>
Environmental Impacts	<p>Submitters raised concerns over environmental impacts from the development in particular loss of native flora and fauna in the surrounding locality. See discussion under Vegetation and Environment Protection in this report.</p>
Impact on amenity	<p>See discussion under Visual Amenity and Landscaping in this report.</p>
Noise	<p>See discussion under Noise in this report.</p>
Dust and Health impacts	<p>Submitters raised issues of silicosis as a result of being exposed to silica as a result of the sand extraction activities. Council commissioned its own</p>

<i>Issues</i>	<i>Comments</i>
	independent report on this issue. See discussion under Dust and Particulates in this report.
Traffic	Submitters raised concerns about traffic movements on local and state controlled roads. See discussion under Traffic in this report
Cultural significance	Submitters raised concerns about the cultural significance of the site. It is the applicant's responsibility to ensure compliance with the <i>Aboriginal Cultural Heritage Act 2003</i> and obtain any necessary approvals through liaison with the relevant representatives from the <i>National Congress of Australia's First Peoples</i> . It is possible that a Cultural Management Plan may be required. An Advisory note is recommended to be applied regarding this matter, as with all development approvals.
Flooding	Submitters raised concerns over how the site may impact on flooding levels in the local Eudlo Creek and also the potential for the site whilst in flood may transport sediment and other materials off the site into local waterways. See discussion under Flooding, Stormwater and Water Quality of this report.

CONCLUSION

This is a very complex application in that it involves:

- a very large and visually impacting sand extraction proposal
- concurrence authority status for both the state and council
- very large volume environmentally relevant activities (ERAs) administered by the state government
- concerns on a wide range of issues by a large number of submitter, many of whom are local to the area around the site
- a site which is likely to be regularly inundated and which forms part of a flood plain and
- a division of interests controlled by the state government (e.g. impacts on major waterways and fish habitats, dust, noise, water quality) and by council (impact on local roads, visual impact, impact of any filling on site).

With regard to issues of overlap with the state government's jurisdiction, while council should avoid any regulation of those matters in any approval, it still has a duty to consider all of the impacts of the land use in determining its response as the "assessment manager". To this end, it needs to assure itself that the conditions of the state are capable of being met, together with any issues that arise from assessment against the planning scheme.

In this regard, one of the key issues for the state government has been that of water quality and the potential for impacts on downstream waterways (Eudlo Creek) and fish habitats. In addition to the targets set by the state in its conditions, council officers have also assessed the ability of the site to meet expected water quality targets and has imposed its own conditions. The concerns around impacts on Eudlo Creek relate primarily to:

- the transportation of sand during inundation and
- water quality involving suspended solids.

In response, it should be noted that the site, in the majority of flood events, does not convey flood waters with any notable velocity. Therefore, it is unlikely that sand will be transported into the creek in any volume. Nevertheless, where there is potential for scour to occur around the outlets of the pits, this can be mitigated through the use of anti-scour, rock lined, outlets. Further, concerns about the transportation of suspended solids can be largely managed by initial treatment of washing water from the screening area within the treatment pond above the Q100 flood level, before the water is pumped back into the pits. Thus, any

inundation of the pits (no more than two pits open at any time) is likely to result in only minimal transportation of suspended solids into the downstream waters.

Related to the water quality issues raised, council has determined that the risk can be best mitigated by ensuring that:

- the site is stabilised immediately after the topsoil is removed and stockpiled to provide the operations platform and
- no more than two pits can be open at any time and
- the site is progressively rehabilitated and re-forested.

The site works involve quite a deal of soil movement. This has been examined/modelled closely to determine that there are no off-site hydraulic impacts as a result. The applicant has been able to demonstrate negligible impacts on other properties, despite the fact that the site will be regularly inundated.

A deal of concern has been expressed by residents about the impacts of the truck movements on local roads. However, only a small section of Eudlo Flats Road and Stark Lane is part of the haul route and under council control and maintenance. The rest of the haul route is on roads controlled and maintained by the Department of Transport and Main Roads, including Old Maroochydore Road. The department has imposed its own conditions relating to its roads. Thus, there is little concern for council about road maintenance issues. Conditions have been recommended preventing any use of Eudlo Flats Road, north of the site entry, for haulage; all haulage is to be along the approved haul route.

In addition to road maintenance issues, there is a concern about road haulage noise. However, less than 10 houses fronting Old Maroochydore Road are directly affected; these have never had noise barriers erected to the noise from either the new or old Maroochydore Roads, and the additional traffic noise would prove minimal in the overall impacts from the main roads. The "Forest Pines" estate is protected by full noise attenuation barriers.

Noise from the operations on site is also of concern to nearby residents, especially those living north of the site. The main sources of noise would be from:

- the dredge operation
- front end loaders
- trucks loading material on the operations platform
- the screening area activities and
- pumps circulating water to/from the pits and the main operations platform.

Noise studies have been supplied and reviewed for each of these activities. Further, inspection of other similar sand extraction sites has been undertaken to determine how such sites operate and the problems/complaints that can arise. The state government has imposed upper limits in its conditions, which match the background noise levels arising from Maroochydore Road traffic, and it is believed that these can be met. However, where complaints are received in the future, the operators are required to respond to those; it is in their best interests to do so in order to avoid costly and disruptive legal actions.

Thus, the main remaining concern is that of visual impact, particularly in the view from Maroochydore Road in the 3–5 year horizon, until the buffer planting obtains some height to screen the activities on the operations platform and the extraction pits. However, in the longer term, there is also an impact from the loss of the open, expansive rural views which are currently available to motorists on the western approaches to Kunda Park. The current urban boundaries are well defined by the heavy screening of natural vegetation just west of Kunda Park (north side of main road) and along the island of land that separates new Maroochydore Road from Old Maroochydore Road, east of Whites Road. The effect of the

buffer planting along the edge of the north side of Maroochydore Road will be to close off the long-range open views, but replace them with a “green corridor” to match that on part of the southern side.

The proposed dedication of land around the perimeter of the site should be noted as a public benefit which would result from any approval.

Given that the impacts of the proposal can be mitigated by the design, staging of operations (including rehabilitation) and the conditions imposed by the state government and council, with the exception of the visual impacts, it is recommended that the resource be permitted to be used and the application be approved.

Therefore, the application is recommended for approval subject to conditions.

8.1.2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES (SHOWROOM, GARDEN CENTRE AND RESTAURANT, SERVICE STATION AND CONVENIENCE RESTAURANT), RECONFIGURE A LOT (1 LOT INTO 4 LOT) AND OPERATIONAL WORKS (PLACING AN ADVERTISING DEVICE)

File No:	MCU15/0298
Author/Presenter:	Principal Development Planner Planning and Environment Department
Attachments:	Att 1 - Proposal Plans 159 Att 2 - Concurrence Agency Response 169

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1727243>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Bunnings Group Limited
Proposal	<ul style="list-style-type: none"> • Development Permit for Material Change Of Use of Premises (Showroom, Garden Centre and Restaurant, Service Station and Convenience Restaurant) • Development Permit to Reconfigure a Lot (1 lot into 4 lots) • Development Permit for Operational Work (Placing an Advertising Device)
Properly Made Date:	16/12/2015
Information Request Date:	21/01/2016
Information Response Received Date:	22/07/2016
Decision Due Date	27/09/2016
Number of Submissions	982 properly made & 80 not properly made submissions. Of the total properly made submissions, 980 were against, 1 was for and 1 was neutral
PROPERTY DETAILS	
Division:	9
Property Address:	39 Barns Lane, Coolum Beach
RP Description:	Lot 102 SP 161821
Land Area:	6.828ha
Existing Use of Land:	Vacant
STATUTORY DETAILS	
Planning Scheme:	Maroochy Plan 2000 (16 September 2013)
SEQRP Designation:	Urban Footprint
Strategic Plan Designation:	Urban Village Centre
Planning Area / Locality:	Planning Area No.11 – Coolum Beach

Planning Precinct / Zone:	Precinct No. 7 – Coolum West Gateway (Master Planned Community)
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application over land at 39 Barns Lane Coolum Beach for:

- Development Permit for Material Change of Use of Premises (Showroom, Garden Centre and Restaurant, Service Station and Convenience Restaurant)
- Development Permit to Reconfigure a Lot (1 lot into 4 lots)
- Development Permit for Operational Work (Placing an Advertising Device).

The application is before council because of the significant level of public interest, with 982 properly made submissions having been received.

The application is subject to assessment against the *Maroochy Plan 2000*, with no weight able to be applied to the *Sunshine Coast Planning Scheme 2014*.

EXECUTIVE SUMMARY

The proposal seeks approval to establish a 5,850m² gross floor area Bunnings, together with a freestanding Service Station and Convenience Restaurant (each comprising a gross floor area of 300m²) located in the site's south east corner towards the junction of Barns Lane and Yandina-Coolum Road. The proposal also seeks approval to subdivide the site into 4 allotments in order to enable development staging and to provide future development possibilities on separate land titles, as well as establish associated advertising devices (the Operational Works component).

The application was lodged by Bunnings Group Limited concurrently with two other separate and independent applications over the same site. Each of the three applications is similar in nature, differing primarily with regard to the size of the proposed Bunnings store and the consequential number of new allotments proposed for future development. The application which is the subject of this report is known as "Scheme C" and proposes a Bunnings store having a gross floor area of 5,850m². The other two concurrent applications were known as "Scheme A" and "Scheme B", with proposed gross floor areas of 12,150m² and 8,600m² respectively. These applications were refused by council at its Ordinary Meeting of 16 June 2016.

The key issues presented by the application are that of scale, the nature of the proposal in serving a district level catchment, as well as impacts to visual amenity. In relation to each of the matters, the application was found to conflict with the intent for the Coolum Beach planning area, the Coolum West Gateway (Master Planned Community) precinct, as well as the Retail and Centres Hierarchy and the Visual Amenity strategy of the Strategic Plan. The application has not demonstrated sufficient grounds for approval despite the conflict with the planning scheme.

The abovementioned issues were raised by submitters during the public notification period for the application.

Key to council's assessment of the application are the specific provisions contained within Volume 3 of the planning scheme in relation to the Coolum Beach planning area and Coolum West Gateway precinct. While the precinct is intended to support a Showroom development, it is envisaged that this is to occur in a manner where the range of goods and services does not compete with that available in the Village Centre Precinct and that Coolum Beach

remains a casual, seaside village serving local needs only. The planning scheme states that residents of Coolum have indicated they are prepared to forgo the provision of higher order and larger scale retail and commercial services in order to maintain local character and identity.

The proposed Bunnings, at 5,850m² gross floor area, is of a size that is out of character for Coolum, would perform much more than just a local role and would compete with other stores that are already appropriately located within council's planning framework. The proposed Service Station and Convenience Restaurant component, in combination with the proposed Bunnings store, would accentuate the above identified conflicts with the planning scheme and should not be supported.

The proposed subdivision of the site, at this stage, would create "development ready" allotments that are not able to be developed due to planning restrictions. In this way, the proposed subdivision is considered premature and should not be supported

Given the above, the application is recommended for refusal.

OFFICER RECOMMENDATION

That Council REFUSE Application Nos. MCU15/0298, REC15/0233 and OPW15/0796 for a Development Permit for Material Change of Use of Premises (Showroom, Garden Centre and Restaurant, Service Station and Convenience Restaurant), Development Permit to Reconfigure a Lot (1 Lot into 4 Lots) & Development Permit for Operational Work (Placing an Advertising Device) situated at 39 Barns Lane, Coolum Beach, for the following reasons:

- (a) the proposal does not comply with the intent for the Coolum Beach planning area**
- (b) the proposal does not comply with the intent for the Coolum West Gateway (Master Planned Community) precinct**
- (c) the proposal conflicts with the Urban Development strategy**
- (d) the proposal conflicts with the Retail and Commercial Centres Hierarchy**
- (e) building mass is not characteristic of Coolum identity and, even when buffered by landscaping, has the potential to appear out of place and**
- (f) the proposal has not demonstrated sufficient grounds in the public interest to justify or override the identified conflicts with the planning scheme.**

FINANCE AND RESOURCING

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

Council's Infrastructure Policy Branch have advised that the total infrastructure charge estimated for the reconfiguring a lot component is \$30,576, and \$996,267 for the material change of use component.

This is council's proportion of the maximum infrastructure charge described in the State Planning Regulatory Provisions.

PROPOSAL

The application seeks approval for a Development Permit for Material Change of Use (Showroom, Garden Centre and Restaurant, Service Station and Convenience Restaurant), a Development Permit to Reconfigure a Lot (1 lot into 4 lots) and a Development Permit for Operational Work (Placing an Advertising Device) on land at 39 Barns Lane, Coolum Beach.

The application was lodged by Bunnings Group Limited concurrently with two other separate and independent applications over the same site. Each of the three applications are similar in nature, differing primarily with regard to the size of the proposed Bunnings store and the consequential number of new allotments proposed for future development. The application, which is the subject of this report, is known as "Scheme C" and proposes a Bunnings store having a gross floor area of 5,850m². The other two concurrent applications were known as "Scheme A" and "Scheme B", with proposed GFAs of 12,150m² and 8,600m² respectively. These applications were refused by council at its Ordinary Meeting of 16 June 2016.

The applicant states the purpose for the three concurrent applications is to maximise its potential options for achieving a development outcome over the site now that the land zoning has reverted back to Rural with the introduction of the *Sunshine Coast Planning Scheme 2014*.

The subject application has been lodged following council's approval, in August 2015, to allow assessment of the application under the superseded planning scheme (i.e. the *Maroochy Plan 2000*). Had council refused to allow assessment under the superseded planning scheme, the landowner may have exercised a right to claim financial compensation as a result of lost land use entitlements by the taking effect of the Rural Zoning and other specific provisions of the Sunshine Coast Planning Scheme.

Each component of the subject application is described below:

Material Change of Use Component

The proposal is to establish a Bunnings Warehouse store (with a gross floor area of 5,850m², together with a freestanding Service Station and Convenience Restaurant (each comprising a gross floor area of 300m²) located in the site's south east corner towards the junction of Barns Lane and Yandina-Coolum Road.

The proposed Bunnings store reflects the typical Bunnings layout and product lines, including its main "warehouse" retail floor, internal café, timber trade sales, building materials and landscape yard, outdoor nursery and bagged goods canopy.

The proposed tenants for the Convenience Restaurant and Service Station are either yet to be determined or not disclosed by the applicant. Planning staff anticipate that a common franchise fast-food restaurant would operate out of any approved Convenience Restaurant on the site.

The applicant purports that the proposed development concept closely reflects a previous approval issued by the Planning & Environment Court in 2003 (which has since lapsed) for showrooms and other uses over the site. The details of all past applications and approvals are tabulated later in this report.

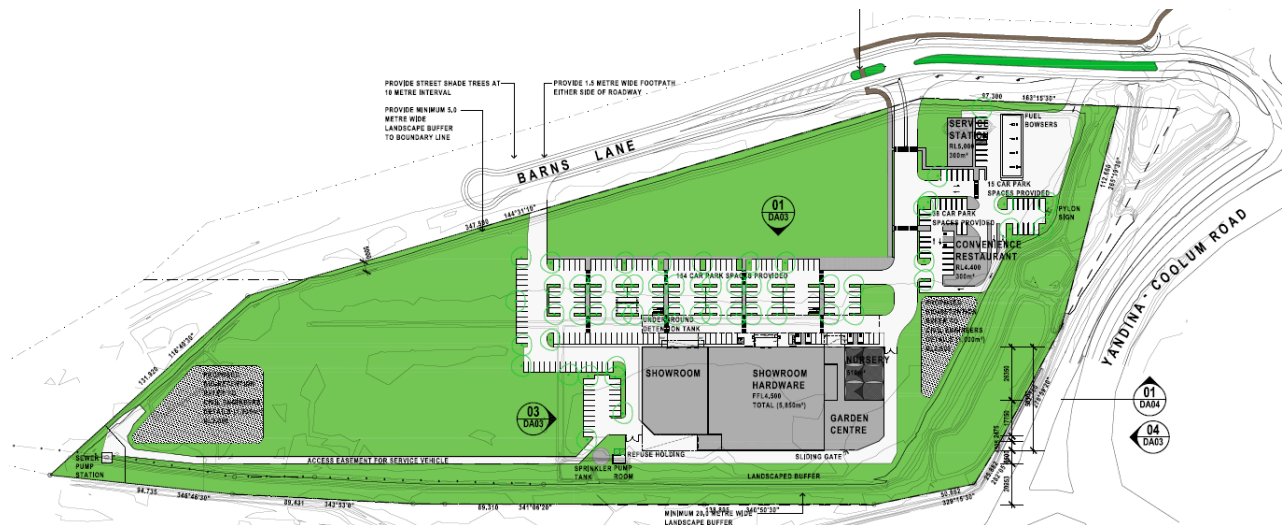
Aside from gross floor area, some other key aspects of the design concept as shown on the plans include:

- a maximum building height of 7.75m for the Bunnings building (reducing to approximately 6.25m for the garden centre/nursery component)
- a maximum building height of 8m for the Service Station, and 5.7m for the Convenience Restaurant
- a total site cover of approximately 9.5%
- 207 carparking spaces, comprising 154 for the Bunnings building, 15 for the Service Station and 38 for the Convenience Restaurant
- minimum building setbacks of 5m to Barns Lane, approximately 29m to Yandina-Coolum Road and 20m to the Sunshine Motorway and
- landscape planting buffers of approximately 20m to the Sunshine Motorway and 40m to Yandina-Coolum Road.

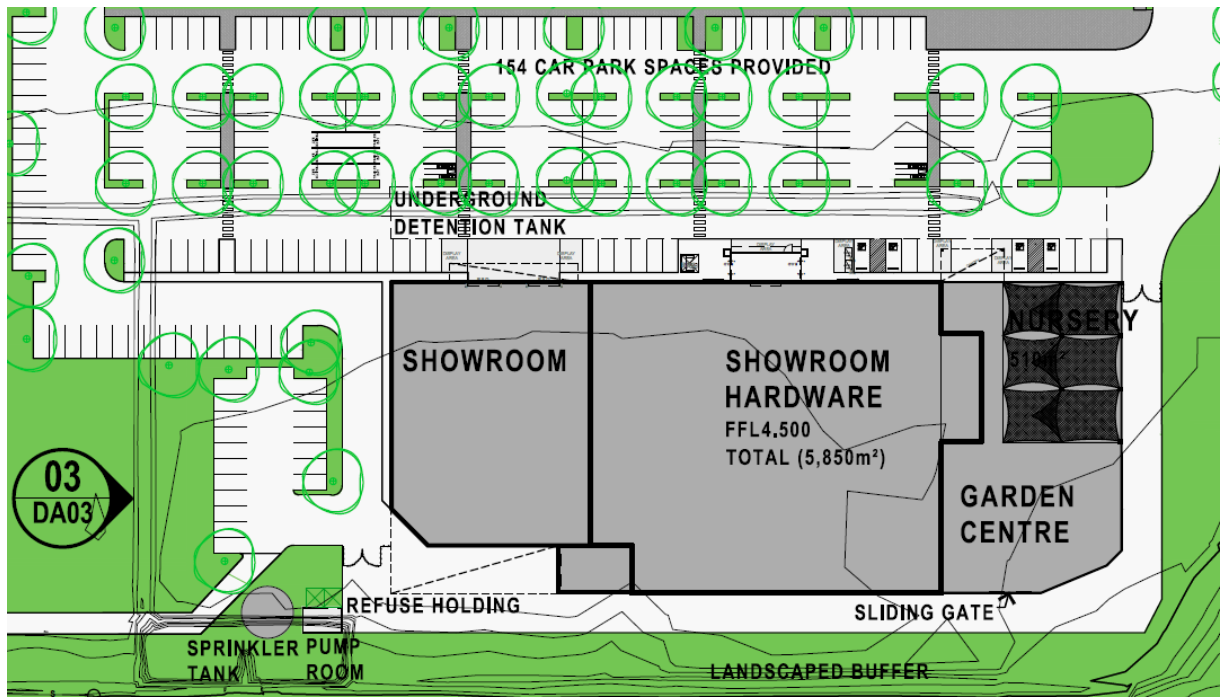
The Bunnings building is proposed to orient its main entrance eastward, with its back to the Sunshine Motorway (behind a landscape buffer). The Convenience Restaurant and Service Station are proposed in the south-east corner of the site, near the junction of Barns Lane and Yandina-Coolum Road.

The development would be served by three separate vehicle access points from Barns Lane, the first of which is an entry only that would provide convenient access for motorists to the proposed Service Station. The application proposes connections to, and extensions of, the existing pedestrian footpath network in the vicinity of Barns Lane.

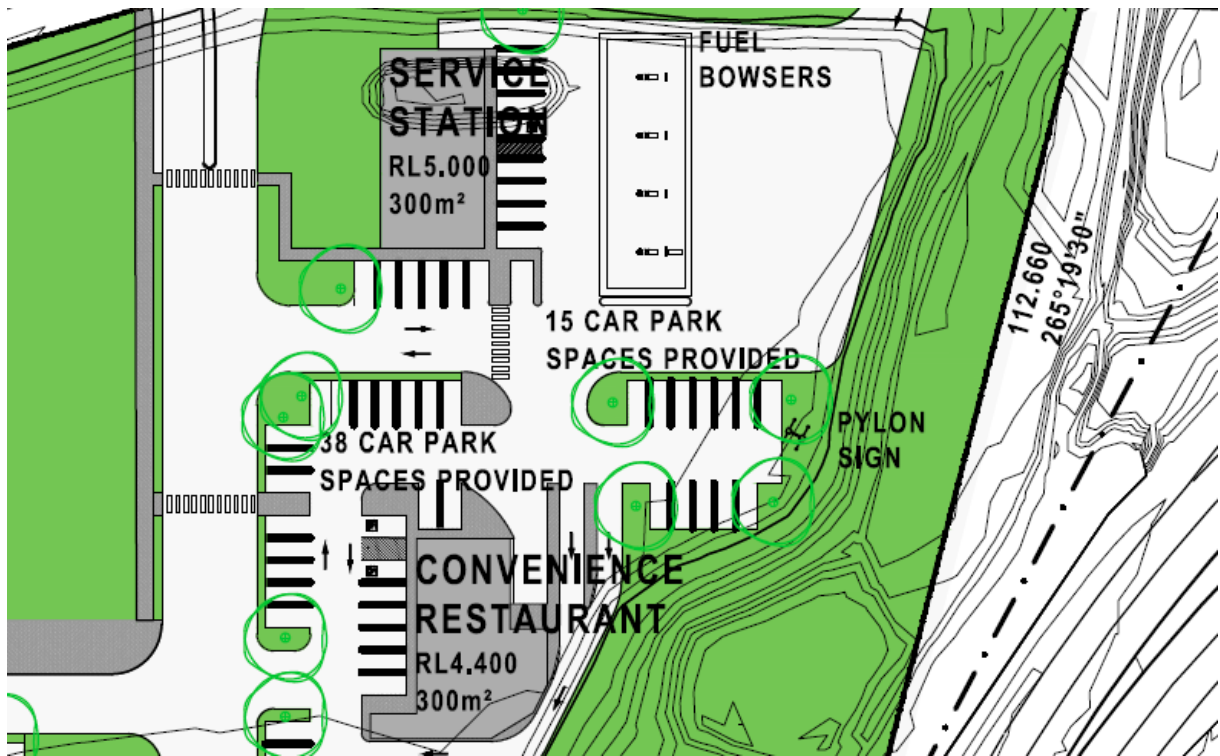
The proposed design concept is depicted in the images below:



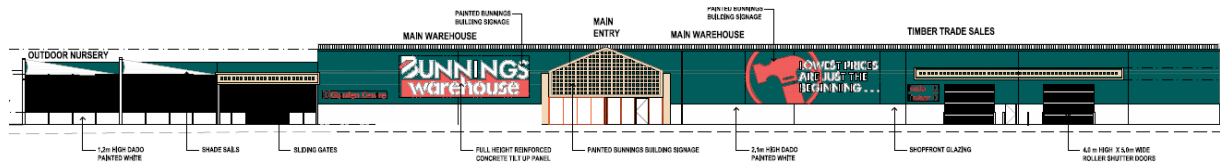
Overall site plan



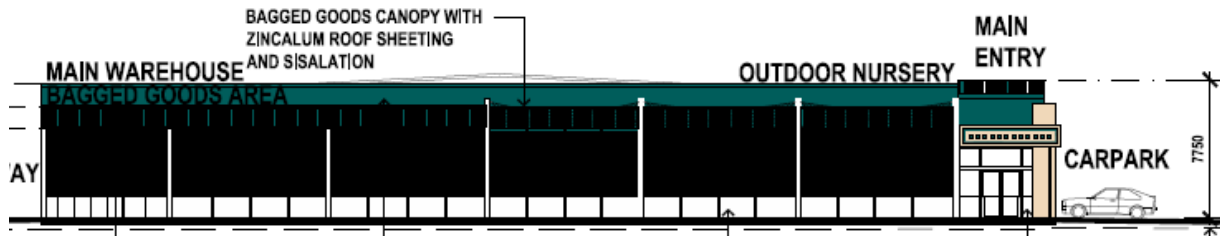
Bunnings Warehouse building



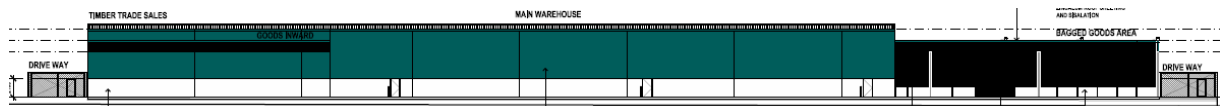
Service Station & Convenience Restaurant



East Elevation (view from Barns Lane)



South Elevation (view from Yandina-Coolum Road)



West Elevation (view from the Sunshine Motorway)



North Elevation (view from the Sunshine Motorway)

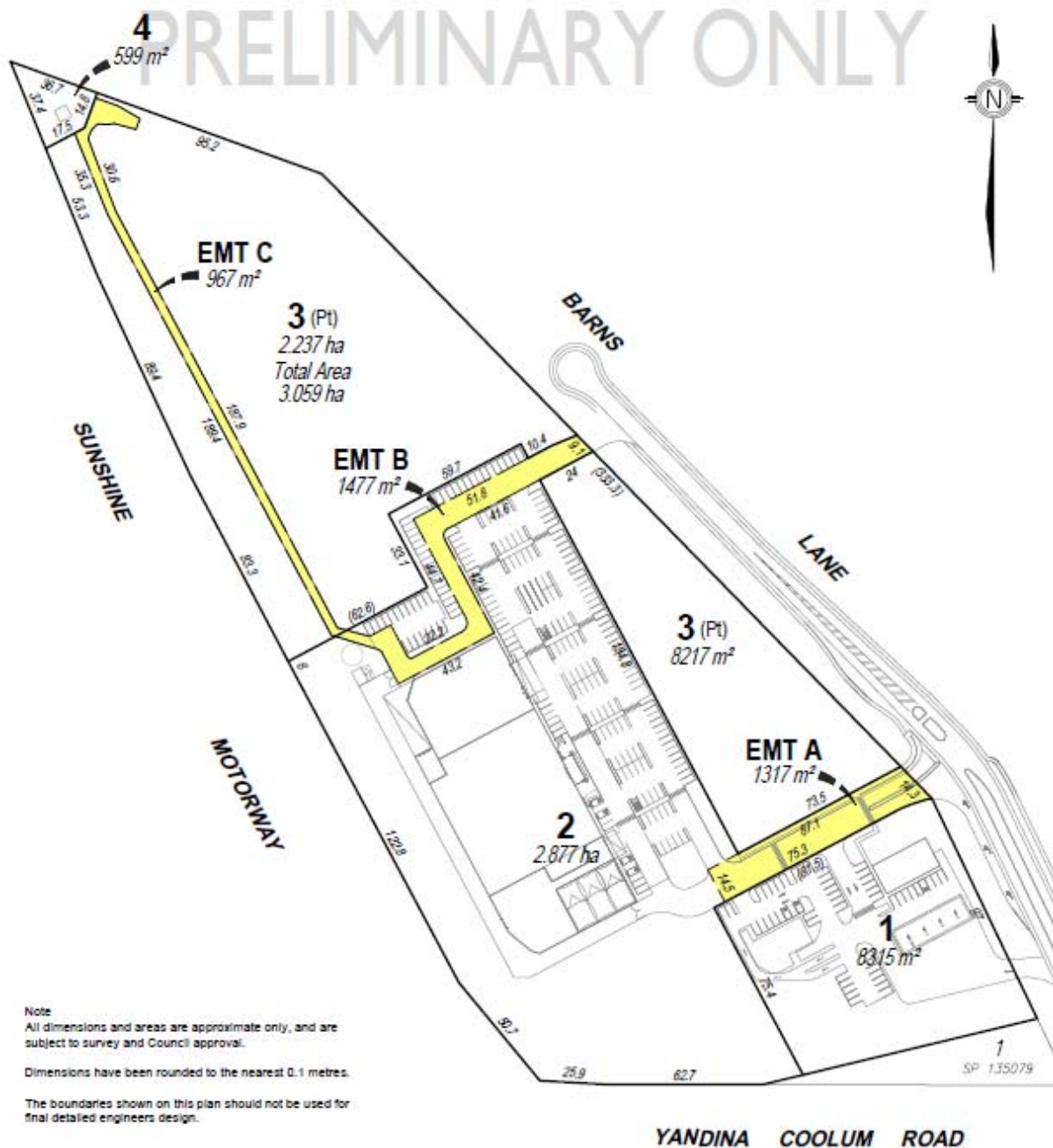
Reconfiguring a Lot Component

The applicant proposes to subdivide the overall site into 4 allotments in order to enable development staging and to provide future development possibilities on separate land titles.

Easements are proposed between the allotments to enable lawful access for all lots across the site and to the road network.






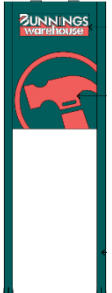
The proposed lots are described in the following table and accompanying image:

Proposed Lot	Proposed to Contain	Area
1	Service Station, Convenience Restaurant and associated parking	8,315m ²
2	“Bunnings” Warehouse and associated parking	2.877ha
3	Balance lot – future development	3.059ha
4	Balance lot – sewer pump station	599m ²



Operational Works Component (Advertising Devices)

The submitted application includes an Operational Work component seeking approval for five wall signs (painted to the building) and a single freestanding pylon sign (with a maximum height of 7m), described as follows:

Sign No.	Type/Sign Face Area (m ²)	Location	Example
1	Flush Wall Sign (3.2)	Main entrance facing east	
2	Flush Wall Sign (53.3)	Main entrance facing east	
3	Flush Wall Sign (70.5)	Main entrance facing east	
4	Flush Wall Sign (4.8)	Main entrance facing east	
5	Flush Wall Sign (53.3)	Facing north	
6	Pylon Sign (6)	Facing in a general east to west direction (parallel with Yandina-Coolum Road), to be constructed just south of the Service Station building	

The applicant states that a separate application for additional signage for the proposed Convenience Restaurant and Service Station will be made at a later time.

All signage originally proposed on the western and southern building elevation facing the Sunshine Motorway and Yandina-Coolum Road has now been removed by the applicant.

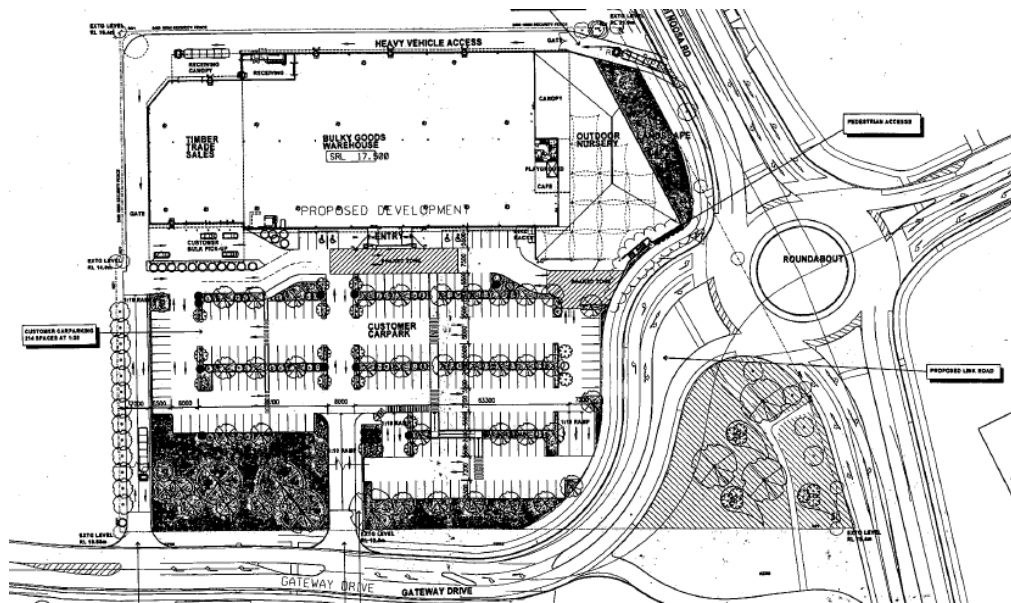
Comparison to Existing "Bunnings" Stores

To assist in providing context to the proposed development, the following sections describe the existing Bunnings stores in the Sunshine Coast area.

Noosaville

On 4 November 2010, the Planning & Environment Court dismissed an appeal by the applicant giving effect to a Material Change of Use approval for a Bunnings Warehouse at 178 Eumundi Noosa Road, Noosaville.

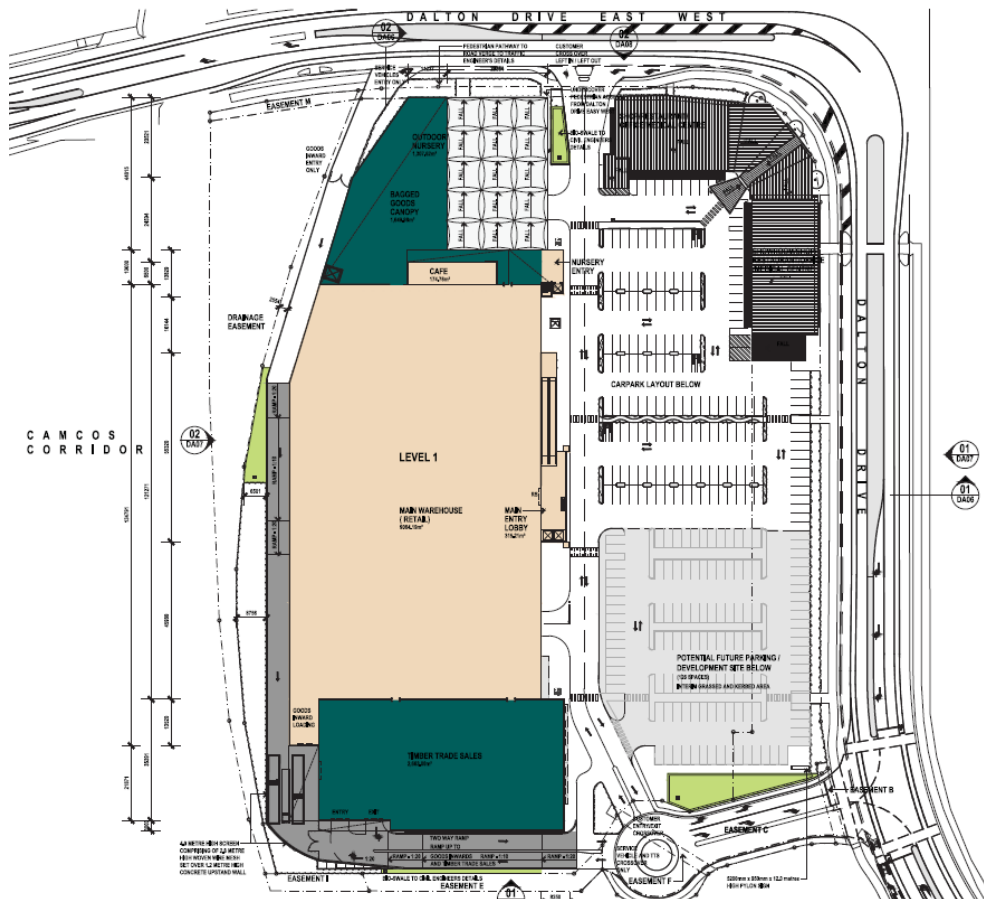
The application was assessed under the Noosa Plan, and its approval allowed a Bunnings store of approximately 7,750m² (inclusive of a 1,860m² nursery area).



Maroochydore (Dalton Drive)

On 5 September 2012, council issued a Negotiated Decision Notice for Material Change of Use approval for a Showroom and Shopping Complex at 70-98 Dalton Drive, Maroochydore.

The approval allowed a Bunnings Warehouse up to a maximum GFA of 15,000m² (inclusive of a 2,957m² nursery area and a 2,663m² timber trade area).



The new Dalton Drive store replaced the previous Maroochydore store located in the homemaker centre on Maroochydore Road, which had a GFA of 8,935m² and was constructed as part of a 1998 rezoning approval.

Caloundra

The Bunnings Warehouse building at Caloundra was a redevelopment of the then “BBC” hardware store site and other vacant land at 54-56 Caloundra Road, Little Mountain.

A Negotiated Decision Notice for Material Change of Use was issued on 14 March 2005 for Showrooms, Nursery and Food Outlet. The approval allowed a Bunnings Warehouse with a GFA of approximately 14,210m², together with two additional showrooms of 995m² and 1,146m².

SITE DETAILS

Background/Site History

The subject site was once the home of the “Llama Farm” tourist attraction and accommodated a rural produce store. The complex history of development applications and approvals that have occurred since that time include the following:

MCU01/0088 – Development Permit for Material Change of Use of Premises for Showrooms, Service Station, Convenience Restaurant, Garden Centre & Shopping Complex – Supermarket)

An application was submitted on 29 June 2001 seeking approval for a range of commercial uses including:

- supermarket (2,750m²)
- five Showrooms (in a modular format to allow a variety of tenancies, with a total of 4,900m² GFA)
- Service Station (300m²)
- Convenience Restaurant (300m²)
- stand alone Garden Centre (750m², plus additional 1,250m² outdoor growing area).

Plans submitted as part of the application indicated an additional four Showroom tenancies (2,800m²) as well as an Indoor Sports Centre (5,200m²) as possible future development. These “future development” components did not form part of the application.

The application was impact assessable and attracted 126 properly made submissions.

A Negotiated Decision Notice approving the development was issued by council on 27 November 2002, but was later appealed by submitters, mainly in relation to the approved supermarket component but also the quantum and scale of commercial development on the site. The Planning & Environment Court dismissed the appeal on 12 September 2003 and ordered that the development be approved subject to conditions.

The Service Station component was not granted a Development Permit but, rather, a Preliminary Approval only by the Court.

MCU01/0089 – Development Permit for Material Change of Use of Premises for Funeral Parlour & Special Use – Crematorium

An application was submitted on 2 July 2001 seeking approval for a Funeral Parlour and Crematorium in the site’s north-western corner.

The application was run concurrently with the MCU01/0088 application mentioned above and attracted 2 properly made submissions, both objecting to the proposed development.

Council approved the development by Negotiated Decision Notice dated 26 November 2002.

REC04/0206 – Application to Reconfigure a Lot (1 Lot into 4 Lots)

An application was submitted on 27 October 2004 seeking to subdivide the site into four lots to reflect commercial development approved as part of MCU01/0088 and MCU01/0089 mentioned above.

The applicant withdrew the application by letter dated 31 July 2012 following requests by council that a masterplan first be prepared for the site.

MCU05/0069 – Application for Material Change of Use of Premises (Shopping Complex – Supermarket, Showrooms, Convenience Restaurant, and Garden Centre)

An application was submitted on 24 May 2005 seeking approval for four Showrooms having a cumulative GFA of 8,315m², one of which was to accommodate a 5,815m² Bunnings Warehouse.

The four Showrooms, including the Bunnings store, were proposed in concert with, and additional to, the Supermarket, Showrooms and other commercial uses approved by the Court in 2003. The land area proposed to be occupied by the new uses was generally the same area at the rear of the site identified in the 2003 Court approval for unapproved “future development” components including a possible future indoor sports centre.

The proposal was impact assessable and attracted 68 submissions (20 in support and 48 opposed).

Council refused the application in February 2006 and an appeal was subsequently lodged by the applicant. The appeal was heard in December 2006 and ultimately dismissed by Court judgement delivered on 7 March 2007. His Honour Judge Dodds’ concluded his reasons for dismissing the appeal as follows:

“....

The major impediment to the proposal the subject of the appeal is conflict with the planning scheme. The conflict lies in the type and intensity of the proposed development, in addition to that already approved particularly with the proposed “Bunnings” use.

It may be concluded from the evidence that what is proposed, together with that already approved, would be accessed by persons from across a wide area. Consumer’s choice would no doubt be enlarged. That, however, is a long way from showing existing facilities of the type proposed are inadequately provided for.

I do not consider any planning grounds sufficient to overcome the conflict with the provisions of the scheme are evident. The appellant has not discharged its onus.

Appeal 84 of 2006 is dismissed.”

MCU05/0218 – Development Permit for Material Change of Use of Premises (Service Station)

An application was made for a full Development Permit for the proposed Service Station that was only granted a Preliminary Approval in the original Planning & Environment Court approval of 2003.

Council approved the development by Decision Notice dated 20 July 2007.

MCU06/0100 – Development Permit for Material Change of Use of Premises for Car Washing Station

An application was made for a Car Washing Station to be constructed in association with the above described approved Service Station.

Council approved the application by Negotiated Decision Notice dated 10 October 2007.

MCU08/0105 – Application for Material Change of Use of Premises (Shopping Complex – Aldi Supermarket)

On 30 June 2008, an application was submitted to Council for a 1,500m² Shopping Complex. The proposal sought to establish an Aldi supermarket within the floor area previously approved for showroom purposes under the 2003 Court approval.

On 7 August 2008, Council issued an Information Request seeking further information to satisfactorily assess the proposal citing a range of inconsistencies with the planning scheme provisions. The application lapsed on 23 August 2010 after the applicant failed to respond to Council's Information Request during the statutory timeframe.

EXT09/0064 and EXT09/0065 – Extension to the Relevant Periods for MCU05/0218 & MCU06/0100 for Service Station and Car Washing Station

On 3 November 2009, Council approved two separate requests to extend the life of the Service Station and Car Washing Station approvals.

EXT10/0029 – Application for Extension to the Relevant Period for MCU01/0088 Development Permit for Material Change of Use of Premises for Showrooms, Service Station, Convenience Restaurant, Garden Centre & Shopping Complex – Supermarket)

On 15 June 2010 a request was submitted to extend the life of the original 2003 Court approval by a period of 2 years.

On 13 September 2010, Council refused the request and the approval lapsed. The cited reasons for refusal were that:

- the Retail Centre Hierarchy provisions of the Maroochy Plan 2000 had changed since the time of the original application and the approval was inconsistent with the current provisions of the Maroochy Plan 2000
- the community awareness of the current development approval had diminished since the original approval resulting from the drawn out period of time between public notification, approval and the current request and
- the community would have had further rights to make a submission and it was considered likely the community would exercise those rights.

The applicant appealed Council's decision not to extend the life of the approval, but then, on 16 June 2011, elected to discontinue the appeal.

This marked the end of the 2003 Court approval.

MCU12/0170 – Application for Material Change of Use (Showroom – Bunnings Warehouse) and Preliminary Approval Overriding the Planning Scheme (Showroom, Shopping Complex, Shop, Convenience Restaurant, Fast-food Store, Service Station, Car Washing Station and Indoor Recreation)

On 25 October 2012 (at some point after Bunnings Group Limited had acquired the site), an application was submitted to Council for a 11,768m² Bunnings Warehouse (inclusive of a 2,000m² future expansion area).

The application proposed a fresh design concept over the entire site, and included components seeking subdivision into four lots and the creation of a planning framework (by Preliminary Approval Overriding the Planning Scheme) to guide appropriate development over the balance of the site for nominated commercial and non-residential uses.

On 28 November 2012, council issued an Information Request together with advice that, in council's opinion, the scale of the proposed development would be unlikely to satisfy the *Maroochy Plan 2000* provisions.

The applicant withdrew the application on 6 January 2015 after the *Sunshine Coast Planning Scheme 2014* had taken effect and zoned the land Rural, and after council had granted requests to allow lodgement of fresh applications under the superseded planning scheme (see below).

SPS14/0037, SPS14/0038 & SPS15/0130 – Requests to Assess and Decide a Proposed Development Application Under the Superseded *Maroochy Plan 2000* for a Material Change of Use for Showroom, Garden Centre and Restaurant (Bunnings Warehouse), Convenience Restaurant and Service Station

On 19 December 2014 and then 3 August 2015, council approved three separate requests to apply the superseded *Maroochy Plan 2000* to three proposed development applications. Council's approval of these requests extinguished any possible landowner claim for financial compensation as a result of lost land use entitlements by the taking effect of the Rural Zoning and other specific provisions of the Sunshine Coast Planning Scheme.

The three proposed development applications were identified by the applicant as Schemes A, B and C. "Scheme C" is the subject of this report.

MCU15/0099, REC15/0098 & OPW15/0294 ("Scheme A") – Application for Material Change of Use (Showroom, Garden Centre and Restaurant, Service Station and Convenience Restaurant), Reconfiguring a Lot (1 Lot into 5 Lots) and Operational Work (Placing an Advertising Device)

On 9 June 2015, an application was submitted to Council for a 12,150m² Bunnings Warehouse, Service Station and Convenience Restaurant as well as a subdivision and signage component.

On 7 July 2015, council issued an Information Request together with advice that, in council's opinion, the scale of the proposed development would be unlikely to satisfy the *Maroochy Plan 2000* provisions.

On 16 June 2016 at council's Ordinary Meeting, council refused the application.

In response, an appeal against council's decision has been lodged by the applicant.

MCU15/0100, REC15/0099 & OPW15/0295 ("Scheme B") – Application for Material Change of Use (Showroom, Garden Centre and Restaurant, Service Station and Convenience Restaurant), Reconfiguring a Lot (1 Lot into 5 Lots) and Operational Work (Placing an Advertising Device)

On 9 June 2015, an application was submitted to Council for an 8,600m² Bunnings Warehouse, Service Station and Convenience Restaurant as well as a subdivision and signage component.

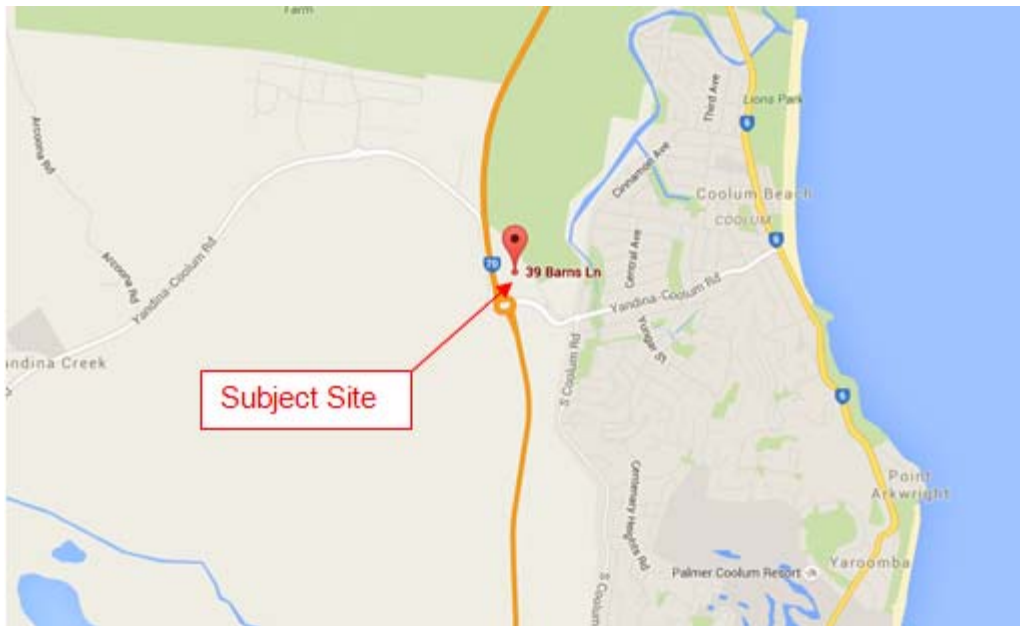
On 7 July 2015, Council issued an Information Request together with advice that, in Council's opinion, the scale of the proposed development would be unlikely to satisfy the *Maroochy Plan 2000* provisions.

On 16 June 2016 at council's Ordinary Meeting, council refused the application.

In response, an appeal against council's decision has been lodged by the applicant.

Site Description

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



The site is 6.828ha in area, generally level and occupies the land area between Barns Lane, Yandina-Coolool Road and the Sunshine Motorway. The site has a road frontage of 407m to the Sunshine Motorway, 250m to Yandina-Coolool Road and 577m to Barns Lane.

The site forms part of the entrance “gateway” to Coolool Beach to visitors/residents travelling via the Sunshine Motorway and Yandina-Coolool Road. The site is approximately 1.8km to the east of the Coolool foreshore and village precinct.

The site was originally low-lying but has since been filled in accordance with bulk earthworks approvals that stem from conditions of the 2003 Court approval (now lapsed).

The site is largely cleared, other than a strip of mature vegetation located along the site’s southern boundary to Yandina-Coolool Road, western boundary to the Sunshine Motorway and northern boundary to Barns Lane.

An aerial image of the site as well as adjoining uses is shown on the image below.



Surrounding Land Uses

Land to the west and south of the site is vacant rural land previously used for cane production (now limited grazing) and performs a drainage/flood plain function. Land to the north and east is the Noosa National Park. Land to the south-east of the site is occupied by the Coolum State Primary School. Further south-east is a local shopping village and Woolworths supermarket on South Coolum Road.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

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

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

Statutory Instruments – State and OtherState Planning Policies

The State Planning Policy took effect in December 2013 and is applicable to this application.

The State Planning Policy has not been formally incorporated into the applicable version of the *Maroochy Plan 2000*. The application is, therefore, required to be assessed against the applicable components contained within Part E of the State Planning Policy: *Interim development assessment requirements*. The following State interests under Part E are triggered for the proposed development:

- Water Quality (land subject to Stormwater Management Design Objectives)
- Emissions and Hazardous Activities (land within a Management Area)
- Natural Hazards (land within a Flood Hazard Area & Potential Bushfire Impact Buffer).

The State interest requirements of the State Planning Policy are broad provisions that directly overlap with provisions already contained in the applicable version of the Maroochy Plan 2000 (and which are discussed elsewhere in this report). However, for completeness, the following brief assessment is provided.

With regard to Water Quality, the application involves a total combined hardstand impervious area of 22,202m², which is 32% of the total site area (68,280m²) and is, therefore, subject to the water quality requirements of the State Planning Policy. Development is required to avoid or otherwise minimise adverse impacts on the environmental value of receiving waters arising from stormwater quality or flow.

The applicant did not provide information demonstrating compliance with the State Planning Policy. Nonetheless, council's hydrology specialist has advised that the proposed stormwater quality treatment system is able to be supported (other than for the reconfiguring a lot component, as discussed later in this report). If the development was to be approved, conditions could be imposed requiring water quality leaving the site to meet acceptable standards.

With regard to Natural Hazards, council's hydrology and ecology specialists are satisfied the proposed development would adequately avoid or mitigate the risks associated with the potential flood and bushfire hazards. Their reasons are explained later in this report under the assessment against the planning scheme codes.

South East Queensland Regional Plan

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

State Planning Regulatory Provisions

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

- South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions
- State Planning Regulatory Provision (Adopted Charges)

The proposal is consistent with the above State Planning Regulatory Provisions.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is Maroochy Plan 2000 (16 September 2013). The following sections relate to the provisions of the Planning Scheme.

Volume 3 Local Area Provisions

The Maroochy Plan 2000 describes the detailed local planning provisions in Volume 3 as representing council's specific planning intent for a particular locality or area, and prevailing to the extent of any inconsistency with the more general statements contained in Volume 2 (the Strategic Plan). The Volume 2 Strategic Plan provisions are discussed later in this report.

The subject site is located in the Coolum Beach Planning Area (No.11), and more specifically the Coolum West Gateway Planning Precinct (No. 7), and has a Master Planned Community precinct class.

Vision Statement and Coolum Planning Area Provisions

The Vision expressed for Coolum is that it *"will remain a small coastal community focused on its seaside location"* and that it *"will have a compact village centre and will provide only a limited range of goods and services to meet the immediate needs of residents and visitors to the locality."*

This Vision is reiterated in the following local planning provisions which apply to all development in the Coolum Planning Area.

".... It is also the role of this Planning Area to:

- ...
- *provide for Coolum Beach to remain a small scale tourist centre;*
- *provide for the Coolum Beach Village Centre to retain a small scale providing goods and services to residents of and visitors to Coolum.*

(Vol 3, Section 3.11.1)

"Coolum Beach will remain a casual, seaside village serving local retail, business, dining and entertainment needs only. The residents of Coolum have indicated they are prepared to forgo the provision of higher order and larger scale retail and commercial services in order to maintain local character and identity."

(Vol 3, Section 3.11.2(2)(a))

"Commercial and business activities will be concentrated in the area north of Beach Road, south of Margaret Street and east of Sunrise Street. This will be a small scale Village Centre, accommodating a mix of boutique retail, business and community facilities. Within this Planning Area, the scale of retail and commercial activities will be limited to serving the immediate catchment area of Coolum and will not serve a district or higher order function."

(Vol 3, Section 3.11.3(1)(a))

The proposed 5,850m² Bunnings Warehouse conflicts with all of the above provisions. It is clear, from the expressed planning statements, that development within Coolum is intended to be small scale with commercial uses predominantly located in the Village Centre Precinct. Most notably, local character, amenity and village identity were identified by locals as being of greater importance than the provision of higher order and larger scale retail and

commercial services, which could typically be accessed by a 10-15 minute car trip to either Noosa or Maroochydore.

The proposed Bunnings store would trade to a catchment area well beyond Coolum. An independent economic peer review assessment commissioned by council advises the proposed Bunnings would draw approximately 85% of its trade from the identified Primary Trade Area of Coolum Beach, Peregrin Springs, Yaroomba, Peregrin Beach, Mount Coolum, Marcus Beach, Point Arkwright, Valdora, Yandina Creek, Verrierdale, and part of Maroochy River. An estimated 15% of its revenue would come from the secondary trade area (or "reference areas" as labelled by the applicant), which include the suburbs of Marcoola, Mudjimba, Twin Waters, Pacific Paradise, Eumundi, Eerwah Vale, North Arm, Bridges, Ninderry, Yandina and Kulangoor.

Council's independent economic expert is of the view that the resident population of the Primary Trade Area, which is likely to be 32,000 persons by 2021, is very small for a Bunnings Warehouse where typically Bunnings stores would serve catchments greater than 50,000 persons. This indicates the proposed Bunnings store is larger than what would ordinarily be expected for a population the size of Coolum, particularly when considering the context that Coolum residents already have the benefit of two existing Bunnings stores in close proximity.

The proposed development is large for Coolum, both in terms of its trade catchment and scale, and is, therefore, considered in conflict with the above expressed planning intent for development in Coolum to remain small in scale and serving a local catchment only.

Coolum West Gateway Precinct Provisions

The subject site occupies the entire land area included in the Coolum West Gateway Planning Precinct (No. 7). As such, all provisions expressed for this Planning Precinct are applicable to the subject site.

The provisions identify that the site plays an important role as an entry statement into the Coolum Beach township, and that:

"Showrooms would be an appropriate use for this precinct, provided the following criteria were met to Council's satisfaction:

- *Buildings set within well landscaped grounds;*
- *Carparking located behind the buildings and not visible from the Sunshine Motorway and the Coolum-Yandina Road which forms the main entrance into the township;*
- *A range of goods and services which does not compete with the range of goods and services available in the Village Centre Precinct. Items for sale in this precinct should be restricted to larger scale items such as bulky goods.*"

The development complies with the first two statements insofar as it proposes a showroom that would sit behind a landscaped buffer, with its carparking unlikely to be visible from the Motorway nor Yandina-Coolum Road. However, the proposed showroom would not be able to achieve compliance with the third test that it must be restricted to the sale of larger scale bulky goods items with a range that does not compete with those available in the Coolum Village Centre. Bunnings stocks a large range of goods, many of which are not bulky. Council's economic expert estimates the likely impact of the proposed Bunnings on other local hardware and related stores in the Primary Trade Area would be in the order of -15% to -25% and is likely to cause trading difficulties for these stores. This estimate is much higher than the -3% stated by the applicant in their submitted Economic Impact Assessment.

The list of existing stores identified by the applicant as being affected includes:

- Coolum Beach Mitre 10, located within the Coolum Village Centre Precinct
- Peregian Beach Home Timber & Hardware
- Yandina Home Timber & Hardware
- Peregian Garden Centre
- Poolwerx Coolum, located within the Coolum Village Centre Precinct
- PaintRight Coolum
- Coolum Reece Plumbing Centre
- The Rock Landscape and Garden Supplies
- Hume Doors and Timber
- Coolum Tile and Stone Studio
- Simon Home Frame & Truss, Sunshine Coast
- Lifestyle Windows
- Gowan Lea Timbers, Mudjimba
- Warehouse for Builders, Mudjimba
- Coolum Community Native Nursery

In addition to those stores identified by the applicant, submitters have also identified a number of other stores likely to be affected, including local mower sales/repairs, locksmiths, feedbarns, machinery hire shops, kitchen stores, and other similar stores within the trade catchment area. The potential impacts of a Bunnings Warehouse are wide reaching due to the diverse range of home improvement products stocked, including but not limited to bulk timber, bathroom and kitchen, builders hardware, building supplies, floor coverings, hand tools and power tools, lighting and electrical, nursery and garden supplies, paint and decorator supplies, and equipment hire.

Had the proposed Bunnings store been consistent with council's local planning aspirations for Coolum, as expressed through the retail hierarchy and local precinct provisions, the economic trade impact on other retailers would simply become a matter of commercial competition not regulated by the planning scheme. However, because the planning scheme does not envisage the subject site accommodating a hardware store having characteristics of the proposed Bunnings, the impacts on other lawfully established businesses that fit within the desired planning framework must be given considerable weight. Any decision to allow a large unanticipated commercial development could upset the orderly planning for commercial uses within the planning scheme area. Indeed, the Coolum West Gateway Planning Precinct itself specifically provides that any showroom on the site must not have a range of goods and services that competes with that available in the Village Centre Precinct.

The applicant points out that *'the proposed retail style and range of products is very different from that typically available in the Village Centre, which typically comprises boutique clothing and other smaller specialty retail, cafes, restaurants, and services such as banks and real estate agents'*. While this may be true with regard to specialty retail, professional offices, boutique eateries and the like, the proposed Bunnings store would still compete with the range of goods and services provided by at least Coolum Mitre 10 and Poolwerx Coolum, both of which are located within the Village Centre Precinct. It would also compete with the large number of other stores listed above that are located within the Bunnings catchment area but not specifically within the defined Coolum Village Centre Precinct.

For the reasons above, the proposed development is considered to be in conflict with the Coolum West Gateway precinct provisions.

It should be noted the Precinct provisions also allow for a range of other land uses including indoor recreation (where an indoor sports centre), outdoor recreation and government facilities where they are consistent with the intent and desired character of the precinct. When adding to these an allowance for small scale showrooms, it is apparent the subject site was intended to accommodate those key local shopping and other services that, because of

their typical design characteristics, are not easily located within established centre areas intended for more fine-grained development. As explained above, the proposed Bunnings store does not meet with this intent because it:

- would perform much more than just a local role
- would compete with other stores that are already appropriately located within council's planning framework
- would not provide an essential community service such as government or sport and recreational facilities for Coolum and
- would have a built form and building scale that, despite being small by Bunnings standards, is uncharacteristic for Coolum and not in keeping with its desired character and identity as prescribed in the planning scheme.

Proposed Service Station & Convenience Restaurant

Planning staff previously reported to Council in 2002 (prior to the 2003 Court approval) that both a Service Station and Convenience Restaurant, where incorporating a drive-through facility, could be considered appropriate on the site. The assessment found that, because such uses are typically land consumptive in their design orientation around cars, an alternative location within Coolum's Village Centre Precinct along the coastal tourist strip would be a poor location for them. Such uses could jar with the intent for the village centre to primarily accommodate small retail outlets and boutique eateries with some residential units above ground level. This assessment is supported by the Village Centre Precinct provisions which expressly state:

"It is not expected that any further convenience restaurants will establish in this precinct, instead smaller boutique restaurants and eateries will be encouraged."

While the subject site does present an opportunity to establish a Service Station and Convenience Restaurant outside the coastal tourist strip, neither use is actually identified as a Preferred and Acceptable Use for the Coolum West Gateway precinct. Approval of these uses could potentially lead to an undesirable "highway service centre" becoming the entry statement to Coolum Beach. The site is well positioned to attract the patronage of passing Motorway users and would undoubtedly perform well as a small highway service centre. Such an outcome could conflict with the expressed intent for the site to be developed in such a way that creates an attractive and appropriate entry statement to what is currently a scenic beachside township with a busy but local and small scale (or "boutique") identity.

When combined with a proposed Bunnings store on the site, the ability of a Service Station and drive-through Convenience Restaurant to attract passing trade from the Sunshine Motorway accentuates the overall proposal's non-compliance with Key Character Element 3.11.3(1)(a) that "...*Within this Planning Area, the scale of retail and commercial activities will be limited to serving the immediate catchment area of Coolum and will not serve a district or higher order function*".

For these reasons, the proposed Service Station and Convenience Restaurant are not recommended for approval as part of the development concept in its current form.

Comparison to Previous Commercial Approval

The applicant purports that the proposed development concept closely reflects the previous approval issued by the Planning & Environment Court in 2003 (which has since lapsed) for showrooms and other commercial uses over the site.

While there is some similarity between the two development concepts (e.g. both involve Showrooms, Service Station and Convenience Restaurant uses), the current application differs in scale and expected trade catchment. The previously approved showroom floor space was limited to 4,900m² for the entire site and was designed in a modular format such that the floor space could be distributed across five smaller showroom tenancies. That

development outcome would likely have resulted in a “home-maker village” type complex with smaller tenancies more directly targeted at the Coolum catchment area.

Despite the history of various commercial uses approved on the site, there has not yet been an approval issued for a very large format commercial showroom that would have the trade catchment area that Bunnings proposes, well beyond the immediate area of Coolum. The current application is considered to fail the same planning provisions that were challenged by Bunnings Group Limited’s last attempt to obtain an approval over the site, when the Planning & Environment Court dismissed its 2005 application for reasons that were summarised as follows:

“....

The major impediment to the proposal the subject of the appeal is conflict with the planning scheme. The conflict lies in the type and intensity of the proposed development, in addition to that already approved particularly with the proposed “Bunnings” use.

It may be concluded from the evidence that what is proposed, together with that already approved, would be accessed by persons from across a wide area.

...”

For the subject application, Bunnings are not attempting to co-locate with other previously approved commercial uses on the same site (which was the case in 2005) but, at 5,850m², the proposed stand-alone Bunnings store would still draw trade from a very large catchment area causing the same planning scheme conflicts that were previously considered by the Court.

Volume 2 Strategic Provisions

Volume 2 of the planning scheme contains the Strategic Plan which establishes the strategic policy to be considered in the assessment of impact assessable development. The Strategic Plan includes Desired Environmental Outcomes (DEO), Strategic Implementation Measures and further detailed measures to address broad strategic issues across the region.

While the subject application is assessable against the Strategic Plan in Volume 2, it is the Planning Area provisions in Volume 3 that represent council’s specific planning intent for each locality and, therefore, constitute the primary basis for assessment. The Preface statements to Volumes 2 and 3 specifically state that:

“It is an incorrect use of the Strategic Plan, and an incorrect interpretation of this Planning Scheme, to rely on anything in the Strategic Plan to support or justify as being consistent with the Planning Scheme, an outcome which is contrary to the Planning Area provisions or the provisions of a Structure Plan.”

This is the context for performing an assessment against the Strategic Plan in Volume 2.

Urban Development and Retail and Commerce Strategies

In the Strategic Plan mapping, Coolum Beach is identified as both “Urban” and a “Village Centre”.

Sections 3 and 4 of the Strategic Plan set out the Shirewide strategies for “Urban Development” and “Retail and Commerce”, and are supported by statements identified as Key Issues, Objectives and Implementation Measures.

Of relevance under the Urban Development strategy is Implementation Measure (1) of Section 3.5.6, which states:

“Approval is only likely to be granted to development of retail, commercial and service uses which are to be located on a specific site (in a Centre Precinct or site specifically identified) and which offer a service only to local communities (other than in the Maroochydore Principal Activity Centre) and are consistent with the intent for, and desired character of the Planning Area and Precinct in which it is to be situated. Consideration will be given to the characteristics of the proposed use, including its location and scale, which determine its accessibility to its locality and its ability to service areas beyond an immediate locality and consequently diminish the vital role played by such facilities in providing a community focus and identity.”

Of relevance under the Retail and Commerce strategy are the provisions relating to the Retail and Commercial Centres Hierarchy, providing for the desired location of centre activities and policies for limiting ribbon development.

Section 4.3.2 (Major Activity Centres – dot point 1):

“The Major Activity Centres at Nambour and Sippy Downs will complement the Principal Activity Centre, with the establishment of higher order retailing, commercial and service functions encouraged to establish here in preference to the lower order centres in the hierarchy”

Section 4.3.3 (Village Centres – dot point 4):

“The total GFA for commercial uses in Village centres may consist of no more than 1,000m² GFA on any single development site.”

Section 4.3.3 (Village Centres – dot point 7):

“Development within a Village centre which fragments the centre or creates a focus away from the established centre in that locality will not be supported”

Section 4.4.1 (Village Centres – Item 23):

“The existing David Low Way based facilities at Coolum are the Village centre. Retail and commercial activities in Coolum Beach will be concentrated between Beach Road in the south and Margaret Street in the north, to be consistent with the Coolum Beach Village Centre Precinct in the Coolum Beach Planning Area in Volume 3 of this Planning Scheme.”

All of the cited provisions above build upon the local planning intent previously discussed for the Coolum Beach Planning Area in Volume 3. There is a clear policy direction within the Strategic Plan that the centres hierarchy for the overall planning scheme area must not be compromised. Individual development within an identified Village Centre such as Coolum must not create a focus away from the established centre area, with commercial/retail development to be small scale and serving the needs of the local catchment only. Higher order retailing and commercial development is to be established in the higher order centres.

Because of the scale of the proposed development and the higher order nature of Bunnings, and in combination with the Service Station and Convenience Restaurant components, it is considered the proposal would create a focus away from the Village Centre Precinct of Coolum Beach and diminish the established character and identity of Coolum as a local beachside community as opposed to a destination for bulk retailing.

The proposed development is thus considered to be in conflict with aspects of the Shirewide “Urban Development” strategy and the Shirewide “Retail and Commerce” strategy.

Visual Amenity Strategy

The Visual Amenity Strategy in Section 7 of the Strategic Plan is also relevant to the proposed development. It outlines a strategy to provide for the protection of the Shire's highest environmental values, land with aesthetic qualities and how visually important landforms should inform the design, character and intensity of development.

Of relevance to the proposed development are the following sections.

Section 7.4.2 (2):

“Specific attention will be focused on development in the vicinity of the ridges between the railway towns and the coast (such as Kiel Mountain), isolated mountains such as Rosemount, Ninderry, Peregian, Coolum and Eerwah, the Blackall and Conondale Ranges, Buderim Escarpments...”

Section 7.4.3 (1), (2) and (3):

“Council may request that it be demonstrated how a proposal on sites abutting the Bruce Highway, Sunshine Motorway and David Low Way and other major roads as identified by Council, or on sites close to and visible from these roads, is to project an attractive image to motorists travelling along the relevant road.”

“Council may not support or may require modifications to proposals which may compromise the character of a rural, natural or otherwise intrinsically attractive scene. Unless the proposal is considered unacceptably intrusive, modifications may relate to elements such as buffering, landscaping, building setbacks and lot reconfiguration design.”

“Council will seek to implement landscape works in the Shire's major road reserves. Where a development site abuts a State controlled road, such landscaping is to be provided as part of the buffering for visual amenity and for traffic noise, emissions and dust attenuation.”

Section 7.4.4 (1):

“In assessing relevant applications for development of land in the Shire's rural towns and in discrete urban centres that display cohesive characters, the Council will encourage the enhancement of that character having regard to the intent and desired character of the Planning Area and Precinct in which the site is situated...”

Mt Coolum is identified as contributing to the picturesque natural setting of Coolum Beach and that the residents of Coolum Beach are stated in the planning scheme as having chosen to forgo the provision of higher order and larger scale retail and commercial services in order to maintain local character and identity. It is clear that development within the Coolum Beach planning area is to be small scale in order to maintain the casual, seaside character and identity of the town. Natural and topographical elements of the planning area, including Mt Coolum and the green space alongside the Motorway (both the open canelands and melaleuca forests), should be given considerable emphasis, particularly in their role in maintaining and enhancing the character of the Coolum Beach planning area by providing a backdrop to its urban parts.

The following images have been provided by the applicant as to the likely appearance of the development from the Sunshine Motorway:



Council's urban design specialist has reviewed the proposal and raises concern about the bulk and scale of the proposed Bunnings Warehouse building, which at approximately 121m in length without articulation, may cause adverse visual impacts to the entry of the Coolum Beach and potentially cause a large urbanised structure out of character with the open space and landscape setting of the Sunshine Motorway.

Despite being smaller in scale and bulk than Bunnings' previous "Scheme A" and "Scheme B" proposals, the proposed development (at 121m in building length and 5,850m² in size) would be uncharacteristic of the current and planned built form outcomes in Coolum, and would define the entry to Coolum in this uncharacteristic way.

The preferred built form at this location would be more suited to a series of individual, smaller scale buildings set within a landscape of trees, beyond the proposed landscape buffer. This outcome would reduce the overall scale of the development into a more suitable coastal character with smaller nodes and a more "casual" atmosphere.

Council's landscape specialists are satisfied the proposed 20m wide landscape buffer would be sufficient to achieve an effective vegetative screen of the building over time. However, the presence of a large structure behind a landscaped solution may still be noticeable to motorists, particularly given the 7.75m height of the proposed building on land which still yet requires additional fill of approximately 400-500mm to be placed.

Council's urban design specialist is also concerned about other elements including the proposed sewage pump station adjacent to the Sunshine Motorway and the parking and drive-through facilities close to the boundary with Yandina-Coolum Road. These components of the development will likely be visible and, therefore, require further assessment should an approval of the development be contemplated.

Grounds Despite Conflict

In response to council's Information Request, the applicant formally contends the development application is not in conflict with any of the planning scheme provisions cited in above and is, therefore, not required to satisfy the test prescribed in the *Sustainable Planning Act 2009* of demonstrating that sufficient grounds exist in the public interest to justify the development despite the conflicts.

The key reasons cited by the applicant include:

- the proposal will not prejudice the viability of the Major Activity Centres at Nambour and Sippy Downs, nor the Principal Activity Centre at Maroochydore. This point was agreed between previous Court experts for the 2005 Bunnings application
- the planning scheme does not mandate that showrooms cannot establish on the subject site, and in fact are a consistent use in the Precinct
- the proposal will not be in a lower order centre
- the proposal will service a local catchment and will not compete with the Major Activity Centres by drawing customers from further afield
- population growth, retail demand trend changes, and changes in the retail landscape underscore that the proposal is appropriate to the Primary Trade Area
- demand for the proposal exists in the local Primary Trade Area
- the subject site is not actually shown on the Strategic Plan mapping as being within the part of Coolum identified as the Village Centre
- the proposal will not fragment the Coolum Village, and will not create a focus away from the main village centre because of the different role it plays to the subject site and the difference in the nature of uses
- the proposal will re-capture expenditure that is currently lost from Coolum Beach as a consequence of the area being poorly served by hardware stores
- the proposal will not impact the casual, seaside village character of Coolum
- the proposed Bunnings warehouse is a good match for Coolum and appropriate to the needs of the Primary Trade Area (local catchment)
- Coolum can viably host a Bunnings store and
- the Code for Town and Village Centres is not applicable to the proposal and therefore the maximum 1000m² GFA requirement does not apply.

Some of the arguments put forward by the applicant have merit. As discussed in this report, there is clearly an aspiration in the planning scheme for some form of commercial development on the site and for the subject site to play a different role for Coolum residents than the role played by the Village Centre Precinct. However, it is the heavy qualifiers that the planning scheme places on that aspiration that the proposed Bunnings store is unable to meet, mainly to do with scale, trade catchment area and compatibility with the existing and desired character for Coolum to remain small and local and served by lower order retailing only.

Council's economic expert agrees the proposal will not have a significant impact upon the higher order centres at Maroochydore, Nambour or Sippy Downs. This point is not in dispute for the proposal.

Council's expert also agrees with the applicant that, if approved, there would be benefits to the community with regard to improved range, price and convenience. These benefits are described as "significant" by Council's expert. However, it must be remembered that community benefits relating to the improvement of consumer choice will exist for any new commercial development proposal, regardless of where it is and whether it fits within the planning for the local area. In this case, the planning scheme explicitly provides in Volume 3, Section 3.11.2(2)(a) that *"the residents of Coolum have indicated they are prepared to forgo the provision of higher order and larger scale retail and commercial services in order to maintain local character and identity"*. Thus, community benefits resulting from improved

consumer choice are stated by the planning scheme as not being valuable to Coolum residents as compared to maintaining local character and identity. For this reason, there are not considered to be sufficient grounds in the public interest to justify the development despite the planning scheme conflicts.

However, if council were to approve the proposed development, the following are considered to be relevant and reasonable conditions that should be imposed to assist a public benefit argument as well as manage issues with the current design:

- in addition to the required upgrades to Barns Lane, the provision of a formalised car parking area for the adjacent Coolum State School
- landscape boulevard treatment along Yandina-Coolum Road extending from the site's south western corner to the Yandina-Coolum Road / South Coolum Road round-a-bout
- an attractive entrance feature to the Coolum Beach township in the road reserve along Yandina-Coolum Road
- design amendments to the buildings including comfortable and shaded pedestrian access and movement routes as well as awnings where required
- plantings within car parking areas
- dedicated pedestrian walkways through car park aisles and connections to an easily accessible and legible building entrance
- inclusion of all buffer planting along the length of the Sunshine Motorway into one allotment to enable a single entity to be responsible for maintenance as well as ease of compliance
- all stormwater detention and treatment areas for the proposed Bunnings building must occur on the same allotment that accommodates the Bunnings and
- relocation of the proposed sewage pump station to ensure it is not visible from the Sunshine Motorway.

For reasons given below (response to Code for Reconfiguring Lots), the proposed reconfiguring a lot component of the application is not recommended for approval, even if council were to approve the proposed land uses.

Land Use and Works Provisions

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

- Code for Town and Village Centres
- Design Code for Community Safety and Security
- Landscaping Design Code
- Transport, Traffic and Parking Code
- Operational Works Code
- Integrated Water Management Code
- Waste Management in Commercial and Community Uses Code
- Service Stations and Car Washing Stations Code
- Code for Reconfiguring Lots
- Siting and Design of Advertisements Code

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

Code	Discussion
Code for Town and Village Centres	<p>The Code for Town and Village Centres applies to the development in that the application is impact assessable and, therefore, subject to assessment against the whole of the planning scheme to the extent relevant.</p> <p>Acceptable Measure A1.1 of Element 1 of the code requires that <i>“any premises used for commercial purposes and having a GFA of over 1000m² are located only in a Town Centre Core or Town Centre Frame precinct.”</i></p> <p>The proposed Bunnings Warehouse building would be used for commercial purposes and comprise a GFA of 5,850m²; but is not proposed within a Town Centre Core of Town Centre Frame precinct (rather the Master Planned Community precinct). As such, the proposal must demonstrate compliance with Performance Criteria P1 in that <i>“premises must be of a type and scale consistent with the desired character of the Precinct and locality in which it is situated”</i>.</p> <p>Town centre core and frame precincts include locales in Maroochydore, Nambour, Sippy Downs, Mooloolaba and Kuluin and are intended to provide for higher order and intense retail, commercial, community, civic and entertainment uses in Major Activity Centres and Major Tourist Nodes.</p> <p>As detailed in the above assessment section of this report, the proposed Bunnings store does not meet the intent of the Coolum West Gateway precinct and Coolum Beach planning area because it:</p> <ul style="list-style-type: none"> • would perform much more than just a local role • would compete with other stores that are already appropriately located within Council’s planning framework, and • would not provide an essential community service such as government or sport and recreational facilities for Coolum • would have a built form and building scale that, despite being small by Bunnings standards, is uncharacteristic for Coolum and not in keeping with the desired character and identity as prescribed in the planning scheme. <p>It is thus considered that the proposal is in conflict with Performance Criteria P1 of the Code for Town and Village Centres in that the proposal is not of a type and scale consistent with the desired character of the precinct and locality in which it is situated.</p>
Landscaping Design	<p>Council’s landscape specialist advises that the proposal complies with the Code for Landscaping Design. The key issue for assessment is the landscape buffer/screen to the Sunshine Motorway to which the planning scheme requires a 40m wide vegetated buffer (and 20m to other state-controlled roads including Yandina-Coolum Road).</p> <p>The applicant proposes a continuous 20m wide buffer to the Sunshine Motorway, and approximately 40m to Yandina-Coolum Road. Council landscape officers are confident that, with correct plant species (which can be imposed through conditions), a viable screen could be established to screen the proposed building within the buffer width proposed. It should be noted that vegetation screens like this require time to achieve the required size to appropriately</p>

Code	Discussion
	<p>screen the associated development.</p> <p>Council have successfully conditioned many vegetated buffers for commercial and residential development which adjoin state-controlled roads, including:</p> <ul style="list-style-type: none"> • Kawana Way vegetated buffer adjacent to Brightwater Estate • Frizzo Road vegetated buffer adjacent to Palmview Forest Estate • Mooloolah Connection Road vegetated buffer to screen the sand mine. <p>If an approval were to be granted, a condition is recommended that all landscape buffers adjacent to the Sunshine Motorway and Yandina-Coolum Road are amalgamated into the main Bunnings allotment (proposed Lot 1). This provides full maintenance responsibility to Bunnings and makes compliance to manage if vegetation is fragmented/removed to allow sight lines to signage etc.</p> <p>Landscaping proposed along the Barns Lane frontage has exceeded the 2m code requirement. The proposal includes a 5m wide landscaped frontage within the site, as well as street trees to the Barns Lane road reserve. The opportunity exists to further condition works (as a community benefit) to landscape small areas of turf in front of the school on Barns Lane, as well as provide street trees along the Yandina-Coolum Road to the roundabout.</p> <p>A selection of appropriate shade and screening trees can be conditioned as part of the internal landscape for the car park.</p>
Transport, Traffic and Parking	<p>Council's engineering specialists advise that the proposed development complies with the Code for Transport, Traffic and Parking. The following comments are provided:</p> <p><u>Pedestrian Connections</u></p> <p>A shared pathway on Barns Lane is proposed to provide pedestrian and off-road cycle access to the site, connecting with the existing path adjacent to the Coolum State School set-down and bus stop area in the existing Barns Lane cul-de-sac. The proposed pathway also allows parents picking up children from the Coolum State School to park within the subject site and walk to the school during peak times.</p> <p><u>External Road and Street System</u></p> <p>Vehicle access to the development is proposed via Barns Lane to Yandina-Coolum Road at an existing signalised intersection. The traffic signals were constructed as a condition of a previous development approval on the site, which has since lapsed. Yandina-Coolum Road is a State-controlled road. The Department of Transport and Main Roads has identified that operation of the current signalised intersection with the proposed development is acceptable but has conditioned that the adjacent Yandina-Coolum Road/School Road/South Coolum Road roundabout be upgraded by the applicant to improve traffic capacity. The upgrade involves increasing the size of the roundabout so that two approach lanes can be provided on both the Yandina – Coolum Road (eastern and western) intersection legs. Two approach lanes on the southern (South Coolum Road) leg,</p>

Code	Discussion
	<p>as recently implemented by Council, would be retained. The applicant's traffic report submitted as part of the application advises that such an arrangement mitigates the impacts of the proposed development on this intersection.</p> <p><u>Upgrades to Barns Lane</u></p> <p>The existing Barns Lane carriageway along the frontage of the site is proposed to be upgraded to an urban road standard. As there are presently no other uses on Barns Lane, staff and parents associated with the Coolum State School currently use cleared and levelled parts of the road reserve near the school as an informal car park. This would be removed as Barns Lane is upgraded and traffic generated by the development uses the road. Some formalised parking along the school frontage of Barns Lane is proposed to be incorporated into the road upgrade. If an approval were to be granted, it is recommended that the applicant be required to construct a new school parking and set down area within the Barns Lane road reserve but offline from the main carriageway and Bunnings entrance driveways. Council's engineers have reviewed this matter and believe that an acceptable design for an offline parking and set down area could be achieved.</p> <p><u>Site Access</u></p> <p>The proposed development is to be provided with 3 access points from Barns Lane. Council engineers are satisfied that all proposed access points, sight distances, driveways and queuing arrangements could, subject to conditions, be located and designed in accordance with Council requirements.</p> <p><u>Cyclist Facilities</u></p> <p>The applicant submits that several areas within the Bunnings site are of suitable size to accommodate the required bicycle parking – however spaces have not been shown on the proposal plans.</p> <p>Shower, change room and locker facilities are proposed for Bunnings staff in an amenities area located within the proposed mezzanine staff facilities area.</p> <p><u>Car Parking</u></p> <p>Car parking spaces for the proposed development are as follows:</p> <ul style="list-style-type: none"> • Bunnings Warehouse – 154 • Service Station – 15 • Convenience Restaurant – 38. <p>Council's specialist engineer has advised that an adequate car parking quantity has been provided to the proposed development. If an approval were to be granted, appropriate conditions for parking quantity (disabled users, visitors, staff and service vehicles) would be recommended in compliance with Australian Standard AS2890.</p> <p><u>Service Vehicles</u></p> <p>The applicant submits that the proposal has been adequately designed for the servicing requirements of the proposed development. As part of the applicant's submitted traffic impact</p>

Code	Discussion
	<p>assessment, a drawing was provided demonstrating that a 19m articulated vehicle (fuel delivery vehicle) can stand along the southern boundary of the proposed Service Station, clear of the vehicle access on Barns Lane and the fuel canopy, enabling unobstructed access.</p>
<p>Integrated Water Management</p>	<p>Council's specialist hydrologist has advised that the proposed development complies with the Code for Integrated Water Management. The following comments are provided:</p> <p><u>Flooding</u></p> <p>The site is subject to flooding from the Maroochy River. It has previously been filled to bring the majority of it above the 100 year ARI flood level. This filling has been done lawfully under earlier Operational Works approvals. It is understood that the filling resulted in some loss of floodplain storage and some very minor offsite impacts on peak flood levels during the critical 36 hour 100 year ARI event.</p> <p>The site is located in a critical section of the floodplain where floodwaters from the Maroochy River floodplain enter the nearby Stumers Creek. The significance of this flow from the Maroochy floodplain to Stumers Creek is critical as it is one of only two locations where the Maroochy River discharges to the ocean, the other being the Maroochy River mouth. Any change to the landform on the site which changes the distribution of flow between the Maroochy and Stumers Creek catchments cannot be permitted.</p> <p>A flood assessment report dated 26 April 2006 was submitted in support of the original fill platform. This report assessed flood impacts associated with filling of the lot to within 6 metres of its northern and western boundaries and 20 to 30 metres of its southern boundary. There was an acknowledgement in the 2006 report that filling in close proximity to the southern boundary would cause flood impacts. The subject application now proposes development to be contained within the existing fill platform so that no offsite flood impacts would result.</p> <p>Although access to the site is not possible by car during a 100 year ARI flood event and is inundated during a probable maximum flood, it is not a high risk scenario because:</p> <ul style="list-style-type: none"> • The site is not subject to flash flooding. The Maroochy River at Coolum has a long response time to peak flood levels occurring. Sufficient warning time can be given to evacuate the site. • The length of road inundated by floodwaters is very short, meaning that the evacuation route is very short. • No persons will be living on the site. <p>If an approval were to be granted, flooding related conditions can be applied to achieve compliance with the Code.</p> <p><u>Stormwater Quality and Lawful Point of Discharge</u></p> <p>The development discharges stormwater into an area where peak flood levels are caused by a 36 hour event. This is in comparison to the site which has a critical time of concentration of 10 minutes.</p>

Code	Discussion
	<p>Hence there is no detention requirement in order to mitigate against any increase in peak flood levels. Stormwater is however proposed to be discharged to an existing cane drain so non-worsening must be demonstrated for the local catchment even though it is not required in terms of peak flood levels.</p> <p>The applicant has proposed stormwater detention so that peak flows from the development are mitigated to existing rates. Given that the site eventually discharges to a cane drain this approach is necessary because the cane drains are sensitive to any changes in the way in which local catchment stormwater is discharged to them.</p> <p>Large underground detention tanks are proposed by the applicant. However, there are issues with the current design in that detention is proposed to be poorly distributed around the site such that each of the proposed development lots are reliant on each other for stormwater detention. This matter would be required to be resolved if an approval were to be granted.</p> <p><u>Stormwater Quality/Water Sensitive Urban Design (WSUD)</u></p> <p>Stormwater is proposed to be treated to meet current best practice load based reduction targets. This is proposed to be achieved utilising two end-of-line bio-retention basins and Council's hydrology specialist advises that the design is now satisfactory, subject to resolution of some matters to do with how the basins are distributed among the proposed development lots with suitable access to them.</p>
Waste Management in Commercial and Community Uses	<p>Council's specialist environmental health officer has advised that sufficient waste storage facilities have been provided for the proposed development which is readily accessible for Waste Collection Vehicles (WCVs). If an approval were to be granted, conditions could be applied which would ensure that waste storage and servicing would be safe, convenient and not impact upon amenity.</p>
Service Stations and Car Washing Stations	<p>Notwithstanding the discussion in this report about the appropriateness of the land use, the following comments are provided in relation to demonstrating compliance with the design requirements of the Code for Service Stations and Car Washing Stations:</p> <ul style="list-style-type: none"> • The site is of a suitable area, frontage dimension, provided with appropriate vehicle crossings and can achieve appropriate landscaping • The proposal could be conditioned to provide fuel pumps and inlets which are located in accordance with AS1940 "<i>The storage and handling of flammable and combustible liquids</i>" • The proposed 163m² ancillary retail floor area exceeds the preferred maximum of 150m². However, the non-compliance is considered to be minor and not anticipated to impact on the viability of the preferred distribution of Centres. In the event of approval, the proposal could be conditioned to comply if determined necessary. • Council's environmental health specialist advises that sufficient waste storage facilities have been provided for the proposed development, readily accessible for Waste

Code	Discussion
	<p>Collection Vehicles (WCVs). In the event of approval, conditions can be applied which would ensure that waste storage and servicing will be safe, convenient and not impact upon amenity.</p>
Code for Reconfiguring Lots	<p>The proposed reconfiguring a lot component of the application is not recommended at this stage, even if Council were to approve the proposed land uses.</p> <p>The application proposes to subdivide the site into 4 allotments, whereby proposed Lot 3 could accommodate proposed future development not subject to this application. Any development within this allotment would be subject to future development applications assessed against the <i>Sunshine Coast Planning Scheme 2014</i>. Under the 2014 planning scheme the site is zoned Rural and located outside of the Urban Growth Management Boundary. Any subdivision of the site at this stage would create "development ready" allotments that are not able to be developed due to planning restrictions. In this way, the proposed subdivision is considered premature.</p> <p>A better approach would be, if Council were to approve the proposed land uses, for a strategic planning exercise to be undertaken by Council to determine whether development of the balance parts of the site should be contemplated and, if so, in what way. Until that exercise has occurred it would be unwise to approve the fragmentation of the balance land into development ready lots that might prejudice a future planning direction taken by Council.</p> <p>Until then, the proposed subdivision is considered to conflict with the Code for Reconfiguring Lots, which requires that "<i>Lot size and dimensions are consistent with the desired character of the precinct in which the lot is situated,</i>" (Element (2), P1) and "<i>Lot reconfiguration facilitates the creation of safe, convenient, functionally efficient and attractive environments, which are consistent with the desired character of the precinct in which the development site is situated</i>" (Code Purpose, item (a)).</p> <p>This approach is also consistent with the intent for the Coolum West Gateway Precinct, which states that "Council considers that a Local Area Master Plan, overall master plan or other Development Plan for this precinct is required if the precinct were to be redeveloped". It is further reinforced by the General Intent statements for the Master Planned Community precinct class, where it provides that "Development which may prejudice the implementation of preferred future infrastructure servicing or land use activities is not intended".</p>
Siting and Design of Advertisements	<p>The proposed development generally complies with the Code for the Siting and Design of Advertisements.</p> <p>The proposal seeks a total of 6 signs, 5 of which relate to flush wall signs attached to the north and eastern facing walls of the proposed Bunnings building. A single freestanding pylon sign is also proposed to be located in the site's south-eastern corner, advertising the proposed Bunnings Warehouse.</p> <p>The pylon sign is proposed to be 7m high, 2.4m wide and comprise a sign face area of 6m². The flush wall signs are proposed to comprise</p>

Code	Discussion
	<p>a combined sign face area of 191.1m².</p> <p>The key item of non-compliance is in regard to Acceptable Measure A2.1 of Element 3, which requires that no more than 4 flush wall signs are to be provided per site. The application instead proposes 5 signs. Notwithstanding, the proposal is considered to still comply with Performance Criteria P2 for the following reasons:</p> <ul style="list-style-type: none"> • The proposed flush wall signs are considered to be proportional to the building on which they are to be placed and not contribute to visual clutter. • The proposed flush wall signs have been designed such that they are complimentary to the proposed Bunnings Warehouse in terms of height and width • All flush wall signs have been removed from the western and southern building elevation facing the Sunshine Motorway.

Special Management Areas

The following special management areas are applicable to this application:

- Acid Sulfate Soils (Area 1: Land at or Below 5m AHD)
- Possible Bushfire Prone Areas (Low Hazard & Medium Hazard)
- Flood Prone Land (Flood Prone Area)
- Steep Land (15-20% and less than 15% slope)
- Wetlands Buffer (Within 100m buffer of a Wetland)
- Airports (Obstacle Limitation Surface – 154.6)

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

Code	Discussion
Code for Assessment and Management of Acid Sulfate Soils	<p>Council's environmental health specialist has advised that, while acid sulfate soils (ASS) may potentially be disturbed as a result of excavation works, this is considered to be a minor risk as the majority of the site has already been filled.</p> <p>Excavations for services and underground petrol tanks may encounter ASS, to which an investigation and management plan would be required to be provided at Operational Works stage prior to any works commencing. It is noted that this was previously a requirement of the Court and would be carried through as part of this development if an approval were to be granted.</p>
Code for Development in Bushfire Prone Areas	<p>The site is mapped as a low and medium on the bushfire hazard overlay and thus triggers the Code for Development in Bushfire Prone Areas.</p> <p>Council's specialist ecologist advises that although a portion of the site is contained within a mapped medium bushfire hazard area (along the frontage of Barns Lane) the application meets the requirements of the Code. The site design allows for a separation distance of more than 1.5 times the height of the neighbouring</p>

Code	Discussion
	vegetation insofar as the proposed buildings are set back behind the proposed car park and the Barns Lane road corridor. The road network to and from the development allows easy access for fire-fighting and other emergency services. If an approval were to be granted, a requirement to prepare a site bushfire evacuation plan could be imposed by conditions of approval.
Code for Development on Steep or Unstable Land	<p>The site is mapped as containing areas of steep land (less than 15%). Despite this mapping, it is noted that the site has been filled as part of previous Operational Works approvals and is currently topographically level.</p> <p>Council's specialist engineer has advised that the Code for Development on Steep or Unstable Land does not apply.</p>
Code for Waterways and Wetlands	<p>The application triggers the Code for Waterways and Wetlands due to its proximity to a mapped significant coastal wetland. Acceptable measure A1.1 requires a 100m buffer to the wetland.</p> <p>Council's specialist ecologist advises that while the proposal does not achieve a 100m vegetated buffer to the perimeter of the significant coastal wetland, the very nature of the land parcel which is separated from the wetland by Barns Lane (which is a wide road corridor) creates a sufficient separation buffer from the wetland. The application proposes standard practice water quantity and water quality solutions to prevent off site releases of nutrients and stormwater flows, together with stabilisation and landscaping along the frontage of the site to Barns Lane.</p>
Code for Development in the Vicinity of the Sunshine Coast Airport	The proposed development in the subject location does not contain any characteristics that would fail compliance with this Code nor compromise the operation of the airport.

CONSULTATION

IDAS Referral Agencies

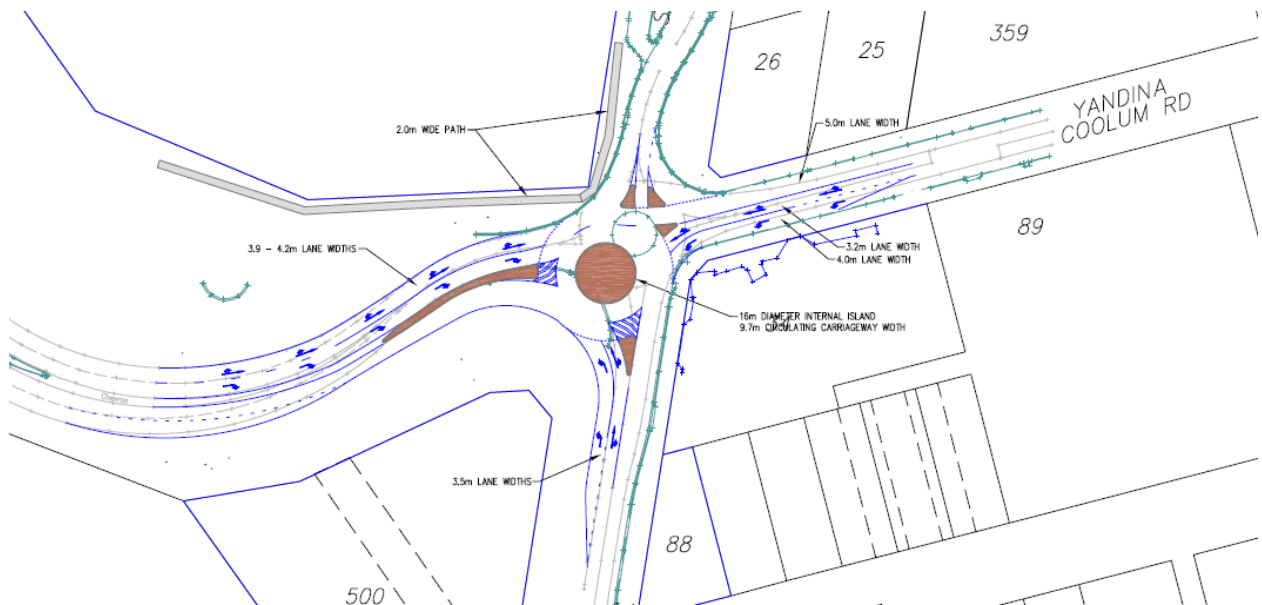
The application was referred to the following IDAS referral agencies:

Concurrence

Department of Infrastructure, Local Government and Planning (SARA)

The department is a concurrence agency for State controlled road matters as well as development impacting on State transport infrastructure. The department responded, by letter dated 7 March 2016, reference number SDA-0116-027367 stating that the development is supported subject to conditions, the key items of which are summarised as below:

- development must be carried out generally in accordance with the plans approved by the Department
- the Yandina-Coolum Road, School Road, South Coolum Road roundabout must be upgraded such that the central island is realigned in a south west direction with 2 departure lanes on each leg (refer figure below)
- the site must not be accessed directly from the Sunshine Motorway or Yandina-Coolum Road.



Other Referrals

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

- Development Engineer, Engineering and Environment Assessment Unit
- Hydraulics and Water Quality Specialist, Engineering and Environment Assessment Unit
- Landscape Officer, Engineering and Environment Assessment Unit
- Environment Officer, Engineering and Environment Assessment Unit
- Ecology Specialist, Engineering and Environment Assessment Unit
- Urban Designer, Planning Assessment Unit
- Traffic Engineering, Engineering and Environment Assessment Unit

The application was also forwarded to the following internal council Branches for comment:

Social Policy

Because the Coolum West Gateway precinct provisions refer to an indoor sports centre and also a "possible "government facility" node housing ambulance, police, fire and other necessary functions serving Coolum Beach and beyond", the application was referred to council's Social Policy Branch to determine if there is a current need for council to secure additional land for community facilities or open space at this location.

Council's Senior Social Policy Officer responded advising the adopted Open Space Strategy and the Social Infrastructure Strategy have not identified the need for land at the subject site for the purposes of Open Space or Social Infrastructure.

Economic Development Branch

Council's Economic Development Branch advised that it is broadly supportive of the proposed redevelopment of the site. Support was also given to the findings of council's independent economic assessment.

Economic Development Branch advised that a Bunnings store of 5,850m² would result in an estimated 70 additional retail jobs delivering a broader total economic impact of approximately \$15 million per year and 113 ongoing jobs, according to economic modelling.

The Branch is broadly supportive of the applicant's proposition that the development would not have significant impacts on other higher order centres, nor compromise the role of Coolum Beach and its intended function.

Strategic Planning Branch

Council's Strategic Planning Branch advises that, as a result of the nature and scale of the proposed Bunnings Warehouse, the proposed development is expected to service a catchment area that is well beyond the immediate area of Coolum Beach and is likely to have an adverse impact on the local hardware and related specialty stores in Coolum Beach and Peregian Beach as well as other large format hardware stores in Noosaville and Maroochydore.

The Branch advise that this is inconsistent with the *Maroochy Plan 2000* provisions, in particular the intent of the Coolum West Gateway (Master Planned Community) Precinct, the intended role and function of the Coolum Beach Village Centre and the overall intent and desired character of the Coolum Beach Planning Area, which is intended to:

- provide a scale of development that maintains the casual, seaside village character of the planning area and a level of service that meets the day-to-day needs of the residents and visitors to the immediate catchment area of Coolum Beach
- not compete with the range of goods and services in the Coolum Beach Village Centre and
- not serve a district or higher order function or compete with higher order centres.

Public Notification

The application was publicly notified for 15 days, in accordance with the requirements of the *Sustainable Planning Act 2009*. 982 properly made submissions and 80 not properly made submissions were received. Of the total properly made submissions, 980 were against, 1 were for and 1 were neutral in regards to the proposed development.

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

Issues	Comments
AGAINST	
Planning	
Changing the planning scheme.	The application is for a Development Permit for Material Change of Use of Premises, Reconfiguring a Lot and Operational Works to be assessed against the superseded <i>Maroochy Plan 2000</i> (the planning scheme). It does not propose to change the planning scheme.
Proposed "Bunnings" does not comply with the definition for Showroom.	Although there are some characteristics of Bunnings that might better fit into the definition of a "Shop", the overall operation of a Bunnings store as primarily a trade showroom with sale of

Issues	Comments
	many bulky goods has been accepted by staff to constitute a "Showroom" for the purpose of assessment in this instance.
<p>Proposed development conflicts with the following provisions contained with Volume 2 (Strategic Plan) of the Maroochy Plan 2000:</p> <p>Section 4.3.3 (Village Centres – dot point 7)</p> <p><i>"Development within a Village centre which fragments the centre or creates a focus away from the established centre in that locality will not be supported"</i></p> <p>Section 2.6 (2)(g)</p> <p><i>"Implement and support Council's Sports Strategy Plan and Open Space Strategy which provide mechanisms to achieve useable open space for recreational or sporting purposes."</i></p>	<p>A "Bunnings" warehouse of the scale proposed (5,850m² GFA) is considered to create a focus away from the established centre. Further discussion regarding this item is provided in the above assessment section.</p> <p>Further, Council's Social Policy branch have advised that the adopted Open Space Strategy and Social Infrastructure Strategy has not identified the need for this land at the site.</p>
<p>Proposed development conflicts with the vision statement for the Coolum Beach Planning Area, specifically:</p> <p><i>"Coolum Beach will remain a casual, seaside village serving local retail, business, dining and entertainment needs only."</i></p> <p><i>"The residents of Coolum have indicated they are prepared to forgo the provision of higher order and larger scale retail and commercial services in order to maintain local character and identity."</i></p> <p><i>"The Coolum Beach township will continue to develop as an attractive coastal village, with a growing number of boutique eateries, shops and tourist facilities."</i></p>	<p>It is agreed the development would conflict with these provisions, for the reasons explained in this report.</p>
<p>Proposed development fails to demonstrate compliance with the intent of the Coolum Beach Planning Area, specifically the Coolum West Local Centre (4) Intent which states:</p> <p><i>"This Precinct is located on the western boundary of Coolum Beach. The Precinct currently comprises a small shopping complex and is adjacent to a roundabout which forms an important entry feature to the Coolum Beach township. The Precinct also includes</i></p>	<p>The site does not form part of the Coolum West Local Centre precinct. Rather it forms the Coolum West Gateway precinct.</p>

Issues	Comments
<i>some light industrial uses. Council will not favour any proposals for this Precinct that may adversely affect the commercial viability of existing convenience retail or commercial and light industrial land uses in the Village Centre Precinct.”</i>	
The proposal conflicts with the Code for Town & Village Centres.	It is agreed the development would conflict with this code, for the reasons explained in this report.
The proposal conflicts with the Code for Reconfiguring Lots.	It is agreed the development would conflict with this code, for the reasons explained in this report.
Incremental applications should not undermine the intent of the planning scheme.	Each application is assessed on its merits.
Quanda Road industrial estate (Coolum Eco Industrial Park) is a better suited location.	It is agreed there are other locations within the Sunshine Coast region that would be better suited for a large scale Bunnings store. The proposed Bunnings is not identified in the planning scheme as a consistent use in the industrial zoned land at Quanda Road.
Council have previously rejected previous “Bunnings” applications.	Each application is assessed on its merits and, therefore, earlier planning decisions are not directly relevant to the current assessment.
The development was not properly publicly notified in that notification signs were obscured from view.	The applicant has submitted material (information and photos) demonstrating that the development was publicly notified in accordance with the requirements of the <i>Sustainable Planning Act 2009</i> .
The proposed development will create a risk to safety for parents and children of Coolum State School.	Any approval of the proposed development could be conditioned to provide a satisfactory standard of traffic, parking and pedestrian upgrades to ensure safety to other users of Barns Lane.
It is inappropriate to locate a commercial development of this nature next door to the Coolum State School.	There are no provisions of the planning scheme that require separation of convenience restaurants from schools.
The proposed development does not represent a community benefit to override the conflicts with the planning scheme.	As explained in this report, there are likely to be benefits to the local community as a result of increased consumer choice. However, these benefits are not considered sufficient to justify an approval in this case.
Traffic	
Increase in traffic will cause congestion on nearby road network.	Both the Sunshine Motorway and Yandina-Coolum Road are State-controlled roads and thus under the jurisdiction of the State Government (Department of Transport & Main Roads). The application was referred to the State

Issues	Comments
	<p>Assessment Referral Agency (SARA), from which conditions were imposed by the State that require the applicant to upgrade the Yandina-Coolum Road/School Road/South Coolum Road roundabout to improve traffic capacity via increasing the size of the approach to 2 lanes on both eastern and western legs.</p> <p>The applicant's traffic impact assessment advises that such an arrangement mitigates the impacts of the proposed development on this intersection.</p>
<p>The applicant should fund the upgrades to the Yandina-Coolum Road / South Coolum Road round-a-bout.</p>	<p>The concurrence agency response requires the applicant upgrade the Yandina-Coolum Road/South Coolum Road round-a-bout. Thus it would be a requirement of the applicant to fund such an upgrade.</p>
<p>The proposed upgrades to the Yandina-Coolum Road / South Coolum Road round-a-bout would not be sufficient once the "Bunnings" is developed.</p>	<p>The Yandina-Coolum Road / South Coolum Road round-a-bout is a state-controlled road, thus under the control of the state government. The response from the state was that the round-a-bout would be able to cater for the development if upgraded as per the concurrence agency response.</p>
<p>The applicant's traffic impact assessment did not properly analyse peak hour traffic volumes.</p>	<p>The applicant's traffic impact assessment was reviewed by the Department of Transport & Main Roads in their role as concurrence agency for the development.</p>
<p>The proposed upgrades to the School Road/Yandina-Coolum Road/South Coolum Road intersection would result in faster vehicle movements. In combination with the above point, the proximity of the existing pedestrian footpath to the road would increase the risk of safety to children attending the Coolum State School.</p>	<p>Yandina-Coolum Road is a State-controlled road and thus under the jurisdiction of the State Government (Department of Transport & Main Roads).</p> <p>It is the Department's responsibility to assess traffic and pedestrian safety as a result of any proposed upgrades to the State road network.</p>
Economics	
<p>There are existing service stations in close proximity to the site.</p>	<p>Staff concerns about the proposed Service Station are more about the role it would play attracting non-local traffic from the Sunshine Motorway and, therefore, contributing to the site becoming a 'destination' node and not serving the immediate catchment area only.</p>
<p>Existing businesses will not be able to compete with the proposed development.</p>	<p>This is a concern for the reasons stated in this report. Given the planning scheme does not envisage a showroom having the characteristics of the proposed Bunnings, the likely impacts of up to 25% on existing retailers within the trade catchment area is a relevant consideration.</p>

Issues	Comments
Lack of need for proposed development.	As explained in this report, there are likely to be benefits to the local community as a result of increased consumer choice. However, these benefits are not considered to cause sufficient need to justify an approval in this case.
There is a need for additional sporting and recreational facilities in the Coolum area.	The planning scheme makes Indoor Sport and Recreation a consistent use for this site. Council cannot force an applicant to apply for a particular type of development.
Retention of 'village atmosphere' to maintain the tourism industry.	The proposed development would be out of character with the planning scheme's vision for Coolum to remain small scale with a casual, seaside character.
A "Bunnings" warehouse would result in an oversupply of home improvement retail floor space and that the population of Coolum is not large enough to sustain such a development.	Council's economic expert anticipates the impact on other traders within the catchment area to be in the order of -15% to -25%. Council's expert considers the proposed Bunnings would cause trading difficulties for existing retailers.
The proposed development will have negative impacts on local businesses.	Council's economic expert anticipates the impact on other traders within the catchment area to be in the order of -15% to -25%. Council's expert considers the proposed Bunnings would cause trading difficulties for existing retailers.
A Convenience Restaurant will intercept travellers and tourists, taking business away from the Coolum village.	<p>The applicant's economic impact assessment submits that a new service station and convenience restaurant on the site is justified on the basis of consumer demand and standard rates of provision for the Primary Trade Area which would see sufficient demand by 2019 to support additional service stations.</p> <p>Notwithstanding, staff have concerns with the appropriateness of the proposed Service Station and Convenience Restaurant at this location and the role it would play in making the site a destination centre and not serving the immediate catchment only.</p>
The applicant's economic impact assessment has exaggerated the projected employee and population figures.	The planning scheme does not regulate matters of private economics nor population growth.
The applicant's economic impact assessment incorrectly states that existing supermarkets within Coolum Beach already service a wider catchment than that of Coolum	Regardless of whether or not this is accurate, Council's external economic expert has advised that the proposed "Bunnings" would trade to a wider catchment than that of Coolum and thus would be in conflict with the planning scheme.
If approved, the applicant would increase the size of the "Bunnings" in order to be viable.	Council can only assess the application material provided, which is for a 5,850m ² GFA "Bunnings". Any future application would be decided on its individual merits.

Issues	Comments
Visual Amenity	
Don't want the entry to Coolum to include "Bunnings" signage.	<p>The proposed "Bunnings" warehouse includes signage only on the eastern and northern facing façade. With proposed landscaping at full maturity, it is likely that the development would be entirely screened.</p> <p>A freestanding pylon sign would however be located at the site's south eastern corner, which is compliant with the Code for Siting and Design of Advertisements.</p>
Visual impacts of proposed development at entrance to Coolum.	Council's urban design specialist advises that the proposed Bunnings store is not consistent with the preferred character and intent for the Coolum Beach planning area. This issue is discussed at length in this report.
<p>The proposal conflicts with the intent of the Coolum Beach Planning Area in that it does not provide for <i>'an entry statement consistent with a casual, seaside village serving local retail, business...'</i> and that <i>'passing tourists/travellers will not be drawn into the Village by an entry such as this.'</i></p>	<p>The Coolum Beach Planning Area (Coolum West Gateway precinct) refers to an entry statement in the following way:</p> <p><i>"Provision should be made in this precinct for an entry statement which introduces the motorist to the Coolum Beach township. This entry statement could be in the form of a small park with appropriate signage."</i></p> <p>In the event of approval, Council could require a design which includes landscaping of the entry to Coolum Beach in accordance with the planning area intent.</p> <p>However, the presence of a service station and convenience restaurant could lead to the site becoming a small 'highway service centre', making the entry statement to Coolum Beach at odds with the planning scheme's preferred character statements.</p>
There would be no legal requirement for the retention of the proposed 20m landscape buffer to the Sunshine Motorway into the future.	If approved, the proposed 20m landscape buffer to the Sunshine Motorway would be a condition, which is an ongoing requirement of the development and would be required to be provided.
The proposed "Bunnings" warehouse would be visible from the Sunshine Motorway.	Council's landscape officer has advised that, at maturity, the proposed landscape buffers would screen the development.
Environment	
Proposed "Bunnings" warehouse will degrade the environment.	The proposed development is to be located on a cleared site (as such would require minimal clearing of vegetation), and is not constrained by any identified waterways.

Issues	Comments
	<p>Drainage from the proposed development has been designed such that there would be a 'non-worsening' outcome, and that current best practice load based reduction targets are able to be met.</p> <p>In terms of the mapped wetland buffer, Council's specialist ecologist has advised that the nature of the site allows for a separation buffer from the proposed development to the mapped wetland via Barns Lane. Further, the applicant proposes a water quantity and quality treatment system which is to prevent off site releases of nutrients and stormwater flows as well as long-term stabilisation and landscaping to the frontage of the site along Barns Lane.</p>
<p>The applicant's stormwater management plan does not address how contaminants associated with the proposed development will be managed, nor how <i>'scheduled water quality objectives will be maintained and the environmental values protected.'</i></p>	<p>Council's specialist hydrologist advises that the proposed stormwater quality treatment system is able to meet current best practice load based reduction targets.</p>
<p>The proposed development would require clearing of natural bushland.</p>	<p>The site is already cleared and would not require any clearing to facilitate the proposed development.</p>
<p>The site supports a range of fauna which would be displaced as a result of "Bunnings".</p>	<p>The site is already cleared of vegetation and filled as part of a previous approval. Council's mapping does not indicate the potential for fauna to be present on site.</p>
Miscellaneous	
<p>The location of the proposed Service Station and Convenience Restaurant in respect of the Coolum State School will encourage children to purchase 'junk food'.</p>	<p>The planning scheme does not regulate the location of Service Stations and Convenience Restaurants in relation to schools.</p>
FOR	
Suitability of the Site	
<p>Lack of environmental/topographical constraints.</p>	<p>It is agreed the site is largely cleared and topographically level and, therefore, presents limited environmental constraints to development.</p>
<p>The land is a developed commercial site, not natural bushland</p>	<p>It is agreed the characteristics of the site have changed in the recent past with filling and traffic lights installed, making the site more suitable for commercial development.</p>
<p>Previous similar developments did not attract the same level of concern from Council and have been previously</p>	<p>Council have consistently expressed concern in terms of demonstrating economic need for a proposed "Bunnings" warehouse over the site.</p>

Issues	Comments
supported.	<p>Previous approvals were not consistent in terms of bulk and scale whereby the overall GFA was broken up into a number of tenancies rather than a single building.</p> <p>The site's application history is provided in the background section of this report. Despite the history, there are no current approvals over the site.</p> <p>Each application must be assessed on its own merits.</p>
Economics	
"Bunnings" consistently demonstrate the provision of community benefit including providing construction and operational positions as well as support for local community groups.	<p>It is agreed the development would create jobs during its construction and operational phases, as it would for a store proposed at any other location.</p> <p>Whether or not Bunnings support local community groups is not relevant to the planning scheme assessment.</p>
"Bunnings" will increase employment opportunities.	It is agreed the development would create jobs during its construction and operational phases, as it would for a store proposed at any other location.
"Bunnings" would increase hardware convenience for local residents.	As explained in this report, there are likely to be benefits to the local community, including increased consumer convenience. However, these benefits are not considered to cause sufficient need to justify an approval in this case.
Community	
The majority of locals want the jobs and facilities that will be provided.	It is agreed the development would create new jobs and greater consumer choice for stocked goods. However, these benefits are not considered sufficient to justify the conflicts with the planning scheme as explained in this report.

CONCLUSION

The application seeks approval for a Development Permit for Material Change of Use (Showroom, Garden Centre and Restaurant, Service Station and Convenience Restaurant), a Development Permit to Reconfigure a Lot (1 lot into 4 lots) and a Development Permit for Operational Work (Placing an Advertising Device) on land at 39 Barns Lane, Coolum Beach.

While the intent for the Coolum Beach planning area and Coolum West Gateway precinct supports limited Showroom development (subject to qualifiers on the scale and trade catchment of those showrooms), the proposed Bunnings store is not consistent with these provisions because it:

- would perform much more than just a local role
- would compete with other stores that are already appropriately located within Council's planning framework
- would not provide an essential community service such as government or sport and recreational facilities for Coolum and
- would have a built form and building scale that, despite being small by Bunnings standards, is uncharacteristic for Coolum and not in keeping with its desired character and identity as prescribed in the planning scheme.

In addition, the proposed Service Station and Convenience Restaurant would exacerbate non-compliance with the local planning provisions by potentially leading to the establishment of a "highway service centre" entry statement to Coolum Beach and by drawing passing trade from the Sunshine Motorway, accentuating the non-local trade catchment of the development.

The proposed subdivision of the site into four allotments is considered premature until such time as council decided to approve commercial development on the site and then perform further local planning work to determine the desired extent and configuration of any future commercial development. Any subdivision as a result of the subject application would create "development ready" allotments that are not able to be developed due to current planning restrictions that apply over the land through operation of the *Sunshine Coast Planning Scheme 2014*.

The development proposal is in conflict with the planning scheme, and community benefits that may arise from job creation and improved consumer choice for shoppers are not considered sufficient to justify an approval of this scale at this location.

The application is, therefore, recommended for refusal.

8.2 CORPORATE SERVICES**8.2.1 AUGUST 2016 FINANCIAL PERFORMANCE REPORT**

File No:	Financial Reports
Author:	Coordinator Financial Services Corporate Services Department
Attachments:	Att 1 - August 2016 Financial Performance Report187

PURPOSE

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

EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 31 August 2016 in terms of the operating result and delivery of the capital program.

Budget Review 1 was adopted at the September 2016 Ordinary Meeting. Therefore this financial report to 31 August 2016 does not include the operating revenue and cost outcomes of BR1.

Note that Capital Expenditure graphs and tables have been updated to reflect Forecast Budget, which does include the impacts of BR1.

The adoption of Budget Review 1 will decrease the 2016/17 operating result by \$4.0 million, from \$30.9 million to \$26.9 million. Budgeted capital revenues will increase by \$5.8 million from \$94.5 million to \$100.3 million. Capital expenditure increases by \$11 million, from \$252.7 million to \$263.7 million.

The operating result at 31 August 2016 shows a positive variance of \$7.6 million compared to the forecast position.

Operating Performance**Table 1: Operating Result as at 31 August 2016**

August 2016	Current Budget \$000	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Operating Revenue	418,965	149,268	154,231	4,963	3.3
Operating Expenses	388,041	63,297	60,628	(2,669)	4.2
Operating Result	30,924	85,971	93,603	7,632	8.9

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

As at 31 August 2016, \$23.0 million (8.7%) of Council's \$263.7 million 2016/17 Capital Works Program was financially expended.

The core Council Capital Program was increased to \$131.6 million during Budget Review 1 2016/17, with actual expenditure of \$16.3 million at the end of August (12.4%). This result is \$2.3 million ahead of forecast YTD budget.

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

OFFICER RECOMMENDATION

That Council receive and note the report titled "August 2016 Financial Performance Report".

FINANCE AND RESOURCING

There are no finance and resourcing implications from this report.

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*

Outcome: 5.2 - A financially sustainable organisation

Operational Activity: 5.2.2 - Ensure council's finances are well managed and systems are in place to analyse performance, generate revenue and reduce costs and manage contracts and contract performance

CONSULTATION

Internal Consultation

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

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

PROPOSAL

Budget Review 1 was adopted at the September 2016 Ordinary Meeting. Therefore this financial report to 31 August 2016 does not include the operating revenue and cost outcomes of BR1.

Note that Capital Expenditure graphs and tables have been updated to reflect Forecast Budget, which does include the impacts of BR1.

The adoption of Budget Review 1 will decrease the 2016/17 operating result by \$4.0 million, from \$30.9 million to \$26.9 million. Budgeted capital revenues will increase by \$5.8 million from \$94.5 million to \$100.3 million. Capital expenditure increases by \$11 million, from \$252.7 million to \$263.7 million.

The operating result at 31 August 2016 shows a positive variance of \$7.6 million compared to the forecast position.

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

Operating Revenue

Year to date revenues as at 31 August 2016 of \$154.2 million shows a positive variance of \$5.0 million.

Table 2: Substantial Revenue variances as at 31 August 2016

Operating Revenue Large Variances	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Net Rates and Utility Charges	128,831	131,826	2,995	2.3
Fees and Charges	12,534	13,153	618	4.9
Other Revenue	1,786	2,571	785	44.0
Dividends Received	985	1,628	642	65.2

Net Rates and Utility Charges

The favourable variance of \$3 million is mainly due to higher than anticipated prepaid rates, work will be completed during September to determine if this favourable variance will continue throughout the remainder of the year.

Fees and Charges

Fees and charges revenue of \$13.2 million, is \$618,000 ahead of year to date budget. Of this favourable variance \$414,000 relates to increased revenues at the Sunshine Coast Holiday Parks. A further \$179,000 relates to development service revenue ahead of budget.

Other Revenue

Other revenue has exceeded the year to date budget by \$785,000, this is made up of:

- Revegetation offset received for London Creek of \$190,000, which was recognised during Budget Review 1, 2016/17
- Royalty payments for the sale of carbon credits and increase in the sale of recoverable materials at the Waste facilities of \$140,000
- Fleet rebates and asset sales of \$97,000

Dividends Received

The favourable variance of \$642,000 is a timing variance and will be rectified in September.

Operating Expenses

Year to date expenditure as at 31 August 2016 of \$60.6 million shows a positive variance of \$2.7 million.

Table 3: Substantial Expenditure variances as at 30 August 2016

Operating Expenditure Large Variances	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Materials and Services	25,707	22,372	(3,335)	(13.0)
Finance Costs	1,636	1,969	333	20.4
Employee Costs	20,423	20,786	363	1.8

Materials and Services

As at 31 August 2016, materials and services costs were below budget by \$3.3 million. This is due to timing as there has been minimal expenditure in reactive budgets and projects. The variance is in line with the usual trend for the early part of the financial year.

Employee Costs

As at 31 August 2016 employee costs were above budget by \$363,000 or 1.8%. This variance will continue to be monitored. Budget Review 1 will increase employee costs by \$334,000

Finance Costs

A full review of the capitalisation of interest for Region Making projects is currently being undertaken with Queensland Audit Office. The results of this review will be brought to Budget Review 2 if there are significant impacts to the operating finance costs.

Capital Revenue

Capital revenues are \$5.9 million favourable to the year to date current budget. Additional capital grants of \$5.4 million will be introduced once Budget Review 1 is adopted.

Table 4: Capital revenue variances as at 31 August 2016

Capital Revenue	YTD Current Budget \$000	YTD Actual \$000	YTD Variance \$000	Variance %
Capital Grants and Subsidies	-	2,169	2,169	-
Capital Contributions - Cash	3,667	7,352	3,685	100.5

Capital Expenditure

As at 31 August 2016, \$23.0 million (8.7%) of Council's \$263.7 million 2016/17 Capital Works Program was financially expended.

The core Council Capital Program was increased to \$131.6 million during Budget Review 1 2016/17, with actual expenditure of \$16.3 million at the end of August (12.4%). This result is \$2.3 million ahead of forecast YTD budget.

Table 5: Capital expenditure variances by program as at 31 August 2016

Capital Works Program	Forecast Budget \$000	YTD Forecast Budget \$000	YTD Actual \$000	YTD Variance	% Variance on YTD budget
Aerodromes	372	5	24	19	396.6
Buildings and Facilities	10,072	1,337	1,184	(153)	(11.4)
Coast and Canals	1,375	120	198	78	65.3
Divisional Allocations	4,795	76	201	125	164.5
Environmental Assets	4,628	37	395	358	972.5
Fleet	3,000	10	3	(7)	(65.2)
Holiday Parks	2,279	506	530	24	4.8
Information Technology	3,007	279	226	(53)	(19.1)
Parks and Gardens	13,642	2,614	3,220	606	23.2
Quarries	674	-	57	57	-
Stormwater	4,927	486	594	107	22.0
Strategic Land and Commercial Properties	7,867	2,418	2,748	330	13.7
Sunshine Coast Airport	5,746	429	855	426	99.2
Transportation	56,508	4,900	4,771	(129)	(2.6)
Waste	12,680	787	1,286	499	63.5
Total SCC Core Capital Program	131,571	14,003	16,292	2,289	16.3
Corporate Major Projects	21,646	700	8	(692)	(98.9)
Maroochydore City Centre - Council delivery	11,519	2,846	3,049	203	7.1
Maroochydore City Centre - SunCentral delivery	41,289	6,954	19	(6,935)	(99.7)
Solar Farm	32,408	3,851	3,476	(376)	(9.8)
Sunshine Coast Airport Runway	25,223	60	142	82	137.0
Total Other Capital Program	132,084	14,411	6,693	(7,718)	(53.6)
TOTAL	263,655	28,414	22,985	(5,429)	(19.1)

As it is early in the financial year there are currently no exceptions being reported. Full profiling of budgets will not be finalised until budget Review 1 2016/17 is adopted.

Investment Performance

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 31 August 2016 Council had \$385.2 million cash (excluding Trust Fund) with an average interest rate of 3.05%, being 1.08% above benchmark. This is compared to the same period last year with \$346.7 million cash (excluding Trust Fund) where the average interest rate was 3.44%, being 0.75% above benchmark.
- The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill Index (BAUBIL) and the Bank Bill Swap Rate (BBSW) for term deposits.

Legal

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

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

Policy

Council's 2016/17 Investment 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 16 June 2016, Council adopted the 2016/2017 budget - Council Resolution (SM16/16)**

That Council:

- receive and note the report titled "Adoption of the 2016/2017 Budget and Forward Estimates for the 2017/2018 to 2025/2026 Financial Years"*
- adopt the 2016/2017 Budget Schedules (Appendix A) including Forward Estimates and*
- adopt the 2016/2017 Capital Works Program, endorse the indicative four-year program for the period 2017/2018 to 2020/2021, and note the five-year program for the period 2021/2022 to 2025/2026 (Appendix B).*

Related Documentation

There is no related documentation for this report.

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.2.2 2015/16 INTERIM AUDIT REPORT BY QUEENSLAND AUDIT OFFICE

File No:	Financial Management
Authors:	Coordinator Financial Accounting Corporate Services Department Manager Finance Corporate Services Department
Attachments:	Att 1 - Interim Management Report 2015/16 - Queensland Audit Office 199

PURPOSE

The attached report from the Queensland Audit Office outlines the status on the recent audit and the recommendations for Council to improve controls over its major financial systems identified during their interim audit conducted in May this year.

This report was presented to the 5 September 2016 Audit Committee.

Section 213(3) of the Local Government Regulation 2012 requires that the report be presented at the next ordinary meeting of Council.

EXECUTIVE SUMMARY

Council has a statutory obligation to prepare "General Purpose" Financial Statements on an annual basis, culminating in audit certification in late October, before publication in Council's Annual Report.

The Queensland Audit Office performed an interim audit of Council's financial systems during May 2016. This audit included a detailed assessment of the existing system controls in order to identify any weaknesses or opportunities for improvement.

The Interim Audit Report (Attachment 1) provides the overall status of audit and summarises the principal matters that arose during the course of the audit. The report did not identify any **significant** internal control deficiencies, however it did identify the following:

- four internal control deficiencies in the areas of information systems
- a "low risk" financial reporting issue, and
- a business improvement opportunity.

Details as follows:-

Internal control deficiencies – Information systems security

- Logging and monitoring critical database changes
- Privileged user activities
- Resetting passwords over the phone
- User access for TechnologyOne Property system

Low risk financial reporting issue

- Capitalised costs for Maroochydore City Centre Priority Development Area includes operational expenses

Business improvement opportunity

- Asset Management Plans awaiting adoption by Council

The audit result confirmed Council's overall control framework as effective and represents a significant achievement from all in Council involved.

OFFICER RECOMMENDATION

That Council receive and note the report titled "2015/16 Interim Audit Report by Queensland Audit Office".

FINANCE AND RESOURCING

There are no finance and resourcing implications relating to this report.

CORPORATE PLAN

Corporate Plan Goal: *An outstanding organisation*
Outcome: 5.2 - A financially sustainable organisation
Operational Activity: 5.2.2.1 - Ensure Council's finances are well managed and systems are in place to analyse performance, generate revenue and reduce costs

CONSULTATION

Portfolio Councillor Consultation

The Portfolio Councillor has received advice of this report from the Audit Committee process.

Internal Consultation

Internal consultation was held with the following areas:

- Internal Audit Branch
- Information Communication Technology Services Branch
- Finance Branch
- Project Delivery Branch
- Corporate Governance Branch
- Audit Committee

External Consultation

External consultation has been held with Queensland Audit Office as well as external members of Council's Audit Committee.

Community Engagement

No community engagement required.

PROPOSAL

The Queensland Audit Office performed an interim audit of Council's financial systems during May 2016. This audit included a detailed assessment of the existing system controls in order to identify any weaknesses or opportunities for improvement.

The Interim Audit Report provides the overall status of audit and summarises the principal matters that arose during the course of the audit. The report did not identify any **significant** internal control deficiencies, however it did identify the following:-

- four internal control deficiencies in the areas of information systems,
- a "low risk" financial reporting issue, and
- a business improvement opportunity.

Details as follows:-

Internal control deficiencies – Information systems security

- Logging and monitoring critical database changes
- Privileged user activities
- Resetting passwords over the phone
- User access for TechnologyOne Property system

Low risk financial reporting issue

- Capitalised costs for Maroochydore City Centre Priority Development Area includes operational expenses

Business improvement opportunity

- Asset Management Plans awaiting adoption by Council

Action Plans have been developed to address the recommendations associated with the above issues, and implementation is in progress.

The audit result confirmed Council's overall control framework as effective and represents a significant achievement from all in Council involved.

Legal

Sections 212 and 213 of the *Local Government Regulation 2012*.

Policy

There are no internal policy documents relating to this report. It is a legislative requirement – refer Sections 212 and 213 of the *Local Government Regulation 2012*.

Risk

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

Previous Council Resolution

Audit Committee Meeting 5 September 2016 – Audit Committee Resolution (AC16/25)

That the Audit Committee receive and note the report titled “2015/16 Interim Audit Report by Queensland Audit Office and General Update”.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

Council's 2015/16 general purpose financial statements must be lodged with the Department of Infrastructure, Local Government and Planning by 30 November 2016.

Implementation

There are no implementation details to include in this report.

8.2.3 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR WATER SUPPLY EASEMENTS WITHIN LOT 1103 ON SP 206552, LOT 1105 ON SP 206553 AND LOT 1106 ON SP 206556 LOCATED AT THE SUNSHINE COAST AIRPORT

File No:	F2016/227559
Author:	Senior Property Officer Corporate Services Department
Appendices:	App A - Easement Plans for Water Supply 219
Attachments:	Att 1 - Sunshine Coast Airport runway stage 1 with existing and proposed water supply infrastructure 223

PURPOSE

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, from the tender/auction process to allow registration of an easement over Council freehold land at the Sunshine Coast Airport for water supply purposes.

EXECUTIVE SUMMARY

The Sunshine Coast Airport Expansion Project requires existing water supply infrastructure to be relocated from its current alignment to facilitate the delivery of the Project.

The *Local Government Regulation 2012* provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land (e.g. easement). It provides that a disposal, other than by tender or auction, may only occur if an exception applies. Section 236(1)(b)(i) provides for an exemption if the disposal is to a government agency.

Section 236(2) provides that a local government must decide by resolution that an exception may apply.

This report seeks an exception for the purposes of granting easements to accommodate the re-alignment of the water supply infrastructure traversing Sunshine Coast Airport freehold land. The new runway will be located over the current water supply infrastructure, as illustrated in Attachment 1.

It is proposed to grant easements to realign the water supply infrastructure to border the road reserve adjoining the Sunshine Motorway (refer Appendix A to this report).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception Under Local Government Regulation 2012 for water supply easements within Lot 1103 on SP 206552, Lot 1105 on SP 206553 and Lot 1106 on SP 206556 located at the Sunshine Coast Airport” and
- (b) resolve, pursuant to section 236(2) of the *Local Government Regulation 2012*, that an exception to dispose of an easement in Lot 1103 on SP 206552, Lot 1105 on SP 206553 and Lot 1106 on SP 206556 at the Sunshine Coast Airport (*Appendix A*), other than by tender or auction be applied, as the disposal is, pursuant to section 236(1)(b)(i), to a government agency.

FINANCE AND RESOURCING

It is standard practice to charge Unitywater for the land value of any easements granted, however as the re-alignment of the water supply infrastructure is to accommodate the Sunshine Coast Airport expansion, the Chief Executive Officer will be responsible for the negotiation of any final charge. There may be no charge for the easement due to the public benefit arising to the Sunshine Coast Community and Airport.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: We serve our community by providing this great service

Operational Activity: S24 - Property management - comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Council's objectives.

CONSULTATION

Portfolio Councillor Consultation

On 18 August 2016, Council received a project briefing by the Project Director, Sunshine Coast Airport Expansion including information on the new alignment of the water supply being conducted by Unitywater.

Internal Consultation

- Director – Economic Development and Major Projects
- General Manager - Sunshine Coast Airport
- Coordinator Planning and Major Projects – Sunshine Coast Airport
- Project Director – Sunshine Coast Airport Expansion Project

External Consultation

Consultation has been undertaken by Sunshine Coast Airport Expansion Project Director with Unitywater representatives and the Department of Transport Main Roads (DTMR).

Community Engagement

Community consultation has not occurred for the realignment of the water supply as all works will occur on Council freehold land.

Any water supply interruption to local suburbs to the north of the airport, due to the relocation of the water mains, will be managed by Unitywater.

PROPOSAL

The existing water supply infrastructure at the Sunshine Coast Airport is required to be relocated from its current alignment to accommodate the delivery of the Sunshine Coast Airport Expansion (Project).

The new runway will be located over the current water supply infrastructure. It is proposed to realign the infrastructure, within Sunshine Coast Airport freehold land, bordering the road reserve adjoining the Sunshine Motorway (refer Attachment 1 to this report).

Initial plans considered relocation of the infrastructure within the road corridor of the Sunshine Motorway, however, Department of Transport and Main Roads has advised that this is not possible due to future plans to widen the Motorway.

The *Local Government Regulation 2012* provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land (e.g. easement). It provides that a disposal, other than by tender or auction, may only occur if an exception applies.

Section 236(2) provides that a local government must decide by resolution that an exception may apply.

A resolution that an exception be applied will enable the required easements to be entered into without the need to engage in a tender or auction process.

The easements are for water supply purposes and the requested areas are as follows:-

Easement F in Lot 1103 on SP 206552 1.659ha

Easement E in Lot 1105 on SP 206553 8,732m²

Easement G in Lot 1106 on SP 206556 1.646m²

The three easements will be in favour of Northern SEQ Distributor-Retailer Authority (Unitywater) with the purpose being water supply. The easements will facilitate the relocation of water mains which will contain 710mm HDPE plastic pipe.

The proposed easement survey plans are attached (refer Appendix A to this report).

Legal

Legal Services Branch has been consulted on the application of Section 236.

Policy

This report was developed in accordance with the Procurement Policy in relation to the disposal of Council assets.

Risk

There are no risks identified in relation to this report.

Previous Council Resolution

There is no previous resolution relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

In accordance with their project schedule, Unitywater plans to commence construction of the new water main on 8 December 2016 with proposed completion in August 2017.

Implementation

Should Council resolve that an exception applies, the easement documents and plans will be executed and registered on the title deeds.

8.2.4 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 FOR DISPOSAL OF LAND PART OF LOT 233 ON SP107240 AT WHARF STREET YANDINA

File No:	F2016/218620
Author:	Senior Property Officer Corporate Services Department
Appendices:	App A - Land Acquisition Plan - Wharf Street Yandina 229
Attachments:	Att 1 - Locality Plan - Wharf Street Yandina 231 Att 2 - Site Plan - Wharf Street Yandina 233

PURPOSE

The purpose of this report is to seek an exception from Council, in accordance with the *Local Government Regulation 2012*, from the tender or auction process to dispose of 300m² of Council's freehold land zoned as open space to the State of Queensland and dedicate as road.

EXECUTIVE SUMMARY

The applicant's Development application (REC 15/0212) proposes that lot 1 RP 109943 at Wharf Street, Yandina, be subdivided into two land parcels. **Attachment 1** shows the locality and the land parcel proposed to be subdivided.

The applicant is requesting to widen the road reserve (currently unformed road) to provide access to the reconfigured lots without the loss of any mature trees which are located on the current road reserve. In order to widen the road reserve, 300m² of land from Lot 233 on SP 107240 will need to be disposed to the State of Queensland and dedicated as road as shown on **Attachment 2**

A land acquisition plan is provided at **Appendix A**.

As part of the Development Application, the applicant will be required to construct sealed road pavement on the unformed road. The applicant will pay all costs and \$10,000 to Council as compensation for the 300m² of Council freehold open space land to be dedicated as road.

This report is not seeking consent for the proposed reconfiguration, only an exception to the auction or tender process to satisfy a development application condition. This does not provide any implied approval for the development.

The Local Government Regulation 2012 provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land. It provides that a disposal, other than by tender or auction, may only occur if an exception applies. Section 236(1)(b)(i) provides for an exemption if the disposal is to a government agency. In this case the disposal is to the State of Queensland for road purposes.

For an exception to apply, Council must decide in accordance with section 236(2) of *The Local Government Regulation 2012* that an exception is to be applied.

A resolution that an exception be applied will enable a road dedication to occur without the need to engage in a tender or auction process.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception Under Local Government Regulation 2012 for Disposal of Land Part of Lot 233 on SP107240 at Wharf Street Yandina ” and
- (b) resolve, pursuant to section 236 (2) of *the Local Government Regulation 2012*, that an exception to dispose of part of the property described as Lot 233 on SP 107240, shown on drawing number 250360-C1-14 (Appendix A), other than by tender or auction be applied, as the disposal is, pursuant to section 236(1)(b)(i), to a government agency.

FINANCE AND RESOURCING

The applicant will pay all outgoing costs and \$10,000 as compensation for the portion of land to be dedicated as road.

CORPORATE PLAN Corporate Plan Goal: *Service excellence*

Outcome: We serve our community by providing this great service
Operational Activity: S24 - Property management - comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Council's objectives.

CONSULTATION**Portfolio Councillor Consultation**

An internal request for comments process was undertaken on the impact of the proposed road dedication of Council's freehold land and no comments were received from the Divisional Councillor.

Internal Consultation

An internal request for comments process was undertaken on the impact of the proposed road dedication of Council's freehold land.

Internal stakeholder comments were received from:

- Manager Parks and Gardens
- Coordinator Regional Planning & Advocacy
- Environmental Operations Project Officer

No objections were received, subject to nominated conditions and approval by Council.

Advice in relation to the exception provisions of the *Local Government Regulation 2012* has been received from a Solicitor from Legal Services Branch.

External Consultation

Council officers from Property Management Branch have liaised with the applicant's representative, Cardno (Qld) Pty Ltd, in relation to this matter.

Community Engagement

Due to the internal administrative nature of this report there has been no community engagement.

There are no adjoining property owners that will be impacted by the proposed road widening.

PROPOSAL

Development application (REC 15/0212) proposes that lot 1 RP 109943 at Wharf Street, Yandina, be subdivided into two land parcels. **Attachment 1** shows the locality and the land parcel proposed to be subdivided.

The applicant, represented by Cardno (Qld) Pty Ltd, is requesting to widen the road reserve (currently unformed road) to provide access to the reconfigured lots without the loss of any mature trees which are located on the current road reserve. In order to widen the road reserve, 300m² of land will need to be disposed from Lot 233 on SP 107240, to the State of Queensland and dedicated as road.

This report is not seeking consent for the proposed reconfiguration, only an exception to the auction or tender process to satisfy a development application condition. This does not provide any implied approval for the development.

This land is Council freehold land and is currently zoned as open space (Koongalba Park). **Attachment 2** provides an aerial view of the mature trees and additional area that is being requested for dedication as road. A land acquisition plan is provided at **Appendix A**.

As part of the Development Application, the applicant will be required to

- (a) Construct a minimum 5m wide sealed road pavement to an access place standard.
- (b) Provide for turning a waste collection vehicle (i.e. extend the road a minimum of 12m beyond the driveway to Lot 2).
- (c) Construct the residential driveway to Lots 1 and 2 ensuring that existing street trees are not affected by future dwellings.

The Local Government Regulation 2012 provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land. It provides that a disposal, other than by tender or auction, may only occur if an exception applies. Section 236(1)(b)(i) provides for an exemption if the disposal is to a government agency. In this case the disposal is to the State of Queensland for road purposes.

For an exception to apply, Council must decide in accordance with section 236(2) of *The Local Government Regulation 2012* that an exception is to be applied.

A resolution that an exception be applied will enable a road dedication to occur without the need to engage in a tender or auction process.

Legal

Legal Services Branch has been consulted on the section 236 exception process under the Local Government Regulation 2012.

Policy

This report was developed in accordance with the procurement policy in relation to the disposal of Council assets.

Risk

There are no risks identified in relation to this report.

Previous Council Resolution

There is no previous council resolution relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

While there are no specific critical dates for this road dedication, it is incumbent on Council to finalise the road dedication expeditiously to provide the applicant with a high level of service.

Implementation

Should Council resolve that an exception be applied, the applicant will be invoiced for the land and valuation costs. Upon receipt of payment, Council will execute the survey plan dedicating the land as road.

8.2.5 EXCEPTION UNDER LOCAL GOVERNMENT REGULATION 2012 - ROAD DEDICATION - PART OF LOT 436 ON CG 491 - DOONAN BRIDGE ROAD, VERRIERDALE

File No:	F2016/181050
Author:	Senior Property Officer Corporate Services Department
Appendices:	App A - Road dedication plan - Doonan Bridge Road 239
Attachments:	Att 1 - Locality Map - Doonan Bridge Road 241 Att 2 - Doonan Bridge Road sections for upgrade 243

PURPOSE

The purpose of this report is to seek an exception, in accordance with the *Local Government Regulation 2012*, from the tender or auction process to dispose of 2,856m² of Council's freehold land zoned as Environmental Reserve to the State of Queensland and dedicate as road.

EXECUTIVE SUMMARY

Doonan Bridge Road, Verrierdale is a rural road that connects the areas of Yandina Creek, Verrierdale, Doonan and Peregian. Doonan Bridge Road commences at the intersection of Arcoona and Zgrejewski Roads at the southern end and joins with Peregian Springs Drive at its north eastern end. See **Attachment 1** for the Locality Map.

Attachment 2 shows three unsealed sections of Doonan Bridge Road with section 3, shown in green on the same attachment comprising approximately 1570 metres of gravel road which is proposed to be upgraded and sealed. To comply with current design standards the project requires a disposal to the State of Queensland and road dedication from Council's freehold land as shown on 23542-LA01C at **Appendix A**.

The land is not being sold, however it is being dedicated as road and will become the property of the State of Queensland once the road dedication plan is lodged.

The *Local Government Regulation 2012* provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land. It provides that a disposal, other than by tender or auction, may only occur if an exception applies. Section 236(1)(b)(i) provides an exemption if the disposal is to a government agency. Section 236(2) provides that a local government must decide by resolution that an exception be applied.

A resolution that an exception be applied will enable a disposal to the State of Queensland to enable a road dedication to occur without the need to engage in a tender or auction process.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Exception Under Local Government Regulation 2012 - Road Dedication - Part of Lot 436 on CG 491 - Doonan Bridge Road, Verrierdale” and
- (b) resolve, pursuant to section 236 (2) of *the Local Government Regulation 2012*, that an exception to dispose of part of the property described as Lot 436 on CG 491, shown on drawing number 23542-LA01C in Appendix A, other than by tender or auction be applied, as the disposal is, pursuant to section 236(1)(b)(i), to a government agency.

FINANCE AND RESOURCING

\$5,000 (\$1.75 sqm) will be returned to the Environmental Levy Reserve from the capital project budget, based on the current valuation of the land.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: We serve our community by providing this great service

Operational Activity: S24 - Property management - comprehensive management of Council's land and building assets to ensure that Council's property dealings are optimised, centrally managed, and support Council's objectives.

CONSULTATION

Portfolio Councillor Consultation

- Cr Robinson – Economic Development and Innovation Portfolio Councillor

Internal Consultation

An internal request for comments process was undertaken on the impact of the proposed road dedication of Council's freehold land.

Internal stakeholder comments were received from:

- Manager Environment & Sustainability Policy
- Senior Property Officer, Property Management Branch
- Environmental Operations Project Officer

No objections were received, subject to nominated conditions and approval by Council.

The Project Officer from Civil Projects Team, Project Delivery, Infrastructure Services Department has been liaising with the Divisional Councillor on the project.

External Consultation

Due to the nature of this matter, no external consultation is required.

Community Engagement

Due to the internal administrative nature of this report there has been no community engagement.

PROPOSAL

Doonan Bridge Road, Verrierdale is a rural road that connects the areas of Yandina Creek, Verrierdale, Doonan and Peregian. Doonan Bridge Road commences at the intersection of Arcoona and Zgrejewski Roads at the southern end and joins with Peregian Springs Drive at its north eastern end. See **Attachment 1** for the Locality Map.

There are three unsealed sections of Doonan Bridge Road which are shown on **Attachment 2**. The unsealed sections consist of a sub-standard gravel surface with poor sight distances and numerous hazards to motorists. These sections are in need of upgrading and pavement sealing to provide a safer environment for motorists in this area. The upgrade and sealing will also reduce maintenance costs for Council.

Construction of section 3, shown in green on Attachment 2, is planned to be delivered in the 2016-2017 financial year. This stage of construction is approximately 1570 metres and is situated at the northern end of the unsealed section of road, just south of the Verrierdale Road intersection.

To comply with current design standards the project requires land acquisitions to improve safety for road users. The detailed design for section 3 identified that it is necessary to dedicate 2,856m² of land from Sunshine Coast Regional Council's freehold site described as Lot 436 on CG 491 as road. That portion of the land will subsequently be under control of the State of Queensland shown at **Appendix A**.

The freehold property, from which the road dedication is planned to occur, was purchased by Council in August 2013 for \$2,200,000 (\$0.87 sqm) as an Environmental Reserve using Council's Environmental Levy. There is a Vegetation Notice lodged on this property title deed, however the footprint of the Vegetation Notice does not include the area required for road.

The *Local Government Regulation 2012* provides the process by which a local government may dispose of a valuable non-current asset, which includes land or an interest in land. It provides that a disposal, other than by tender or auction, may only occur if an exception applies. Section 236(1)(b)(i) provides an exemption if the disposal is to a government agency. Section 236(2) provides that a local government must decide by resolution that an exception be applied.

For an exception to apply, Council must decide in accordance with section 236(2) of *The Local Government Regulation 2012* that an exception is to be applied.

A resolution that an exception be applied will enable a disposal to the State of Queensland to enable a road dedication to occur without the need to engage in a tender or auction process.

Legal

Legal Services Branch have been consulted on the section 236 exception process.

Policy

This report was developed in accordance with the Procurement Policy in relation to the disposal of Council assets.

Risk

There are no risks identified in relation to this report.

Previous Council Resolution

There is no previous council resolution relevant to this report.

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

The delivery of the project is reliant on the additional land described in this report being available for road purposes. The capital works budget for upgrading and sealing this section of Doonan Bridge Road is approved for delivery in the 2016/17 financial year.

Implementation

Should Council resolve that an exception applies, a survey plan will be executed and lodged dedicating the land as road.

8.3 COMMUNITY SERVICES

8.3.1 REVIEW OF COUNCILS CUSTOMER CHARTER

File No:	Council meetings
Author:	Coordinator Customer Contact Community Services Department
Appendices:	App A - Customer Charter 2016251
Attachments:	Att 1 - Customer Charter 2012253

PURPOSE

This report responds to Item 1 of the Organisation Improvement Plan which requires a review of Council's Customer Charter, and seeks Council's consideration and endorsement of the revised Customer Charter.

EXECUTIVE SUMMARY

This report responds to Item 1 of the Organisation Improvement Plan which states in part: *'Review Councils Customer Charter to embed value for money service delivery as a critical element'*.

First developed four years ago in 2012, the original Customer Charter is no longer representative of a customer centric Council. A cross-council working group was established in April this year to review the Customer Charter.

A contemporary customer charter is integral to establishing minimum, whole of organisation service levels in relation to all Council customer interactions. It also enables improvements to the customer experience as required and indicates Council's commitment to excellence in customer service.

The revised Customer Charter (Appendix A):

- reflects Council's commitment to excellence
- provides opportunities for feedback and
- in a contemporary manner, refers customers to the council website to view the standards for specific services including targets and performance against those targets.

The list of service standards will continue to be identified and measured in line with the number and type of inquiries received via Council's Customer Contact Centre.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled "Review of Councils Customer Charter"
- endorse the Customer Charter 2016 (Appendix A)
- authorise to the Chief Executive Officer to make minor amendments as required to finalise the Customer Charter 2016.

FINANCE AND RESOURCING

There are no financial implications.

CORPORATE PLAN

Corporate Plan Goal:	Service excellence
Outcome:	4.1 - Customer focused services
Operational Activity:	4.1.1 - Assign and monitor a program of actions to enhance customer experience, increase service standards and resourcing, and enhance service delivery

CONSULTATION

Portfolio Councillor Consultation

- Cr Hungerford – Governance and Customer Service Portfolio Councillor

Internal Consultation

- Councillor McKay
- Councillor Dickson
- Councillor Rogerson
- Councillor Robinson
- Councillor Baberowski
- Councillor Dwyer
- Councillor Cox
- Councillor O'Pray
- Councillor Connolly
- Chief Executive Officer
- Director, Community Services
- Director, Corporate Services
- Director, Economic Development and Major Projects
- Director, Planning and Environment
- Director, Infrastructure Services
- Executive Manager, Office of the Mayor and CEO
- Chief Strategy Officer

Staff from every department via attendance at team meetings, one on ones and email correspondence. This process provided 139 individual pieces of feedback which informed the Customer Charter.

A Customer Charter working group was established. Members included:

- Manager Corporate Governance, Corporate Services
- Coordinator Major Planning Projects, Planning and Environment
- Coordinator Department Business Performance, Planning and Environment
- Coordinator Integration & Improvement, Infrastructure Services
- Coordinator Customer Contact, Community Services
- Service Quality / Improvement Specialist, Community Services
- Communication Officer, Economic Development and Major Projects
- Senior Project Officer, Planning and Environment
- Business Support Officer, Planning and Environment
- Coordinator Advocacy & Collaboration, Office of Mayor and CEO.

External Consultation

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

Community Engagement

There has been no specific community engagement undertaken in relation to this report or the revised Customer Charter. However, current community and ongoing customer satisfaction surveys were used to review and inform the Customer Charter.

PROPOSAL

This report responds to Item 1 of the Organisation Improvement Plan which states in part: *'Review Councils Customer Charter to embed value for money service delivery as a critical element'*.

First developed four years ago in 2012, the original Customer Charter is no longer representative of a customer centric Council. A cross-council working group was established in April this year to review the Customer Charter.

A contemporary customer charter is integral to establishing minimum, whole of organisation service levels in relation to all Council customer interactions. It also enables improvements to the customer experience as required and indicates Council's commitment to excellence in customer service.

The revised Customer Charter (Appendix A):

- reflects Council's commitment to excellence
- provides opportunities for feedback and
- in a contemporary manner, refers customers to the council website to view the standards for specific services including targets and performance against those targets.

The working group's role was to gather staff feedback to develop a new customer charter, reflecting Councils intention to improve its level of customer service and provide customers with a consistent and understood level of service whenever and however they contact Council.

Staff feedback was gathered by the working group via a number of methods:

- team meetings
- training courses
- one on one meetings with staff and Councillors
- email correspondence
- informal conversations.

One hundred and thirty-nine pieces of feedback was received from staff. Staff feedback was uniform in that the current Customer Charter was seen as:

- verbose
- stated measures were unique to Customer Contact and not representative of all of Council
- bureaucratic and
- required simplification.

In addition to staff feedback, the working group examined hundreds of customer verbatim responses and comments from customers that have interacted with Council via phone, email, face-to-face and live chat.

This analysis revealed that the key satisfaction drivers for customers contacting Council are:

- promptness
- professionalism and
- efficiency.

Other local government Customer Charters were considered during the review process to benchmark best practice in this area. The working group viewed the charters that provided the best commitment to their customers were those that used simple, customer focused language.

As a result of the feedback, analysis and benchmarking a new customer charter was developed and agreed upon by the working group. It incorporates a change of language and is easy to read and use.

Feedback received from Councillors and members of the Executive Leadership Team during the internal engagement process has been also informed the revised Customer Charter. This feedback included the addition of information to clarify the responsibilities of the different levels of government noting that a high percentage of customer enquiries received by Council are in relation to responsibilities and services outside of our jurisdiction.

The feedback also included adding specific web addresses to the Customer Charter, rather than a generic direction to Council's website, and the movement and rewording of some text.

In addition to the changes above – the revised Customer Charter now points customers to a web page where they can view service levels and expected response times for key service transactions. The development and reporting of those transactions is a work in progress and will continue to be developed in partnership with each Department via the working group. The aim is to determine which service levels are the most meaningful to our customers based on the number of enquiries received and publishing performance against the agreed level. For example, Customer Contact generally receives its highest volume of customer interactions for services requesting:

- repair of pot holes (seasonal)
- waste collection (i.e. missed bins)
- property searches
- rates requests.

One of the major advantages of publishing expected response times is a reduction in repeat contacts regarding the same issue. Repeat contacts not only lead to lower customer satisfaction, but are higher in cost than an initial contact, can lead to rework and lower staff satisfaction.

Publishing how Council is tracking in achieving those benchmarks will provide customers with a higher level of consistency, transparency and certainty in their dealings with Council. It also signals Council's commitment to achieving and improving the best possible experience for its customers.

Legal

There are no legal implications with this report.

Policy

There are no policy implications with this report.

Risk

There is a risk that if the revised Customer Charter is not broadly adopted through Council, that little if any improvement in customer satisfaction will be achieved.

Risk mitigation strategies for this are around a good communications and engagement plan and role modelling of the appropriate behaviours by all staff. A customer focussed training program is being developed for delivery by the Human Resources Branch to help reinforce customer focussed behaviours throughout the organisation.

Previous Council Resolution

There is no previous council resolution relevant to this report.

Related Documentation

The current Customer Charter 2012 appears as Attachment 1.

Critical Dates

There are no critical dates relevant to this report.

Implementation

The communication and implementation of the Customer Charter across council will be a measured strategy incorporating a number of mechanisms to ensure all staff are aware of their responsibilities.

The working group will partner with the Communication branch to develop an internal communication strategy which will include:

- online training (similar to the Take 5 model)
- induction training
- group team training and assistance for key service level areas
- inclusion of a regular agenda item on how the Customer Charter is being implemented.

A significant piece of work after the endorsement of the Customer Charter and as part of the implementation will be the finalisation and review process for the agreed service standards.

8.3.2 2016/2017 COMMUNITY GRANTS PROGRAM MAJOR GRANTS ROUND 1 RECOMMENDATIONS

File No:	Statutory Meetings
Author:	Team Leader Community Connections Community Services Department
Appendices:	App A - Major Grant Recommendations August 2016..... 263
Attachments:	Att 1 - Internal Consultation 277
	Att 2 - Major Grant Recommendations August 2016 - Further Information (<i>Under Separate Cover</i>)<i>Conf Pg 5</i>
	Att 3 - Funding Round Comparisons 281

PURPOSE

This report seeks Council consideration and endorsement of funding recommendations for the first round of the 2016/17 Community Grants Program Major Grants.

EXECUTIVE SUMMARY

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

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

The Community Grants Program for 2016/17 Major Grants Round 1, closed on 1 August 2016. Council received 109 applications requesting a total of \$1,098,126 across seven categories:

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

Funding totaling \$537,090 for 85 projects is recommended for Council's consideration and endorsement (Appendix A).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "2016/2017 Community Grants Program Major Grants Round 1 Recommendations" and**
- (b) endorse the Major Grant Recommendations August 2016 (Appendix A).**

FINANCE AND RESOURCING

This report to Council is in relation to the first Major Grant round for the 2016/17 Community Grants Program.

The Community Grants Program budget for 2016/17 provides a total of \$1,302,825 to fund:

- two major grant funding rounds
- four minor grant funding rounds
- individual development grants (year-round) and
- emergency grants (year-round).

The year-to-date spend of the Community Grants Program budget totals \$35,144 leaving a balance of \$1,267,681 to fund the program for the remainder of the financial year.

Council received a total of 109 applications requesting a total of \$1,098,126 at the closure of the first round on 1 August 2016.

This report recommends that 85 applicants be funded a total of \$537,090.

The project budgets (based on figures supplied by applicants) for the successful applications total more than \$2.4 million. This is 4.6 times greater than the Council contribution recommended in this report.

Details are provided in Major Grant Recommendations August 2016 (Appendix A).

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

Category	Applications received	Funding requested	Applications recommended	% Applicants recommended	Funding recommended (GST exc.)
Community Development	29	\$227,210	21	72.4%	\$95,385
Community Events	20	\$179,685	18	90%	\$84,953
Community Facilities	35	\$497,059	27	77.1%	\$253,379
Cultural Development	4	\$23,550	2	50%	\$16,450
Cultural Heritage	2	\$15,000	2	100%	\$12,740
Economic Development	6	\$50,002	5	83.3%	\$32,122
Sport, Recreation and Healthy Living	13	\$105,620	10	76.9%	\$42,061
Total	109	\$1,098,126	85	78%	\$537,090

CORPORATE PLAN

Corporate Plan Goal: *A new economy*
Outcome: We serve our community by providing this great service
Operational Service: S2 - Economic development - providing industry and business programs and initiatives to support the growth of the regional economy

Corporate Plan Goal: *A strong community*
Outcome: We serve our community by providing this great service
Operational Service: S4 - Community and cultural development and partnerships - providing planning, partnering and supporting the community

through a range of community development, civic and cultural programs and grants

Corporate Plan Goal: ***A strong community***
Outcome: We serve our community by providing this great service
Operational Service: S12 - **Sporting facilities** - providing regional, district and community sport and recreation facilities including aquatic centres, showgrounds and multi-sports fields

CONSULTATION

Portfolio Councillor Consultation

- Cr Jenny McKay – Community and Environment Portfolio Councillor

Internal Consultation

Grants Development Officers attended assessment panels, reviewed outcomes and moderated across all grant categories to ensure equity and consistency.

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

External Consultation

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

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

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

Community Engagement

Broad community engagement was not required to inform this report.

PROPOSAL

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

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

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

- community organisations are provided with funding support to provide benefit to the Sunshine Coast community, in line with Council's strategic corporate priorities
- vibrant, engaged and more resilient communities are developed through capacity building and partnerships
- community organisations and volunteers are acknowledged for the positive contribution they make to the local community and Council's vision for the future and

- funds are distributed in an equitable and transparent manner that ensures good governance and adherence to the *Local Government Act 2009* and the *Local Government Regulation 2012*.

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

Promotion and Support

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

- Council's website, Facebook, Twitter and the CommunityHub website
- online community newsletters
- extensive newspaper advertising in local community newspapers including media releases and spotlight print columns
- Spotlight radio, Council's e-news, and messages on hold
- features in Councillor columns
- grant information and writing sessions held at two locations and
- grant factsheets were available in libraries and customer service centers.

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

- responding to telephone enquiries, emails and action requests
- providing assistance with project development
- providing advice on the preparation of application content and the application process
- linking applicants with category specialists in all grant categories and
- assisting applicants with identifying other grant and funding opportunities.

Applications

A total of 109 applications were received across the seven grant categories of the 2016/17 Community Grants Program Major Grants Round 1, requesting \$1,098,126 in funding.

Assessment

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

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

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

Due to the large number of applications in each grant category, part funding was recommended in some instances. In each case where part funding was recommended, the panel:

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

Recommendation

Of the 109 applications received, it is recommended that 85 projects be funded to the amount of \$537,090. The total cost of the recommended projects is valued at \$2,445,275 (based on figures supplied by applicants). This investment represents a \$4.56 return on every dollar contributed by Council in this grant round.

Funding totaling \$537,090 for 85 projects is recommended for Council's consideration and endorsement as provided in Appendix A: Major Grant Recommendations August 2016.

The Confidential Attachment 2: Major Grant Recommendations August 2016 - Additional Information provides further detail relating to the assessment of applications and is provided in confidence under Section 275 (h) of the *Local Government Act 2009*.

Attachment 3: Funding Round Comparisons details the funding comparison of the current round to the previous Major Grant round.

Program Evaluation

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

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

Benefits

Organisations recommended for funding in this round:

- reported the engagement of 3,119 volunteers to deliver their funded projects and
- estimated direct beneficiaries of their projects totalled 101,353 people. This included event patrons and/or participants.

Legal

There are no legal implications relevant to this report.

Policy

The recommendations contained within this report are in accordance with the *Local Government Act 2009*, *Local Government Regulation 2012* and in line with the adopted *Community Grants Policy*. Any requested changes to funding recommendations made by the panel need to be supported by evidence and that evidence recorded.

Risk

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

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

Previous Council Resolution**Ordinary Meeting 19 May 2016 - Council Resolution (OM16/74)**

That Council:

- (a) *receive and note the report titled "2015/2016 Community Grants Program Major Grants Round 2 Recommendations"*
- (b) *endorse the Major Grant Recommendations March 2016 (Appendix A)*
- (c) *endorse the transfer of \$30,000 from the 2015/2016 Sports Field Maintenance Funding Program budget to the Community Grants Program 2015/16 and*
- (d) *endorse the transfer of \$30,000 from the 2015/2016 the Community Partnership Funding Program budget to the Community Grants Program 2015/16.*

Ordinary Meeting 29 January 2015 – Council Resolution (OM15/5)

That Council:

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

Ordinary Meeting 22 May 2014 – Council Resolution (OM14/68)

That Council:

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

Ordinary Meeting 20 June 2013 – Council Resolution (OM13/109)

That Council:

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

Related Documentation

Related documentation includes funding agreements with successful community organisations.

Relevant policy and strategy documents include:

- *Local Government Regulation 2012*
- *Local Government Act 2009*
- *Statutory Bodies Financial Arrangements Act 1982*
- *Sunshine Coast Social Strategy 2015*
- *Sunshine Coast Regional Economic Development Strategy 2013-2033*
- *Community Grants Policy (2013)*
- *Community Grants Guidelines (2013)*
- *Cultural Development Policy (2012)*
- *Sunshine Coast Aquatic Plan 2011-2026*
- *Sunshine Coast Sport and Active Recreation Plan 2011-2026*
- *Sunshine Coast Access and Inclusion Plan 2011-2016*
- *Sunshine Coast Positive Ageing Strategy 2011-2016*
- *Sunshine Coast Reconciliation Action Plan 2011-2016*
- *Community Land and Complimentary Commercial Activity Policy (2011)*
- *Public Art Policy (2011)*
- *Sunshine Coast Social Infrastructure Strategy (2011)*
- *Sunshine Coast Youth Strategy 2010-2015*
- *Sunshine Coast Domestic Animal Management Strategy 2014-2020*
- *Asset Management Policy (2010)*
- *Community Events and Celebrations Strategy (2010)*
- *Events Policy (2010)*
- *Heritage Levy Policy (2010) and*
- *Community Engagement Policy (2009).*

Critical Dates

The next Major Grants round under the Community Grants Program will open in February 2017 and close in March 2017.

Implementation

Following endorsement of this report, notification of outcomes will take place. Funding will be distributed during October and November 2016, following receipt of invoice and signed conditions of agreement.

8.6 OFFICE OF THE MAYOR AND THE CEO**8.6.1 AUDIT COMMITTEE MEETING 5 SEPTEMBER 2016**

File No:	Council meetings
Author:	Manager Audit and Assurance Office of the Mayor and Chief Executive Officer
Attachments:	Att 1 - Audit Committee Minutes 5 September 2016289

PURPOSE

To provide Council with information on matters reviewed at the Audit Committee Meeting held 5 September 2016 (*Section 211 Local Government Regulation 2012*) and make recommendation to Council on any matters that the Audit Committee considers need action or improvement (*Section 105 of the Local Government Act 2009*).

EXECUTIVE SUMMARY

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

The Audit Committee agenda was distributed electronically to all Councillors on 29 August 2016 with agenda reports categorised as Chief Executive Update, External Audit, Audit and Assurance, Governance and Risk reports.

In addition to the standard Audit Committee reporting, the findings associated with two reviews completed by consultants Deloitte Touche Tohmatsu were presented.

OFFICER RECOMMENDATION

That Council receive and note the report titled “Audit Committee Meeting 5 September 2016”.

FINANCE AND RESOURCING

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

CORPORATE PLAN

Corporate Plan Goal:	<i>An outstanding organisation</i>
Outcome:	5.2 - A financially sustainable organisation
Operational Activity:	5.2.2.1 - Ensure Council's finances are well managed and systems are in place to analyse performance, generate revenue and reduce costs

CONSULTATION

Internal Consultation

Executive Leadership Team

External Consultation

External members of the Audit Committee.

Community Engagement

There has been no community engagement.

PROPOSAL

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

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

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

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

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

The matters reviewed at the 5 September 2016 Audit Committee Meeting were as follows.

Chief Executive Officer's Update

- Update on significant issues being addressed by Council.

External Audit Reports

- 2015/16 Interim Audit Report by Queensland Audit Office and General Update
- Draft 2015/16 Financial Statements

Audit and Assurance Reports

The following internal audit reports were presented at the meeting.

- Governance and Risk Review of Council's SunCentral Development Project (Deloitte Touche Tohmatsu)
- Enterprise Risk Management and Reporting Framework (Deloitte Touche Tohmatsu)
- Quarry Operations
- Audit and Assurance Status Report covering status of the annual work plan and the progress on the implementation of internal and external audit recommendations.

Governance Reporting

- Governance report covering the Governance in Action, Risk Management and Integrity Management programmes
- Work Health and Safety Report with two notifiable incidents identified.

Legal

There are no legal implications with this report

Policy

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 and Internal Audit Charters were previously endorsed at Council Ordinary Meeting 16 June 2016.

Related Documentation

Audit Committee Agenda for 5 September 2016 was issued to Councillors 29 August 2016.

Critical Dates

There are no critical dates associated with this report.

Implementation

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

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 PLANNING AND ENVIRONMENT****11.1.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - PLANNING APPEAL - BUDERIM**

File No: APL16/0011; MCU15/0116; LEG822

Authors: Coordinator Appeals Management
Planning and Environment Department
Solicitor
Office of the Mayor and Chief Executive Officer

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

11.2 CORPORATE SERVICES

Nil

11.3 COMMUNITY SERVICES

Nil

11.4 INFRASTRUCTURE SERVICES

Nil

11.5 ECONOMIC DEVELOPMENT AND MAJOR PROJECTS

Nil

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 10 November 2016 in the Council Chambers, 1 Omrah Avenue, Caloundra.

13 MEETING CLOSURE