

Agenda

Ordinary Meeting

Thursday, 18 August 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 Special Meeting (Caloundra Centre Master Plan) held on 18 July 2016 and the Ordinary Meeting held on 21 July 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 CORPORATE SERVICES****8.1.1 QUARTERLY PROGRESS REPORT - QUARTER 4, 2015/2016****File No:** Statutory Meeting 18 August 2016**Author:** Coordinator Corporate Plan Reporting and Risk
Corporate Services Department

Appendices: App A - CEO's Quarterly Progress Report (*Under Separate Cover*)..... Att Pg 5
 App B - Operational Plan Activities Report (*Under Separate Cover*)..... Att Pg 63
 App C - Performance Measures Report (*Under Separate Cover*)
 Att Pg 64

PURPOSE

This report presents the Quarterly Progress Report for the period 1 April to 30 June 2016 - Quarter 4. This report has been prepared to inform council and the community on delivery of the services, implementation of operational activities and significant operating projects from council's Operational Plan 2015/2016 and Corporate Plan 2014-2019.

EXECUTIVE SUMMARY

Each quarter, council receives a progress report on the delivery of the Corporate and Operational Plans. The report once adopted, is published and made available to the community.

The report is comprised of:

- Appendix A – reports from the Chief Executive Officer and Directors which outline service delivery.
- Appendix B – report on the 137 operational activities flowing from Council's Operational Plan 2015-2016 and
- Appendix C – report showing corporate plan goal performance.

Highlights for the quarter ended 30 June 2016 are:

A new economy

- The Minister for State Development released the Queensland Coordinator-General's report accepting the Sunshine Coast Airport Expansion Project Environmental Impact Statement.
- An invitation was extended to the commercial sector calling for expressions of interest to partner with council in the delivery of the Sunshine Coast Airport Expansion and
- SunCentral Maroochydore expressions of interest were invited from investors and developers to be a part of the new city centre.

A strong community

- Coolum Sports Complex upgrade delivered a \$2.4 million expansion to the complex which includes a new sports field and

- Sunshine Coast Art Prize, 40 finalists were announced and will be on exhibition at Caloundra Regional Gallery from August 18.

A Healthy Environment

- Pumicestone Passage Catchment Action Plan received a highly commended award and
- Construction of the \$4.7 million Mary Cairncross Scenic Reserve Discovery Centre commenced.

Service Excellence

- Council approved a \$717 million budget for 2016/17, including a \$253 million capital works program.
- The tender for the Sunshine Coast Solar Farm was awarded to Downer Utilities Pty Ltd to construct a 15 megawatt solar farm located in Valdora.
- Surf Lifesaving Championships were held in April on the Sunshine Coast with more than 7000 surf lifesavers from 313 surf clubs competing.

An Outstanding Organisation

- An organisational climate survey was undertaken to collect employee feedback to help inform our future People Strategy and action planning at Branch level.
- Council achieved national recognition in winning the Australasian Local Government Management Challenge.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled “Quarterly Progress Report - Quarter 4, 2015/2016”**
- note the Chief Executive Officer’s Quarterly Progress Report – Quarter 4, 1 April to 30 June 2016 (Appendix A) on service delivery**
- note the Operational Plan Activities Report – Quarter ended June 2016 (Appendix B) reporting on implementation of the Corporate and Operational Plans and**
- note the Performance Measures Report as at end of June 2016 (Appendix C) reporting on Corporate Plan goal performance.**

FINANCE AND RESOURCING

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

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*

Outcome: We serve our community by providing this great service

Operational Activity: S31 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported

CONSULTATION

Portfolio Councillor Consultation

Councillor Hungerford as Portfolio Councillor for Governance and Customer Service has been briefed on this report.

Internal Consultation

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

External Consultation

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

Community Engagement

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

PROPOSAL

The Corporate Plan 2014-2019 and Operational Plan 2015/2016 have a strong focus on the core services that council delivers to the community. In addition, these plans also identify the operational activities that council will undertake, that align to council's goals.

Service delivery

The Chief Executive Officer's Quarterly Progress Report – Quarter 4 (Appendix A) consists of the Chief Executive Officer's summary report and Directors' detailed reports. The purpose of the report is to inform council and the community on the delivery of core services outlined in council's corporate plan.

Operational activities

The Operational Plan Activities Report – Quarter ended June 2016 (Appendix B) provides details on the implementation of operational activities and significant operating projects outlined in council's operational plan. It includes the status of each activity and project in the operational plan covering percentage complete, anticipated completion date and progress commentary.

Table 1 provides a summary on the status of all operational activities and significant operating projects.

Status	Number
Completed	124
Underway	13
Not Started	0
Total	137

Table 1: Summary of all operational activities and significant operating projects

Corporate Plan Goal Performance Measures

27 of the suite of 28 performance measures endorsed by council, are included as Appendix C to this report. The majority of the measures have a three-monthly reporting frequency with performance for other measures captured and reported at agreed intervals. All performance measures will be reported to council across the year and published in the Annual Report.

Legal

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

Policy

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

Risk

Directors have provided in their reports an overview of service delivery for the quarter, including the outlook for the future and any associated risks.

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

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

Previous Council Resolution

Council adopted the:

- Corporate Plan 2014-2019 on 12 May 2014, and
- Operational Plan 2015/2016 on 18 June 2015

Related Documentation

- Corporate Plan 2014-2019
- Operational Plan 2015/2016
- Financial information provided to council in the Financial and Capital management report

Critical Dates

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

Implementation

The report will be published and available for community access via council's website. The Chief Executive Officer and Directors will provide a verbal report to council at the Ordinary Meeting.

8.2 PLANNING AND ENVIRONMENT**8.2.1 DEVELOPMENT APPLICATION - RECONFIGURATION OF A LOT (1 LOT INTO 13 LOTS), LAKESIDE DRIVE AND PEREGIAN SPRINGS DRIVE, PEREGIAN SPRINGS**

File No: REC16/0012

Author/Presenter: Senior Development Planner
Planning and Environment Department

Attachments: Att 1 - Proposal Plans 29

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1742582>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	FKP Residential Developments Pty Ltd
Proposal	<ul style="list-style-type: none"> Development Permit for Reconfiguration of a Lot (1 Lot into 13 Lots including 12 residential lots and the balance golf course lot) and Development Permit for Material Change of Use of Premises (12 x Dwelling Houses)
Properly Made Date:	03/02/2016
Information Request Date:	01/03/2016
Information Response Received Date:	13/04/2016
Decision Due Date	15/07/2016 (2 nd 20 business days)
Number of Submissions	<p>TOTAL of 453 submissions, plus a petition with 615 names, and a petition with 209 names</p> <p>Of the 453 submissions, 423 were Properly Made and 30 were Not Properly Made</p> <p>Objecting – of the 453 submissions, 446 objected, as well as the 615 person petition</p> <p>Support – of the 453 submissions, 7 were in support, as well as the 209 person petition</p>
PROPERTY DETAILS	
Division:	9
Property Address:	Lakeside Drive and Peregian Springs Drive, Peregian Springs
RP Description:	Lot 5003 SP 239725
Land Area:	619,800m ² (61.98h)
Existing Use of Land:	Golf Course

STATUTORY DETAILS – FOR USE WITH APPLICATIONS UNDER SUPERSEDED PLANNING SCHEME	
Planning Scheme:	Sunshine Coast Planning Scheme (7 December 2015)
SEQRP Designation:	Urban Footprint
Strategic Plan Designation:	Major Sport and Recreation Open Space
Planning Area / Locality:	Peregian South Local Plan Area
Planning Precinct / Zone:	Sport and Recreation Zone
Assessment Type:	Impact Assessable

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for Reconfiguration of a Lot (1 Lot into 13 Lots, including 12 residential lots and the balance golf course lot) and a Development Permit for Material Change of Use of Premises (12 x Dwelling Houses) at Lakeside Drive and Peregian Springs Drive, Peregian Springs. The application is before council due to the significant public interest received during Public Notification of the application, with 446 submissions received objecting to the development, and a petition with 615 names also objecting to the development. There were 7 submissions of support and a petition with 209 names also supporting the development.

The application is assessed against the Sunshine Coast Planning Scheme 2014.

EXECUTIVE SUMMARY

The application seeks approval for a Reconfiguration of a Lot for 13 Lots (12 residential lots and the balance golf course lot) and a Material Change of Use to establish a detached house on each of the 12 proposed lots.

The proposed 12 residential lots range in size from 375m² to 624m² with an average lot size of 456m² and are located on approximately 1.1 hectares of the Peregian Spring Golf Course land. Access to the proposed lots is via an internal community title road accessing the site from Lakeside Drive.

The land is located within the Sport and Recreation Zone which is intended to provide for a range of organised sport and recreation activities in line with its current use as a golf course. The proposed subdivision results in the fragmentation of sport and recreation zoned land for residential purposes, to the detriment of the broader Peregian Springs community.

The proposed development is a small lot residential subdivision on the golf course and is inconsistent with the Strategic Framework and the Purpose and Overall Outcomes sought for the Sport and Recreation Zone and the Peregian South Local Plan.

The proposed development requires clearing and filling to accommodate the proposed lots, which results in the loss of ecologically important existing native vegetation, as set aside from development under the master planning for this estate.

The applicant has identified that the purpose of this application is to provide funding to the golf club to resolve the club's financial difficulties in order to ensure the club remains financially viable into the future.

Insufficient planning grounds exist to justify approval of the application despite the conflict with the planning scheme.

OFFICER RECOMMENDATION

That Council REFUSE Application Nos. REC16/0012 and MCU16/0015 for a Development Permit for Reconfiguration of a Lot (1 Lot into 13 Lots) and Development Permit for Material Change of Use of Premises (12 x Dwelling Houses) situated at Peregian Springs Drive, Peregian Springs, for the following reasons:

- (a) the development conflicts with the Strategic Framework of the Sunshine Coast Planning Scheme 2014**
- (b) the development conflicts with the Purpose and Overall Outcomes of the Sport and Recreation Zone Code**
- (c) the Development conflicts with the Purpose and Overall Outcomes of the Peregian South Local Plan Code**
- (d) the development conflicts with Biodiversity, Waterways and Wetlands Overlay Code**
- (e) the development conflicts with the Purpose and Overall Outcomes of the Code for Reconfiguring a Lots and**
- (f) there are insufficient grounds in the public interest to justify approval of the development despite the 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 subdivision component is \$181,400.

PROPOSAL

The application seeks approval for Reconfiguration of a Lot to establish 12 residential lots on land currently forming part of the Peregian Springs Golf Course.

The proposed lots range in size from 375m² to 624m² with an average lot size of 456m². Access to the lots is proposed from a private cul-de-sac connecting to Lakeside Drive. The driveway would be common property under a community title arrangement.

The proposed lots are arranged in a linear fashion alongside the fairway of the 11th hole of the golf course and overlooking a lake.

An access easement is also proposed over the golf course land to provide maintenance vehicle access to the proposed bio-retention basin at the rear of proposed Lot 704. This easement would run along the rear boundary of proposed Lots 702-704.

The proposed subdivision requires the relocation of the existing tee block for the 12th hole of the golf course. The tee block is proposed to be moved to the west to accommodate the additional proposed lots.

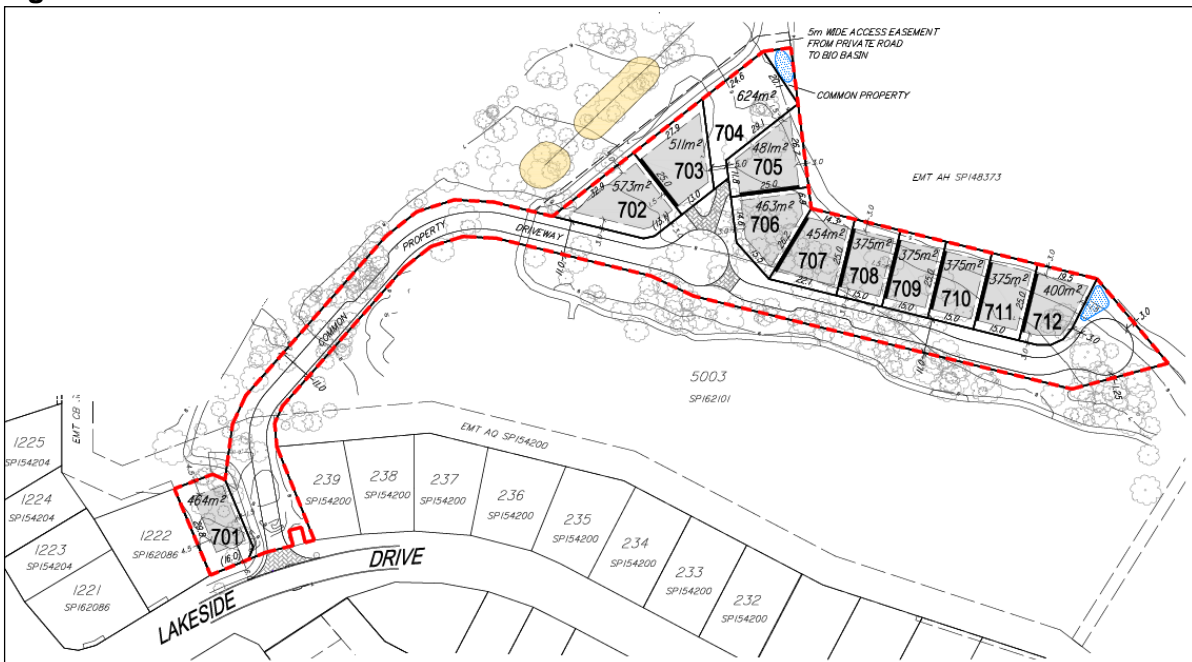
The development application also includes a Material Change of Use component to establish detached houses on each of the proposed lots (12 houses).

The purpose for the application including a Material Change of Use component for the houses on each of the proposed lots is because the site is zoned Sport and Recreation under the Sunshine Coast Planning Scheme and houses are not an intended use and, therefore, each dwelling would be subject to Impact Assessment. The inclusion of the impact assessable application for the houses as part of this application eliminates the need for future owners of the land to require 12 individual impact assessable applications for houses on each of the proposed lots.

Figure 1 – Proposed Subdivision Layout Plan



Figure 2 - Subdivision Plan



SITE DETAILS

Background/Site History

The subject site is included in the Peregian Springs master planned community estate.

Urban use rights within the land that is now known as Peregian Springs have evolved since it was first included as part of a larger area designated "Urban" on the Strategic Plan attached to the 1985 Maroochy Shire Planning Scheme. That urban Strategic Plan designation led to separate rezoning approvals gazetted in 1993 and 1997 to change the zone of the land from Rural A to Residential A and partly Sports Open Space.

The land was later granted a subdivision approval by the Planning & Environment Court (18 December 1998) for Stages 1 – 4 of Peregian Springs, but on the condition that the balance of the land not be developed until the applicant submit, and have approved, a development master plan for the whole site. In complying with this requirement, the applicant obtained a Preliminary Approval for Reconfiguration of Lot on 28 May 2002, issued by Consent Judgement of the Planning & Environment Court. The Preliminary Approval did not grant a particular permit for subdivision but, rather, set in place a "Development Plan Map" and a "Master Plan" document to guide the future "roll-out" of subdivision approvals across the new community. The approved Master Plan document contains, amongst other things, provisions that the community is expected to have 15% of its housing stock made up in "medium density" housing developments, with an ultimate residential population of approximately 5,000. The Master Plan also identified the open space area associated with the golf course.

A range of subdivision approvals were subsequently issued through 2002, 2003 and 2004 under the auspices of the Peregian Springs Master Plan. These approvals established the conventional development layout of the estate as it exists today. The community continues to be constructed in stages.

Site Description

Site & Locality Description	
Road Frontage	The proposed development is located on part of the Peregian Springs Golf Course. The subdivision is proposed in the western part of the golf course with access proposed from Lakeside Drive
Existing Significant Vegetation	The site contains mapped native vegetation which is proposed to be cleared
Topography:	The site is slightly undulating
Surrounding Land Uses:	The development is proposed on the golf course land. The development is, therefore, surrounded by fairways and a lake associated with the golf course. To the south and the west of the proposed development site there are low density residential houses with frontage to the golf course

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

Figure 3 – Location Map

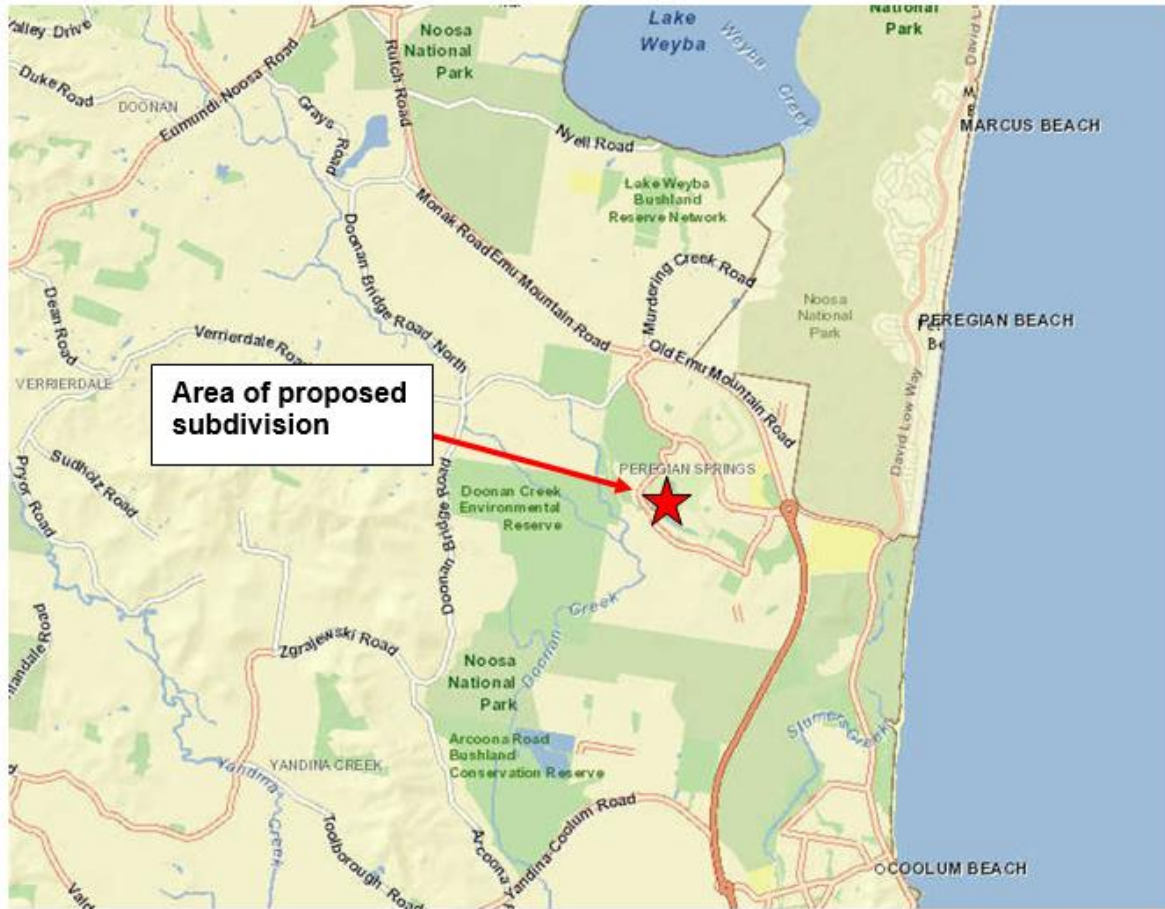


Figure 4 – Aerial Photo



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

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

Statutory Instruments – State and Other

State Planning Policies

The 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 warrant a separate assessment.

South East Queensland Regional Plan

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

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 development is consistent with the State Planning Regulatory Provisions.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is Sunshine Coast Planning Scheme 2014 (7 December 2015). The following sections relate to the provisions of the Planning Scheme.

Strategic Framework

The Strategic Framework 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 proposed development is inconsistent with the Strategic Framework of the planning scheme. The subject site is designated as Major Sport and Recreation Open Space within the Strategic Framework. Subdivision of part of the Peregrin Springs Golf Course land for the purposes of residential housing is inconsistent with the strategic intent of the framework which seeks to create *“the Sunshine Coast as one of the most biologically diverse areas in Australia and is renowned for its natural environmental values and leafy, sub-tropical urban environments.”*

The strategic intent seeks to achieve: *“Almost 90% of the region is protected as open space either for environmental or rural and landscape purposes. The Sunshine Coast’s protected greenspace and commitment to sustainability contribute to the region’s natural (competitive) advantage.”*

Furthermore, the Strategic Framework also requires new development to contribute to the availability of useable open space, public space and communal areas to promote activity and community interaction.

The proposed development not only erodes land intended for open space and for sport and recreation purposes, it would also result in the loss of native vegetation, thereby impacting the natural values and habitat of the area and having a noticeable impact on local character and visual amenity.

The Natural Environment element of the Strategic Framework requires development to avoid impacts on land with ecological importance. Council’s ecological specialist has confirmed that the habitat proposed to be cleared as part of this application is habitat and food source for a number of rare and vulnerable fauna species native to this area and has important ecological value to the area.

Council’s ecology specialist has provided the following comments in relation to the proposals inconsistency with the *Natural Environment Element 2 – Koalas and Koala habitat* of the Strategic Framework.

“Koalas and koala habitat, states that koalas and koala habitat should be avoided, where practicable and koala habitat and corridors retained. This area of vegetation contains large, preferred koala food trees and constitutes an important staging post for koalas and other arboreal fauna, and ground dwelling mammals and reptiles to move between larger protected reserves and national parks, especially when maturing juveniles are dispersing from their home range. The clearing required to achieve the proposed footprint will fragment this stand of timber and significantly reduce its ability to provide food and refuge to native fauna.”

Local Plan Code

The subject site is located in the Peregrin South Local Plan Area. The application has been assessed against the Local Plan Code and found to be inconsistent with the Purpose and Overall Outcomes of the Code.

The Purpose and Overall Outcomes for the Peregrin South Local Plan area identify the importance of the golf course to the area and the intent for it to be retained and protected from future development. Performance Outcome P04 of the Code requires the following:

Development provides for the Peregrin Springs Golf Course to be retained as an important sport and recreation facility and open space contributing to the character and identity of the local plan area.

The proposed development would result in the loss of approximately 1.1ha of golf course land and proposes houses in between fairways. The development requires a substantial amount of clearing of native vegetation and earthworks to accommodate the houses and would result in a negative impact on the character of the area.

The proposed development would result in the loss of established native vegetation and, therefore, conflicts with Performance Outcome PO5 of the Code which requires the following:

Development provides for the retention and enhancement of key landscape elements including wetlands, wallum heathland, bushland and other areas of significant vegetation contributing to the setting and character of the local plan area.

These areas have value not only as habitat for native flora and fauna, but also for the character and amenity of the area. Removal of the existing vegetation in this location would have a significant impact on the character and amenity of the golf course and of the residential properties to the south that adjoin the golf course. These properties have direct golf course frontage and would have a reasonable expectation that this remain due to the zoning and open space designation of the land which has existed since the inception of the Peregian Springs estate. To remove vegetation and introduce houses in this location would have an impact on the amenity and the views and vistas experienced by these properties.

Zone Code

The proposed subdivision for residential houses is inconsistent with the Purpose and Overall Outcome of the Sport and Recreation Zone Code. Houses are identified as an “inconsistent use” within this zone and are not intended to occur on this land.

The Purpose and Overall Outcomes of the Sport and Recreation Zone is “*to provide for a range of organised sport and recreation activities and those uses and support facilities which are associated with those activities.*”

The proposed development results in the fragmentation of approximately 1.1 hectares of golf course land for the purposes of additional houses and compromises the planning scheme’s intent for the land to remain as a golf course. The development requires the relocation of an existing tee block into currently vegetated land and proposes vehicle access directly adjacent to the green of the 11th golf hole and running parallel to its fairway.

The proposed subdivision is contrary to the following Outcome of the Code:

“existing and planned recreation activities are protected from the intrusion of incompatible land uses that may compromise or conflict with the primary use of the sport and recreation open space for organised sport and recreation activities”

The proposed development would result in the removal of native vegetation which has important ecological and habitat value as well as an important role in the character of the area and of the golf course. This is inconsistent with the following outcome of the Sport and Recreation Zone code:

“development avoids as far as practicable, or where avoidance is not practicable, minimises and otherwise mitigates, adverse impacts on ecologically important areas, including creeks, gullies, waterways, wetlands, coastal areas, habitats and vegetation through location, design, operation and management”

Overlay Codes

The following overlay codes are applicable to this application:

- Acid Sulfate Soils Overlay Code
- Biodiversity, Waterways and Wetlands Overlay Code
- Landslide Hazard and Steep Land Overlay Code
- Scenic Amenity Overlay Code
- Bushfire Hazard Overlay Code
- Flood Hazard Overlay Code

The application has been assessed against each of the applicable overlay codes and found to be compliant with, or could be conditioned to comply with, each, with the exception of the Biodiversity, Waterways and Wetlands Overlay Code.

Biodiversity, Waterways and Wetlands Overlay Code

The area chosen for the proposed lots contains native vegetation as mapped by council mapping and which meets the definition of an *ecologically important area*, as it is an area that contains, or is likely habitat for scheduled species under both the Qld *Nature Conservation (Wildlife) Regulation 2006 and Environmental Protection and Biodiversity Conservation Act 1999* (koala, Glossy Black Cockatoo, Grey headed flying fox).

While the vegetation is not mapped as remnant vegetation under State mapping (*Vegetation Management Act 1999*), it is still covered by the Protected Plants High Risk Trigger Map and would require State Government approval to remove.

The Ecological Assessment provided with the application has described the native vegetation on the subject site as analogous with Regional Ecosystem (RE) 12.9 – 10.4 - Open forest to woodland, *Eucalyptus racemosa* subs *racemosa* (scribbly gum) prominent on sedimentary rock, which contains a significant proportion of preferred koala food trees from the *Eucalyptus*, *Corymbia*, *Lophostemon* and *Melaleuca* genera and also has potential to contain the Endangered (NCA) *Eucalyptus conglomerate*.

The flora survey and vegetation assessment schedule provided with the Ecological Assessment identifies a number of species that are habitat and food source for a number of rare and vulnerable fauna species native to this area including Koala, Grey Headed Flying Fox and the Glossy Black Cockatoo.

A targeted fauna survey of this area of vegetation was not undertaken as part of the ecological survey process and the fauna list provided only includes what was directly observed and makes assumptions about what potential fauna species may occur, which includes several threatened species.

The Ecological Assessment report states that *“the vegetation clearing is considered an appropriate response to the requirements of densification within South East Queensland and in order to ensure the viability of the Peregian Springs Golf Course”*. Both of these arguments are insufficient to support the removal of native vegetation and do not meet the Performance Outcomes of the Biodiversity, Waterways and Wetlands Overlay Code. Specifically, the development conflicts with Performance Outcome PO1 of the Code as it does not protect the physical and ecological integrity and biodiversity of *ecologically important areas*.

Council ecology specialists have provided the following assessment of the proposed clearing:

“This stand of mature, tall native vegetation in association with the open fairways of the golf course would provide an important staging refuge for avian and arboreal fauna and macropods between significant sections of native bush contained in the National Parks and other Conservation Reserves that surround the Peregrian Springs development. Within Peregrian Springs, these intermittent stands of native bush contribute to an archipelago of refugia that contribute significantly to maintaining connectivity between significant areas of intact vegetation (in this case, the surrounding protected estate), where previous corridors have been severely impacted by clearing and development.”

This application will cause direct loss of habitat (roosting, nesting, hollows, ephemeral pools) and feeding opportunities for native fauna, potentially including threatened species, and has not adequately demonstrated how it can comply with the Performance Outcomes of the Code. It is inconsistent with the following Performance Outcomes of the Code P02 & P03 - minimising the impacts of development on ecologically important areas, P04 & P05 - protecting and providing net gain for koala habitat and food trees, P07 - protecting and enhancing ecological linkages and P08 - retaining and enhancing ecologically important areas.

Flood Hazard Overlay Code

Council’s engineering specialists have assessed the development against the Flood Hazard Overlay Code and have confirmed that the proposed lots would be flood immune. It is noted that the development requires filling with retaining walls of up to 2 metres in sections. However, council’s engineers are satisfied the development can satisfy the requirements of the Code.

Public Interest Grounds

Section 326(1)(b) of the *Sustainable Planning Act 2009* (SPA) states that the assessment manager’s decision must not conflict with a relevant instrument unless there are sufficient grounds to justify the decision, despite the conflict. “Grounds” is defined in the *Sustainable Planning Act 2009* to mean matters of public interest.

The applicant has provided reasons which purport to justify why the application should be approved despite the conflict with the planning scheme.

The applicant identifies the benefit of the golf club to the community as being sufficient ground in the public interest. There are obvious social and economic benefits associated with the club to the area. The applicant argues that the benefit grounds are that the profits of this development will ensure the golf clubs financial viability into the future. The applicant states:

In the past 3 years, the golf club has operated at a financial loss. Although there are strategies in place to improve its financial position, such as opening up the club to tourists and the general public, the club still requires a significant injection of funds in the immediate to short term in order to remain a viable operation. In light of this, an agreement was reached between FKP and the golf club to dispose of some of the surplus land to allow for a small cluster of residential lots to be created, thereby providing a funding boost to the Club. The benefits of the sale of the surplus golf course land and conversion to residential uses also extend to the local community as approval of this small scale residential development will enable the golf club to maintain operations until membership numbers can be increased in the medium to longer term.

Developing part of the golf course for houses in order to assist the golf club with its short term financial difficulties is not an adequate planning ground. While ensuring the ongoing viability of the golf course would be in the public interest, doing so through permanent subdivision and sale of part of the golf course land, in clear conflict with Council's planning scheme, is not an acceptable way of achieving this. Council cannot legally impose requirements to ensure profits of any development are actually received by the golf club, nor can council direct and enforce how any profit from subdivision is spent. There is no certainty that this development would affect the financial position of the golf club or have a noticeable impact on the future of the club. There is not a clear enough nexus in planning terms, between the development proposal and the financial viability of the golf club, for it to be considered sufficient planning grounds to depart from the planning scheme.

These issues are further exacerbated now that the club has reportedly gone into receivership with administrators appointed to take control of the club. This raises more doubt about how any profit from development would be allocated should an approval be granted.

The applicant also proposes an additional community benefit associated with the development in the form of a financial contribution to a local community based group as follows: *To further offset any perceived loss of sport and recreation land, our client also advised they are willing to make a monetary contribution towards ongoing community based activities in the local area. This may include school or other community based programs or alternative community benefit as deemed appropriate by Council.*

The value of the proposed financial contribution was not disclosed by the applicant. While there may be some benefit associated with a financial contribution towards a community based group, it is a short term benefit only. The loss of 1.1 hectares of open space as well as the loss of native vegetation has a more significant impact on the entire community for the long term. Once the land is cleared, filled and fragmented for housing, its use for sport and recreation is lost permanently. A financial contribution does not outweigh the impact of the loss of this land as open space/golf course for the wider community over the long term, and is not sufficient to outweigh the conflict with the planning scheme and the negative impacts on the community.

The proposed grounds are not sufficient to warrant support of the development despite the conflict with the Sunshine Coast Planning Scheme.

Development Codes

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

- Reconfiguration of a Lot Code
- Dwelling House Code
- Vegetation Management Code
- Nuisance Code
- Transport and Parking Code
- Waste Management Code
- Sustainable Design Code
- Safety and Security Code
- Landscape Code
- Stormwater Management Code
- Works, Services and Infrastructure Code

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

Reconfiguration of a Lot Code

The Reconfiguration of a Lot Code does not specify a minimum lot size for land within the Sport and Recreation zone as the planning scheme does not envisage land within this zone being developed for houses. Although the proposal is not inconsistent with the lots sizes specified in the Code, it is inconsistent with the Purpose and Overall Outcomes of the Reconfiguring of a Lot Code. The development is inconsistent with the desired character of the local area which seeks to retain the site for the purposes of the golf course. Furthermore, the development proposes lots of 375m² in size with an average lot size of only 456m². This is significantly below the average lot size of the immediate area which includes lots predominantly above 600m², and a character with a substantially larger average lot size than what is proposed.

The Overall Outcomes of the code requires development to *avoid adverse impacts on native vegetation, waterways, wetlands and other ecologically important areas present on, or adjoining the site.*

The development conflicts with this requirement, resulting in the clearing of a large pocket of native vegetation which is important both ecologically as habitat and also for the visual amenity and character of the area.

IDAS Referral Agencies

The application was referred to the following IDAS referral agencies:

Concurrence

Department of State Development, Infrastructure and Planning (SARA)

The department is a concurrence agency for State controlled road matters. The department responded by letter dated 12 April 2016 advising of no requirements for the development.

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

Public Notification

The application was publicly notified for 15 business days in accordance with the requirements of the *Sustainable Planning Act 2009*. **423** properly made submissions and **30** not properly made submissions were received. Council also received a petition with **615** names **objecting** to the development and a petition with **209** names **in support** of the development

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

Issues	Comments
<p>OBJECTION</p> <p>The proposed Development is inconsistent with the Sport and Recreation zoning which does not anticipate residential development.</p> <p>Community expectation for this land to be retained for sport and recreation purposes.</p> <p>This development would set a precedent for further residential development of the golf course.</p> <p>Unreasonable imposition on properties adjoining the golf course due to the zoning of the land as open space. Impacts on amenity.</p> <p>Proposed development results in clearing impact on flora and fauna, as well as privacy and amenity of the area.</p> <p>Additional traffic created by 12</p>	<p>Agree. The proposed development is inconsistent with the Sport and Recreation zone. A residential subdivision is an inconsistent use in this zone and not intended to occur.</p> <p>Agree. This form of development in this location is not contemplated by the planning scheme and the land has always been identified as Open Space and sport and recreation since the original inception of the Peregrin Springs estate.</p> <p>Every application is assessed against the relevant planning legislation based on its individual circumstances and merits. It is therefore not reasonable to identify precedent as a valid reason to refuse a development. However, in this instance, it is anticipated that approval of the development would change the character of this part of the golf course. The introduction of houses into this part of the golf course would establish a new land use and subsequently a different character in the subject location. Any potential future development would be assessed on its merits against the relevant planning controls at the time.</p> <p>Agree. The development proposes lots that would have additional impacts, including impact to the amenity of the properties that would not have reasonably been expected. Given the zoning and the inclusion of the land as open space since the inception of the estate, residents have designed and built homes with openings addressing the golf course not anticipating a need to protect their properties from impacts associated with houses behind them.</p> <p>Agree. The development results in the clearing of a native vegetation and habitat area for rare and vulnerable fauna species. The removal of this vegetation for housing which is inconsistent with the intent for this zone would have impacts on the amenity and character of the area.</p> <p>The development proposes 12 additional houses</p>

Issues	Comments
<p>additional houses. Impacts on the safety and amenity of the area from additional cars ie noise, traffic and amenity that would not reasonably be anticipated by Sport and Recreation zoning.</p> <p>Application has not adequately demonstrated how the development can address the impacts on safety of the new houses from golf ball strike.</p> <p>Impact on value of property</p>	<p>achieving access onto Lakeside Drive. While this is a relatively low amount of additional traffic for Lakeside Drive and is within the carrying capacity of the road, there would be additional impacts on some of the properties adjoining the access location proposed. The existing Lot 239 would experience a significant amenity impact from traffic associated with 12 additional households driving directly past the side of their property. A number of other properties would experience impacts on their amenity associated with vehicle movements from the development. This would be associated with noise and headlights.</p> <p>Agree. The applicant responded to council's request for Information on the issue of safety associated with golf ball strike stating that <i>"should safety become an issue in the future, the golf club will install nets at that time."</i> While the applicant has not demonstrated that this can be achieved, Council's engineering specialist is satisfied that this could be achieved through conditions requiring nets in the areas of risk should an approval be granted.</p> <p>The impact of the development on the property values of the surrounding houses is not a relevant planning consideration because it is not regulated by the planning scheme. However, it is agreed that there may be some perceived loss of value for those owners who purchased golf course frontage lots with reasonable expectations that the planning framework would continue to protect their views, vistas and outlook over the long term.</p>
<p>SUPPORT</p> <p>Without approval of this application and subdivision, the golf club cannot financially support itself in the short term and will be forced to cease trading.</p>	<p>The golf club has identified its efforts to minimise the annual losses which has included opening the course to tourists and the general public and not just members. It is noted that the club advised that despite a number of funding initiatives, the club is still in a financially difficult position. Regardless of the financial position, subdivision which fragments the golf course land and land which has always been intended to facilitate the open space requirements of the Peregian Springs estate, may not be the only way to resolve the financial position of the club. Furthermore, council cannot rely on the development proposal to solve the financial difficulties of the club as there is no legal</p>

Issues	Comments
<p>The development will not increase noise and traffic issues in the area.</p> <p>The applicant will address any safety issues in relation to ball strike prior to any dwelling being built on the proposed lots.</p>	<p>mechanism for council to ensure that any profits are spent to address the issue or are adequate to do so.</p> <p>The majority of the adjoining houses are unlikely to experience significant impacts in relation to noise and traffic. However, the existing properties adjacent the entry driveway from Lakeside Drive would experience impacts of traffic and noise with 12 additional households using that land for access directly adjacent to their properties. A number of other houses in proximity of the development would be affected by impacts from vehicle headlights entering and exiting the houses at night.</p> <p>The safety of future houses on the lots could be adequately addressed through conditions, if an approval were to be granted.</p>

CONCLUSION

The proposed development is inconsistent with the requirements of the planning scheme and cannot be conditioned to comply. Insufficient grounds have been provided to approve the application despite the conflict with the planning scheme. The application is, therefore, recommended for refusal.

8.2.2 DEVELOPMENT APPLICATION - RECONFIGURATION OF A LOT (1 LOT INTO 3 LOTS INCLUDING RESIDENTIAL LOTS AND THE BALANCE GOLF COURSE LOT)

File No: REC16/0011
 Author/Presenter: Senior Development Planner
 Planning and Environment Department
 Attachments: Att 1 - Proposal Plans47

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1742367>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	FKP Residential Developments Pty Ltd
Proposal	<ul style="list-style-type: none"> • Development Permit for Reconfiguration of a Lot (1 Lot into 3 Lots including 2 residential lots and the balance golf course lot) and • Development Permit for Material Change of Use of Premises (2 x Dwelling Houses)
Properly Made Date:	03/02/2016
Information Request Date:	01/03/2016
Information Response Received Date:	13/04/2016
Decision Due Date	15/07/2016 (2 nd 20 business days)
Number of Submissions	<p>TOTAL of 436 submissions, plus a petition with 615 names, and a petition with 209 names</p> <p>Of the 436 submissions, 416 were Properly Made and 20 were Not Properly Made</p> <p>Objecting – of the 436 submissions, 430 objected, as well as the 615 person petition</p> <p>Support – of the 436 submissions, 6 were in support, as well as the 209 person petition</p>
PROPERTY DETAILS	
Division:	9
Property Address:	Greenside Court and Peregian Springs Drive, Peregian Springs
RP Description:	Lot 5003 SP 239725
Land Area:	619,800m ² (61.98ha)
Existing Use of Land:	Golf Course
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme (7)

	December 2015)
SEQR Designation:	Urban Footprint
Strategic Plan Designation:	Major Sport and Recreation Open Space
Planning Area / Locality:	Peregian South Local Plan Area
Zone:	Sport and Recreation Zone
Assessment Type:	Impact Assessable

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for Reconfiguration of a Lot (1 Lot into 3 Lots, including 2 residential lots and the balance golf course lot) and Development Permit for Material Change of Use of Premises (2 x Dwelling Houses) at Greenside Court and Peregian Springs Drive, Peregian Springs. The application is before council due to the significant public interest received during Public Notification of the application, with 430 submissions received objecting to the development and a petition with 615 names also objecting to the development. There were 6 submissions of support, and a petition with 209 names also supporting the development.

The application is assessed against the Sunshine Coast Planning Scheme 2014.

EXECUTIVE SUMMARY

The application seeks approval for a Reconfiguration of a Lot for 3 Lots (2 residential lots and the balance golf course lot) and a Material Change of Use to establish a detached house on each of the 2 proposed lots.

The proposed 2 residential lots are 527m² and 643m². Access to the proposed lots is via a cul-de-sac extension of Greenside Court.

The land is located within the Sport and Recreation Zone which is intended to provide for a range of organised sport and recreation activities in line with its current use as a golf course.

The proposed subdivision results in the fragmentation of sport and recreation zoned land for residential purposes to the detriment of the broader Peregian Springs community.

The proposed subdivision on the golf course is inconsistent with the Strategic Framework and the Purpose and Overall Outcomes sought for the Sport and Recreation Zone and the Peregian South Local Plan.

The proposed development would require clearing and filling to accommodate the proposed lots which results in the loss of ecologically important existing native vegetation, as set aside from development under the master planning for this estate.

The applicant has identified that the purpose of this application is to provide funding to the golf club to resolve the club's financial difficulties and ensure that the club remains financially viable into the future.

Insufficient planning grounds exist to justify approval of the application despite the conflict with the planning scheme.

OFFICER RECOMMENDATION

That Council REFUSE Application No. REC16/0011 & MCU16/0014 for a Development Permit for Reconfiguration of a Lot (1 Lot into 3 Lots including 2 residential lots and the balance golf course lot) and Development Permit for Material Change of Use of Premises (2 x Dwelling Houses) situated at Greenside Court and Peregian Springs Drive, Peregian Springs, for the following reasons:

- (a) the development conflicts with the Strategic Framework of the Sunshine Coast Planning Scheme 2014**
- (b) the development conflicts with the Purpose and Overall Outcomes of the Sport and Recreation Zone Code within the Planning Scheme**
- (c) the Development conflicts with the Purpose and Overall Outcomes of the Peregian South Local Plan Code**
- (d) the development conflicts with Biodiversity, Waterways and Wetlands Overlay Code**
- (e) the development conflicts with the Purpose and Overall Outcomes of the Code for Reconfiguring a Lots and**
- (f) there are insufficient grounds in the public interest to justify approval of the development despite the 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 creation of 2 additional residential lots is \$30,240.

PROPOSAL

The application seeks approval for a Reconfiguration of a Lot to establish 2 residential lots on land currently forming part of the Peregian Springs Golf Course.

The proposed lots are 527m² and 643m² and achieve access via an extension off the cul-de-sac of Greenside Court. The proposed extension to Greenside Court would be public road reserve.

The proposed lots are located at the end of the Greenside Court for the 9th hole of the golf course.

The development application also includes a Material Change of Use component to establish detached houses on each of the proposed lots (2 houses).

The purpose for the application, including a Material Change of Use component for the houses on each of the proposed lots, is because the site is zoned Sport and Recreation under the Sunshine Coast Planning Scheme and houses are not an intended use and, therefore, each dwelling would be subject to Impact Assessment. The inclusion of the impact assessable application for the houses as part of this application eliminates the need for future owners of the land to require individual impact assessable applications for houses on each of the proposed lots.

Figure 1 – Proposed Subdivision Layout Plan



Figure 2 - Subdivision Plan



SITE DETAILS

The subject site is included in the Peregian Springs master planned community estate.

Urban use rights within the land that is now known as Peregian Springs have evolved since it was first included as part of a larger area designated "Urban" on the Strategic Plan attached to the 1985 Maroochy Shire Planning Scheme. That urban Strategic Plan designation led to separate rezoning approvals gazetted in 1993 and 1997 to change the zone of the land from Rural A to Residential A and partly Sports Open Space.

The land was later granted a subdivision approval by the Planning & Environment Court (18 December 1998) for Stages 1 – 4 of Peregian Springs, but on the condition that the balance of the land not be developed until the applicant submit, and have approved, a development master plan for the whole site. In complying with this requirement, the applicant obtained a Preliminary Approval for Reconfiguration of Lot on 28 May 2002, issued by Consent Judgement of the Planning and Environment Court. The Preliminary Approval did not grant a particular permit for subdivision but, rather, set in place a "Development Plan Map" and a "Master Plan" document to guide the future "roll-out" of subdivision approvals across the new community. The approved Master Plan document contains, amongst other things, provisions that the community is expected to have 15% of its housing stock made up in "medium density" housing developments, with an ultimate residential population of approximately 5,000. The Master Plan also identified the open space area associated with the golf course.

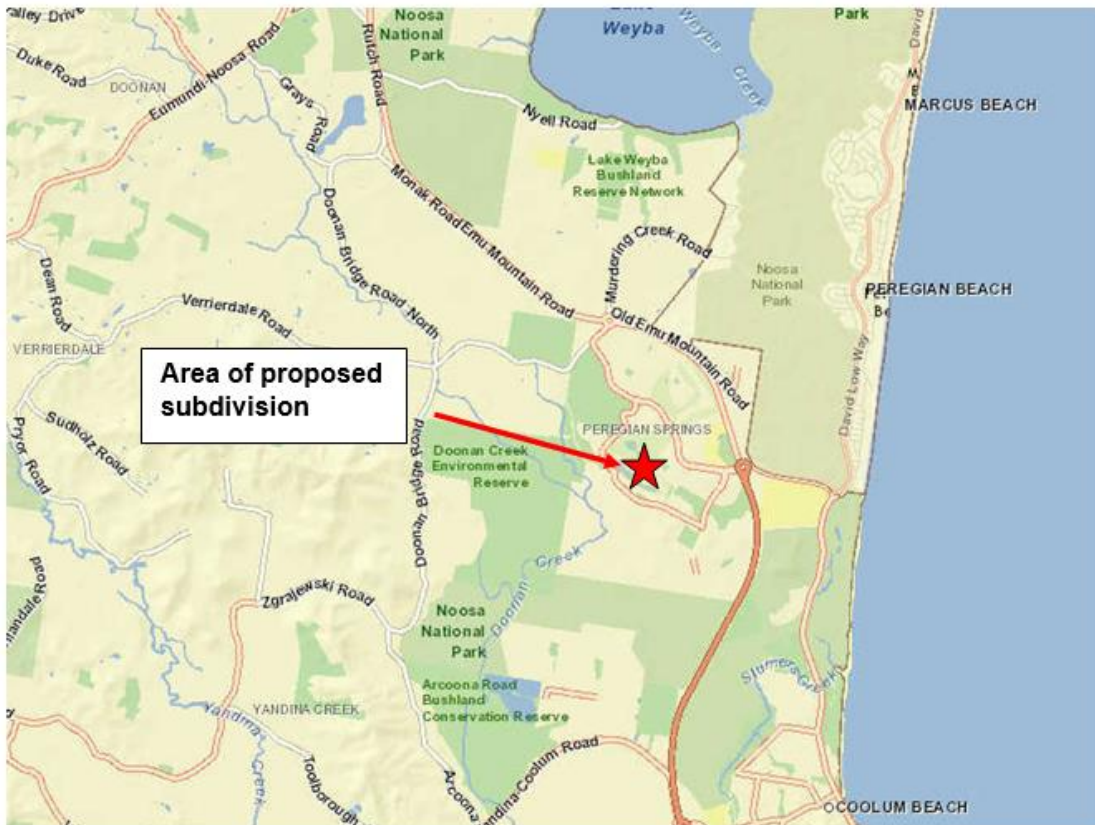
A range of subdivision approvals were subsequently issued through 2002, 2003 and 2004 under the auspices of the Peregian Springs master plan. These approvals established the conventional development layout of the estate as it exists today. The community continues to be constructed in stages.

Site Description

Site & Locality Description	
Road Frontage	The proposed development is located on part of the Peregian Springs Golf Course. The proposed lots would have access via an extension to the cul-de-sac of Greenside Court. The proposed lots back onto Peregian Springs Drive.
Existing Significant Vegetation	The site contains mapped native vegetation which is proposed to be cleared.
Topography:	The site is generally flat.
Surrounding Land Uses:	The development is proposed on the golf course behind the green of the 9 th hole. The west of the site adjoins Peregian Springs Drive. The south of the site adjoins low density residential houses with frontage to the golf course.

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

Figure 3 – Location Map



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

Figure 4 – Aerial Photo



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

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

Statutory Instruments – State and Other

State Planning Policies

The 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 warrant a separate assessment.

South East Queensland Regional Plan

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

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 development is consistent with the State Planning Regulatory Provisions.

Statutory Instruments – Planning Scheme

The applicable planning scheme for the application is the Sunshine Coast Planning Scheme 2014 (7 December 2015). The following sections relate to the provisions of the Planning Scheme.

Strategic Framework

The Strategic Framework 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 proposed development is inconsistent with the Strategic Framework of the planning scheme. The subject site is designated as Major Sport and Recreation Open Space within the Strategic Framework. Subdivision of part of the Peregrian Springs Golf Course land, for the purposes of residential housing, is inconsistent with the strategic intent of the framework which seeks to create *“the Sunshine Coast as one of the most biologically diverse areas in Australia and is renowned for its natural environmental values and leafy, sub-tropical urban environments.”*

The strategic intent seeks to achieve: *“Almost 90% of the region is protected as open space either for environmental or rural and landscape purposes. The Sunshine Coast’s protected greenspace and commitment to sustainability contribute to the region’s natural (competitive) advantage.”*

Furthermore, the Strategic Framework also requires new development to contribute to the availability of useable open space, public space and communal areas to promote activity and community interaction.

The proposed development not only erodes land intended for open space and for sport and recreation purposes, it would also result in the loss of native vegetation, thereby impacting the natural values and habitat of the area and having a noticeable impact on the local character and visual amenity.

The Natural Environment element of the Strategic Framework requires development to avoid impacts on land with ecological importance. Council’s ecological specialist has confirmed that the habitat proposed to be cleared as part of this application is habitat and food source for a number of rare and vulnerable fauna species native to this area and has important ecological value to the area.

Council’s ecology specialist has provided the following comments in relation to the proposals inconsistency with the *Natural Environment Element 2 – Koalas and Koala habitat* of the Strategic Framework.

“Koalas and koala habitat, states that koalas and koala habitat should be avoided, where practicable and koala habitat and corridors retained. This area of vegetation contains large, preferred koala food trees and constitutes an important staging post for koalas and other arboreal fauna, and ground dwelling mammals and reptiles to move between larger protected reserves and national parks, especially when maturing juveniles are dispersing from their home range. The clearing required to achieve the proposed footprint will fragment this stand of timber and significantly reduce its ability to provide food and refuge to native fauna.”

Local Plan Code

The subject site is located in the Peregrin South Local Plan Area. The application has been assessed against the Local Plan Code and found to be inconsistent with the Purpose and Overall Outcomes of the Code.

The Purpose and Overall Outcomes for the Peregrin South Local Plan area identify the importance of the golf course to the area and the intent for it to be retained and protected from future development. Performance Outcome P04 of the Code requires the following:

Development provides for the Peregrin Springs Golf Course to be retained as an important sport and recreation facility and open space contributing to the character and identity of the local plan area.

The proposed development would result in the loss of approximately 1,605m² of golf course land and proposes houses abutting the green of the 9th hole. The development requires clearing of native vegetation and earthworks to accommodate the houses and would result in a negative impact on the character of the area.

The proposed development would result in the loss of established native vegetation, and therefore conflicts with Performance Outcome PO5 of the Code which requires the following:

Development provides for the retention and enhancement of key landscape elements including wetlands, wallum heathland, bushland and other areas of significant vegetation contributing to the setting and character of the local plan area.

These areas have value not only as habitat for native flora and fauna, but also for the character and amenity of the area. Removal of the existing vegetation in this location would have a significant impact on the character and amenity of the golf course, of Peregrin Springs Drive and also of the residential properties to the south that adjoin the golf course. These properties have direct golf course frontage and would have a reasonable expectation that this remain due to the zoning and open space designation of the land which has existed since the inception of the Peregrin Springs estate. To remove vegetation and introduce houses in this location would have an impact on the amenity and the views and vistas experienced by these properties.

Zone Code

The proposed subdivision for residential houses is inconsistent with the Purpose and Overall Outcomes of the Sport and Recreation Zone Code. Houses are identified as an "inconsistent use" within this zone and are not intended to occur on this land.

The Purpose and Overall Outcomes of the Sport and Recreation Zone is "to provide for a range of organised sport and recreation activities and those uses and support facilities which are associated with those activities."

The proposed development results in the fragmentation of approximately 1,605m² of golf course land for the purposes of additional houses and compromises the planning scheme's intent for the land to remain as a golf course and open space.

The proposed subdivision is contrary to the following Outcome of the Code:

"existing and planned recreation activities are protected from the intrusion of incompatible land uses that may compromise or conflict with the primary use of the sport and recreation open space for organised sport and recreation activities."

The proposed development would result in the removal of native vegetation which has important ecological and habitat value as well as an important role in the character of the area and of the golf course. This is inconsistent with the following outcome of the Sport and Recreation Zone code:

“development avoids as far as practicable, or where avoidance is not practicable, minimises and otherwise mitigates, adverse impacts on ecologically important areas, including creeks, gullies, waterways, wetlands, coastal areas, habitats and vegetation through location, design, operation and management”

Overlay Codes

The following overlay codes are applicable to this application:

- Acid Sulfate Soils Overlay Code
- Biodiversity, Waterways and Wetlands Overlay Code
- Landslide Hazard and Steep Land Overlay Code
- Scenic Amenity Overlay Code
- Bushfire Hazard Overlay Code
- Flood Hazard Overlay Code

The application has been assessed against each of the applicable overlay codes and found to be compliant with, or could be conditioned to comply with, each, with the exception of the Biodiversity, Waterways and Wetlands Overlay.

Biodiversity, Waterways and Wetlands Overlay

The area chosen for the proposed two lots contains native vegetation that meets the definition of an *ecologically important area*, as it is an area that contains, or is likely habitat for scheduled species under both the *Qld Nature Conservation (Wildlife) Regulation 2006 and Environmental Protection and Biodiversity Conservation Act 1999* (Koala, Acid frogs and Grey headed flying fox which are all listed as Vulnerable under the respective Acts), as well as containing habitat for flora and fauna species of local ecological significance (Koala, Acid frogs).

While the vegetation is not mapped as remnant vegetation under State mapping (*Vegetation Management Act 1999*), it is still covered by the Protected Plants High Risk Trigger Map and would require State Government approval to remove.

The Ecological Assessment provided with the application has described the native vegetation on the subject site as analogous with *Regional Ecosystem 12.3.13*, closed heathland on seasonally waterlogged alluvial plains usually near the coast. The flora survey and vegetation assessment schedule provided with the Ecological Assessment identifies a number of species that are habitat and food source for a number of rare and vulnerable fauna species native to this area including Koala, Acid frogs and Grey headed flying fox.

A targeted fauna survey of this area of vegetation was not undertaken as part of the ecological survey process and the fauna list provided only includes what was directly observed and makes assumptions about what potential fauna species may occur, which includes several threatened species.

The Ecological Assessment report states that “the vegetation clearing is considered an appropriate response to the requirements of densification within South East Queensland and in order to ensure the viability of the Peregian Springs Golf Course”. Both of these arguments are insufficient to support the removal of native vegetation and do not meet the Performance Outcomes of the Biodiversity, Waterways and Wetlands Overlay Code. Specifically, the development conflicts with Performance Outcome PO1 of the Code as it does not protect the physical and ecological integrity and biodiversity of ecologically important areas.

Council ecology specialists have provided the following assessment of the proposed clearing:

“This stand of native wet heath vegetation in association with the open fairways of the golf course would provide an important staging refuge for avian and arboreal fauna and macropods between significant sections of native bush contained in the National Parks and other Conservation Reserves that surround the Peregrin Springs development. Within Peregrin Springs, these intermittent stands of native bush contribute to an archipelago of refugia that contribute significantly to maintaining connectivity between significant areas of intact vegetation (in this case, the surrounding protected estate), where previous corridors have been severely impacted by clearing and development.”

This application will cause direct loss of habitat (roosting, nesting, hollows, ephemeral pools) and feeding opportunities for native fauna, potentially including threatened species and has not adequately demonstrated how it can comply with the Performance Outcomes of the Code. It is inconsistent with the following Performance Outcomes of the Code P02 & P03 - minimising the impacts of development on ecologically important areas, P04 & P05 - protecting and providing net gain for koala habitat and food trees, P07 - protecting and enhancing ecological linkages and P08 - retaining and enhancing ecologically important areas.

Flood Hazard Overlay Code

Council’s engineering specialists have assessed the development against the Flood Hazard Overlay Code and have confirmed that the proposed lots would be flood immune. It is noted that the development will require some filling and retaining walls in sections. However, council’s engineers are satisfied the development can satisfy the requirements of the Code.

Public Interest Grounds

Section 326(1)(b) of the *Sustainable Planning Act 2009* (SPA) states that the assessment manager’s decision must not conflict with a relevant instrument unless there are sufficient grounds to justify the decision, despite the conflict. “Grounds” is defined in the *Sustainable Planning Act 2009* to mean matters of public interest.

The applicant has provided reasons which purport to justify why the application should be approved despite the conflict with the planning scheme.

The applicant identifies the benefit of the golf club to the community as being sufficient ground in the public interest. There are obvious social and economic benefits associated with the club to the area. The applicant argues that the benefit grounds are that the profits of this development will ensure the golf clubs financial viability into the future. The applicant states:

In the past 3 years, the golf club has operated at a financial loss. Although there are strategies in place to improve its financial position, such as opening up the club to tourists and the general public, the club still requires a significant injection of funds in the immediate to short term in order to remain a viable operation. In light of this, an agreement was reached between FKP and the golf club to dispose of some of the surplus land to allow for a small cluster of residential lots to be created, thereby providing a funding boost to the Club. The benefits of the sale of the surplus golf course land and conversion to residential uses also extend to the local community as approval of this small scale residential development will enable the golf club to maintain operations until membership numbers can be increased in the medium to longer term.

Developing part of the golf course for houses in order to assist the golf club with its short term financial difficulties is not an adequate planning ground. While ensuring the ongoing viability of the golf course would be in the public interest, doing so through permanent subdivision and sale of part of the golf course land in clear conflict with council's planning scheme is not an acceptable way of achieving this. Council cannot legally impose requirements to ensure profits of any development are actually received by the golf club, nor can council direct and enforce how any profit from subdivision is spent. There is no certainty that this development would affect the financial position of the golf club or have a noticeable impact on the future of the club. There is not a clear enough nexus in planning terms, between the development proposal and the financial viability of the golf club, for it to be considered sufficient planning grounds to depart from the planning scheme.

These issues are further exacerbated now that the club has reportedly gone into receivership with administrators appointed to take control of the club. This raises more doubt about how any profit from development would be allocated should an approval be granted.

The applicant also proposes an additional community benefit associated with the development in the form of a financial contribution to a local community based group as follows: *To further offset any perceived loss of sport and recreation land, our client also advised they are willing to make a monetary contribution towards ongoing community based activities in the local area. This may include school or other community based programs or alternative community benefit as deemed appropriate by Council.*

The value of the proposed financial contribution was not disclosed by the applicant. While there may be some benefit associated with a financial contribution towards a community based group, it is a short term benefit only. The loss of open space land as well as the loss of native vegetation has a more significant impact on the entire community for the long term. Once the land is cleared, filled and fragmented for housing, its use for sport and recreation is lost permanently. A financial contribution does not outweigh the impact of the loss of this land as open space/golf course for the wider community over the long term and is not sufficient to outweigh the conflict with the planning scheme and the negative impacts on the community.

The proposed grounds are not sufficient to warrant support of the development despite the conflict with the Sunshine Coast Planning Scheme.

Development Codes

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

- Reconfiguration of a Lot Code
- Dwelling House Code
- Vegetation Management Code
- Nuisance Code
- Transport and Parking Code
- Waste Management Code
- Sustainable Design Code
- Safety and Security Code
- Landscape Code
- Stormwater Management Code
- Works, Services and Infrastructure Code

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

Reconfiguration of a Lot Code

The Reconfiguration of a Lot Code does not specify a minimum lot size for land within the Sport and Recreation zone as the planning scheme does not envisage land within this zone being developed for houses. Although the proposal is not inconsistent with the lots sizes specified in the Code, it is inconsistent with the Purpose and Overall Outcomes of the Reconfiguring of a Lot Code. The development is inconsistent with the desired character of the local area which seeks to retain the site for the purposes of the golf course. Furthermore, the development proposes a 527m² which is below the average lot size of the immediate area which includes lots all exceeding 600m².

The Overall Outcomes of the code requires development to *avoid adverse impacts on native vegetation, waterways, wetlands and other ecologically important areas present on, or adjoining the site.*

The development conflicts with this requirement resulting in the clearing of a pocket of native vegetation which is important both ecologically as habitat and also for the visual amenity and character of the area.

CONSULTATION

The application was referred to the following IDAS referral agencies:

Concurrence

Department of State Development, Infrastructure and Planning (SARA)

The department is a concurrence agency for State controlled road matters. The department responded by letter dated 12 April 2016 advising of no requirements for the development.

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

Public Notification

The application was publicly notified for 15 business days in accordance with the requirements of the *Sustainable Planning Act 2009*. **416** properly made submissions and **20** not properly made submissions were received. Council also received a petition with **615** names **objecting** to the development and a petition with **209** names **in support** of the development.

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

Issues	Comments
<p>OBJECTION</p> <p>The proposed Development is inconsistent with the Sport and Recreation zoning which does not anticipate residential development.</p> <p>Community expectation for this land to be retained for sport and recreation purposes.</p> <p>This development would set a precedent for further residential development of the golf course.</p> <p>Unreasonable imposition on properties adjoining the golf course due to the zoning of the land as open space. Impacts on amenity.</p> <p>Proposed development results in clearing impact on flora and fauna, as well as privacy and amenity of the area.</p> <p>Additional traffic created by additional houses. Impacts on the safety and amenity of the area from additional cars</p>	<p>Agree. The proposed development is inconsistent with the Sport and Recreation zone. A residential subdivision is an inconsistent use in this zone and not intended to occur.</p> <p>Agree. This form of development in this location is not contemplated by the planning scheme and the land has always been identified as Open Space and sport and recreation since the original inception of the Peregian Springs estate.</p> <p>Every application is assessed against the relevant planning legislation based on its individual circumstances and merits. It is therefore not reasonable to identify precedent as a valid reason to refuse a development. However, in this instance, it is anticipated that approval of the development would change the character of this part of the golf course. The introduction of houses into this part of the golf course would establish a new land use and subsequently a different character in the subject location. Any potential future development would be assessed on its merits against the relevant planning controls at the time.</p> <p>Agree. The development proposes lots that would have additional impacts, including impact to the amenity of the properties that would not have reasonably been expected. Given the zoning and the inclusion of the land as open space since the inception of the estate, residents have designed and built homes with openings addressing the golf course not anticipating a need to protect their properties from impacts associated with houses behind them.</p> <p>Agree. The development results in the clearing of a native vegetation and habitat area for rare and vulnerable fauna species. The removal of this vegetation for housing which is inconsistent with the intent for this zone would have impacts on the amenity and character of the area.</p> <p>The development proposes 2 additional houses achieving access onto an extension to the Greenside Court road reserve. This is a low</p>

Issues	Comments
<p>ie noise, traffic and amenity that would not reasonably be anticipated by Sport and Recreation zoning.</p> <p>Application has not adequately demonstrated how the development can address the impacts on safety of the new houses from golf ball strike.</p> <p>Impact on value of property</p>	<p>amount of additional traffic for Greenside Court and is within the carrying capacity of the road. However, there would be additional impacts on some of the properties adjoining the access location proposed. The existing houses at 26, 28 and 30 Greenside Court would experience an impact on amenity from traffic associated with the 2 additional households driving directly past their properties. This application proposes to convert what is currently a driveway to become an extension of the Greenside Court cul-de-sac with 2 additional houses accessing that road. The amenity of 26 and 28 Greenside Court would be impacted by this development as both of these lots currently adjoin a well vegetated part of the golf course. If this application were to be approved, these properties would have clear view of the proposed houses.</p> <p>Agree. The applicant responded to council’s request for Information on the issue of safety associated with golf ball strike stating that <i>“should safety become an issue in the future, the golf club will install nets at that time.”</i> While the applicant has not demonstrated that this can be achieved, Council’s engineering specialist is satisfied that this could be achieved through conditions requiring nets in the areas of risk should an approval be granted.</p> <p>The impact of the development on the property values of the surrounding houses is not a relevant planning consideration because it is not regulated by the planning scheme. However, it is agreed that there may be some perceived loss of value for those owners who purchased golf course frontage lots with reasonable expectations that the planning framework would continue to protect their views, vistas and outlook over the long term.</p>
<p>SUPPORT</p> <p>Without approval of this application and subdivision, the golf club can not financially support itself in the short term and will be forced to cease trading.</p>	<p>The golf club has identified its efforts to minimise the annual losses which has included opening the course to tourists and the general public and not just members. It is noted that the club advised that despite a number of funding initiatives, the club is still in a financially difficult position. Regardless of the financial position, subdivision which fragments the golf course land and land which has always been intended to facilitate the open space requirements of the</p>

Issues	Comments
<p>The development will not increase noise and traffic issues in the area.</p> <p>The applicant will address any safety issues in relation to ball strike prior to any dwelling being built on the proposed lots.</p>	<p>Peregian Springs estate, may not be the only way to resolve the financial position of the club. Furthermore, council cannot rely on the development proposal to solve the financial difficulties of the club as there is no legal mechanism for council to ensure that any profits are spent to address the issue or are adequate to do so.</p> <p>The majority of the adjoining houses are unlikely to experience significant impacts in relation to noise and traffic. However, the existing properties adjacent the extension of the Greenside Court cul-de-sac would experience impacts from traffic and noise with 2 additional households using that land for access.</p> <p>The safety of future houses on the lots could be adequately addressed through conditions, if an approval were to be granted.</p>

CONCLUSION

The proposed development is inconsistent with the requirements of the planning scheme and cannot be conditioned to comply. Insufficient grounds have been provided to approve the application despite the conflict with the planning scheme. The application is, therefore, recommended for refusal.

8.2.3 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE OF PREMISES - RETIREMENT COMMUNITY, 86 CALOUNDRA ROAD, LITTLE MOUNTAIN

File No:	MCU15/0129
Author/Presenter:	Manager Development Services Planning and Environment Department
Appendices:	App A - Conditions of Approval 103
Attachments:	Att 1 - Proposal Plans 121

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1661369>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Tricare Holdings Pty Ltd
Proposal	Development Permit for Material Change of Use of Premises - Retirement Community (Aged Care Facility 125 Beds)
Properly Made Date:	03/07/2015
Information Request Date:	31/07/2015
Information Response Received Date:	04/09/2015
Decision Due Date	3 February 2016
Number of Submissions	17, of which 14 were properly made and 3 not properly made
PROPERTY DETAILS	
Division:	1
Property Address:	86 Caloundra Rd, Little Mountain
RP Description:	Lot 2 RP 902089 Lot 3 RP 902089
Land Area:	Lot 3 = 733m ² & Lot 2 = 5,613m ² Total Area = 6,346m ²
Existing Use of Land:	Vacant
STATUTORY DETAILS	
Planning Scheme:	Caloundra City Plan 2004 (16 September 2013)
SEQR Designation:	Urban
Planning Area:	Caloundra South
Precinct:	Low Density residential
Assessment Type:	Impact

PURPOSE

The purpose of this report is to seek council's determination of an application for a Development Permit for a Material Change of Use of Premises - Retirement Community (Aged Care Facility 125 Beds). The application is before council at the request of the divisional councillor.

The application is assessed against the Caloundra City Plan 2004.

EXECUTIVE SUMMARY

The application is for a Material Change of Use of Premises to Establish a Retirement Community (Aged Care Facility 125 Beds). The use will be accommodated within a three storey building with a maximum height of 12.5m above natural ground level. The application is made under the Superseded Caloundra City Plan 2004 and is Impact Assessable because of the over height building. A total of 14 properly made submissions were received objecting to the proposed development.

Council has previously supported the Retirement Community - aged care facility, as demonstrated by an approval over the site for a Retirement Community - aged care facility of 81 beds (council reference 2007/510022). Furthermore, it is also recognised there is a demonstrated community benefit in that there is a serious shortage of aged care (nursing bed) accommodation on the Sunshine Coast and there is a need for this type of development.

It should be noted that the over height building design located on the top of a prominent hill, and the scale and massing of the proposed development, is inconsistent with the Low Density Residential Precinct character in which it is located. The building itself is well-designed, but very large and imposing on the site. This has been undertaken in order to increase the yield of beds from that previously approved (81 beds) to 125 beds, essentially resulting in a much more intense use of the site, but one which is more operationally viable.

The assessment of the proposed development finds the following:

- the site is very suited to the land use, providing wonderful views and breezes for the residents who are largely confined to bed. The site is very accessible for families, employees and emergency services.
- the proposed building is well designed and perimeter landscaping has been proposed (for short and long term outcomes) which will soften the visual impact on this prominent site.
- the building is considerably larger than what was previously approved over the site for 81 beds, (this was a building design which resulted in a transition from the highest point in the centre of the site [10.5 m] to single storey at the periphery of the site, resulting in negligible over-shadowing, overlooking, loss of views, vistas and breezes).
- the building scale impacts on view lines from Caloundra Road towards the Pumicestone Passage, Bribie Island and Moreton Bay/Island at certain points on the western approaches, particularly east of Stradbroke Drive.
- there is over-shadowing of the adjacent residential properties as a result of the location of a three storey building on this high knoll but modelling shows this is only marginally greater than that of 2 storey houses which would be allowable on the site.
- there is potential for some overlooking of the adjoining residents but these can be partially overcome by the recent design modifications which set the 3rd storey back, and through the landscaping.

While the land use is supported, and it is recognised there is a significant community benefit, there are several non-compliance issues with the Planning Scheme, in particular the building height, which will make the building highly visible from the western approaches into Caloundra.

Despite the conflict with the planning scheme, the application is recommended for approval.

OFFICER RECOMMENDATION

That Council:

- (a) **APPROVE With Conditions Application No. MCU15/0129 and grant a Development Permit for a Material Change of Use of Premises - Retirement Community (Aged Care Facility 125 Beds), situated at 86 Caloundra Rd, Little Mountain (Appendix A) and**
- (b) **find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:**
- (i) **there is an over-riding public benefit through the provision of high care beds in central locations with easy access by employees, emergency services and family**
 - (ii) **the hilltop position provides an excellent location in terms of outlook, views and breezes for the aged who are under high care and largely restricted to their rooms**
 - (iii) **most of the impacts of the building can be mitigated by the conditions of approval, particularly as they relate to the amenity of surrounding residences**
 - (iv) **while the height of the building is about 2 metres higher than previously approved, and the building is much bulkier, the building is an attractive design with high quality landscaping.**

FINANCE AND RESOURCING

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

Council's Transport and Infrastructure Policy Branch has estimated that infrastructure charge for Council networks is \$520,086 based on the gross floor area of the development.

SITE DESCRIPTION

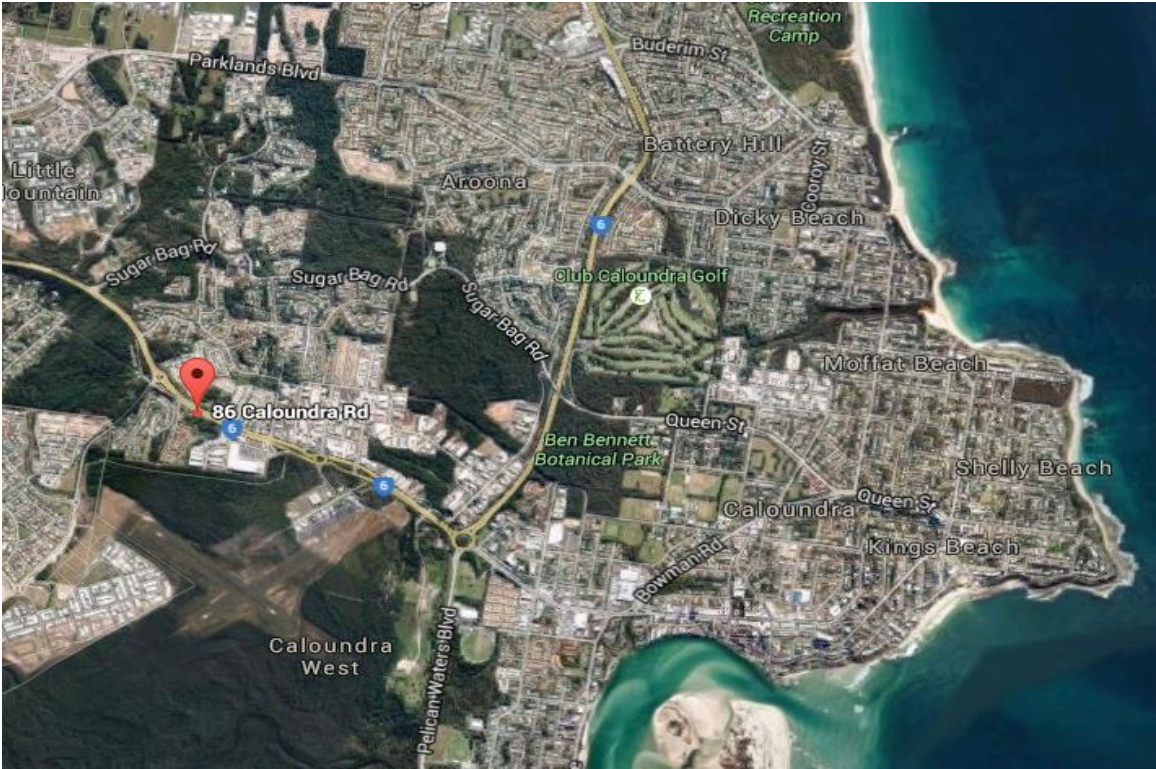
The location of the subject site in relation to its surrounds is shown on the images overleaf.

<i>Site & Locality Description</i>	
Road Frontage	About 90.8m
Existing Significant Vegetation	None, the site has been recently cleared
Topography:	The site is on the crest of a hill and slopes away in all directions from the to
Surrounding Land Uses:	North – Old Caloundra Service Road & Caloundra Road East – Recently approved small lot subdivision under construction South – Detached Houses in low density residential zone West – Relocatable Home Park (Pelican Heights Estate) - Detached Houses in low density residential zone

SITE LOCATION



Subject Site



PROPOSAL

The application is for a Material Change of Use of Premises to Establish a Retirement Community (Aged Care Facility 125 Beds). The use is proposed to be accommodated within a three storey building with a maximum height of 12.5m above natural ground level (see explanation below) at its highest, set in a landscaped perimeter.

The proposed development will include a total of 125 beds for high care patients. Each bed will be located within a separate room containing a toilet and shower. 27 rooms will be accommodated at the ground floor (Gross Floor Area of 2,692m²), 51 rooms at Level 1 (GFA of 3,402m²) and 47 rooms at Level 2 (GFA 3,225m²). A total Gross Floor Area of 9,319m² is proposed with an approximate site cover of 52 per cent (3,348m²).

Ancillary facilities will include offices, meeting rooms, kitchen, dentist, hair salon, therapy room, staff rooms and storage rooms. Communal recreation areas are proposed throughout the building, including lounge area, sitting area, dining room and outdoor landscaped courtyards.

The development comprises a contemporary designed building with articulation and variation in materials and treatments and has been significantly modified in the assessment process.

Access and parking is from two points on the Old Caloundra Road, which is now a minor access road paralleling the main road with access from the Bellvista Boulevard intersection. Access to the main parking area is in the north-eastern corner of the site. This provides access to an external loading dock, a waste collection area and a separate basement car park which has 32 parking spaces including 1 space for a person with disabilities. An acoustic wall is proposed to be constructed generally inside this boundary to screen the development and the loading dock, and provide acoustic protection, from the new small lot residential development to the east. A dual driveway from the Old Caloundra Road provides access to the main building entrance, allowing for easy drop off and collection. A single ambulance parking bay is located here.

Landscaping treatments are proposed to soften the built form of the proposed development to the adjacent areas. Extensive information has been supplied on the short term and longer term outcomes for perimeter landscaping. Approximately 27 per cent of the site is provided as landscaped area.

The proposal is depicted in the plans below.



Basement



Ground floor



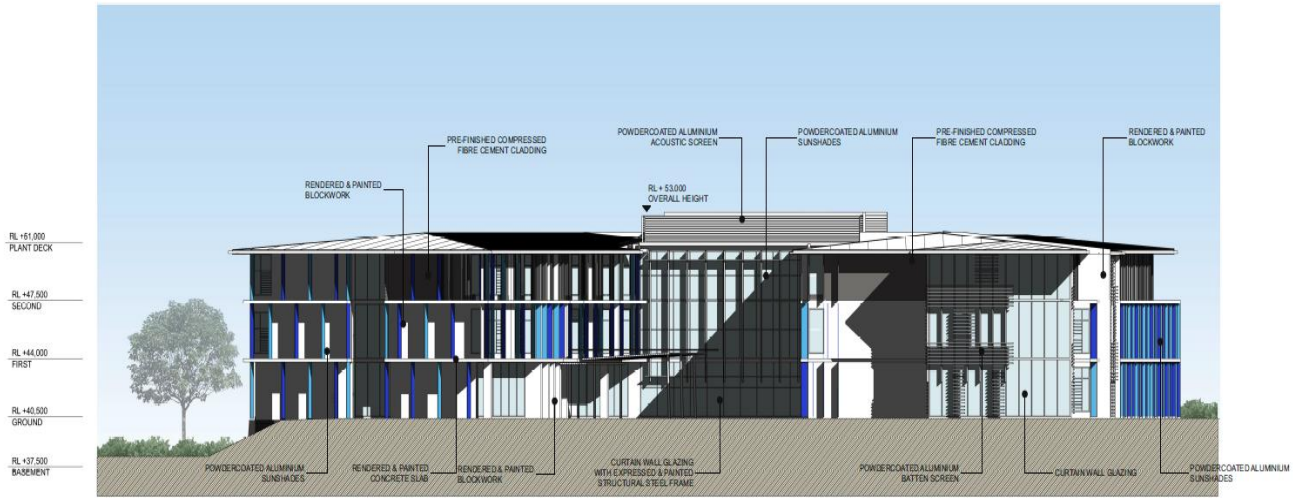
First floor



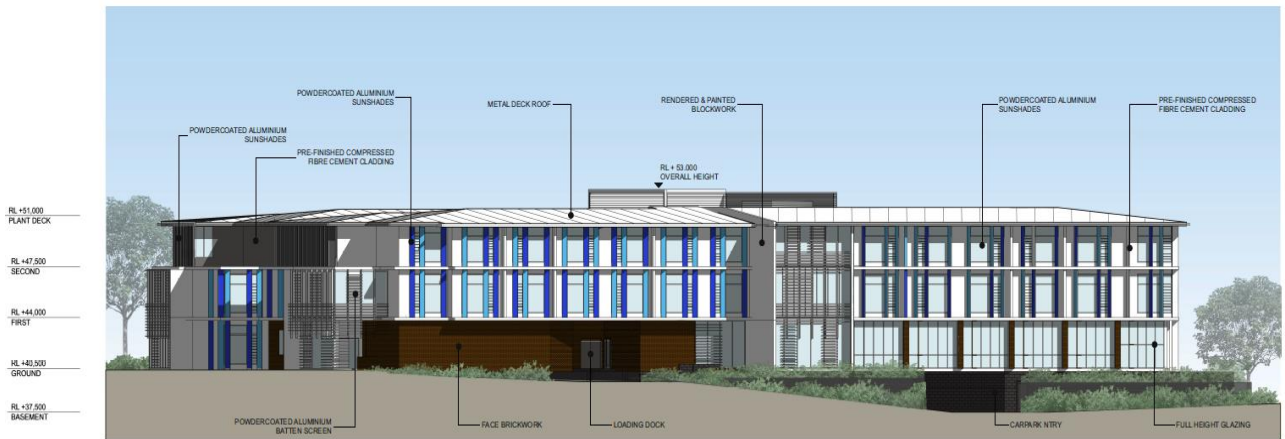
Second floor



Elevations north and east

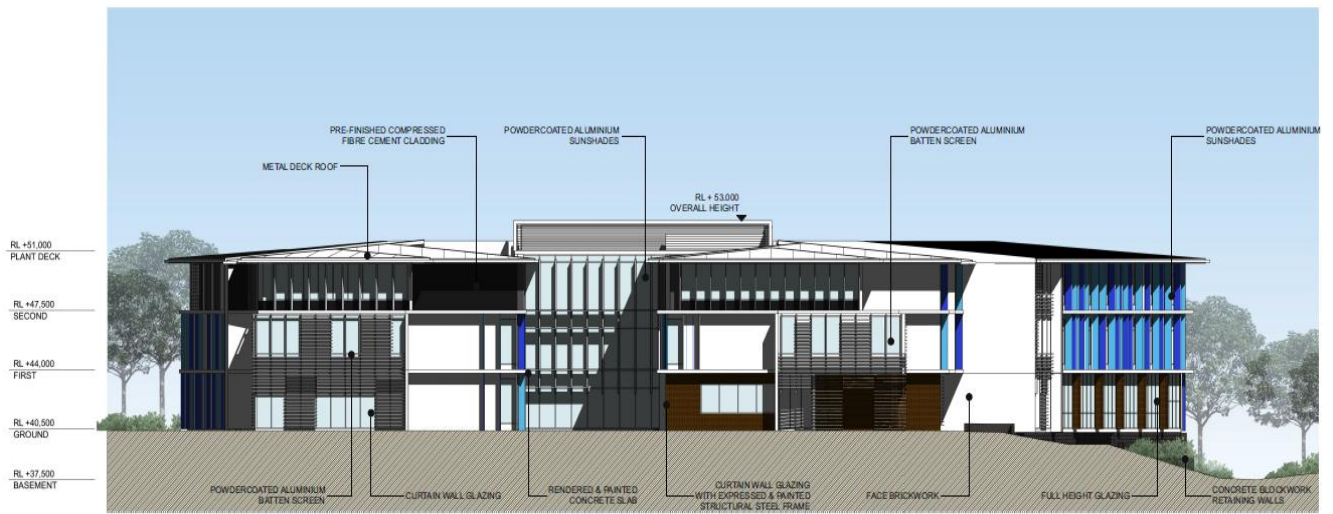


NORTH ELEVATION
(OLD CALOUNDRA RD)



EAST ELEVATION

Elevations south and west



SOUTH ELEVATION



WEST ELEVATION

Sections A and B

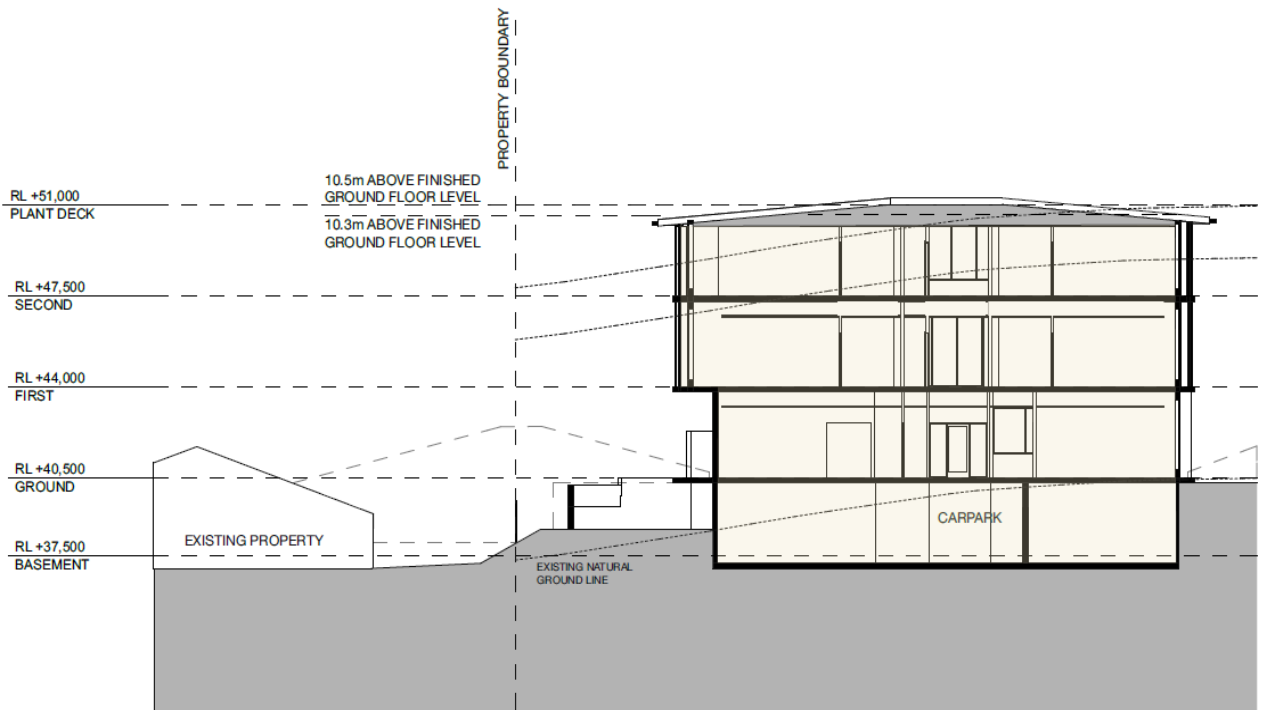


SECTION A

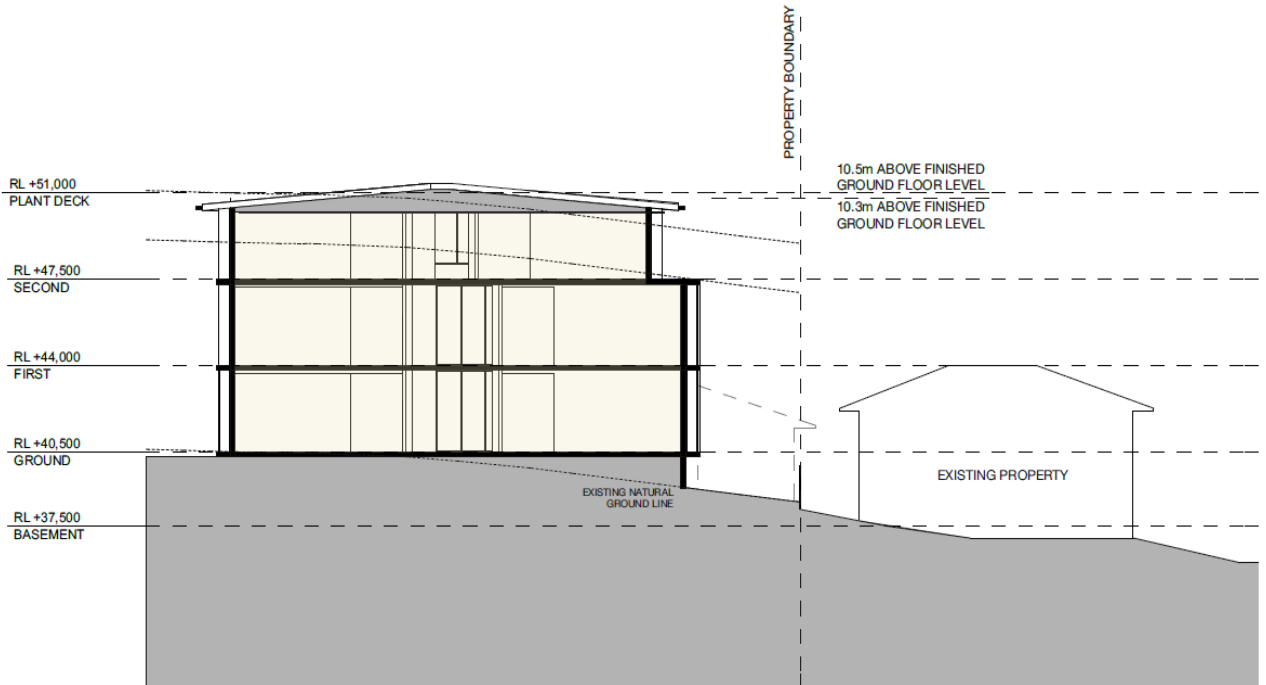


SECTION B

Sections C and D

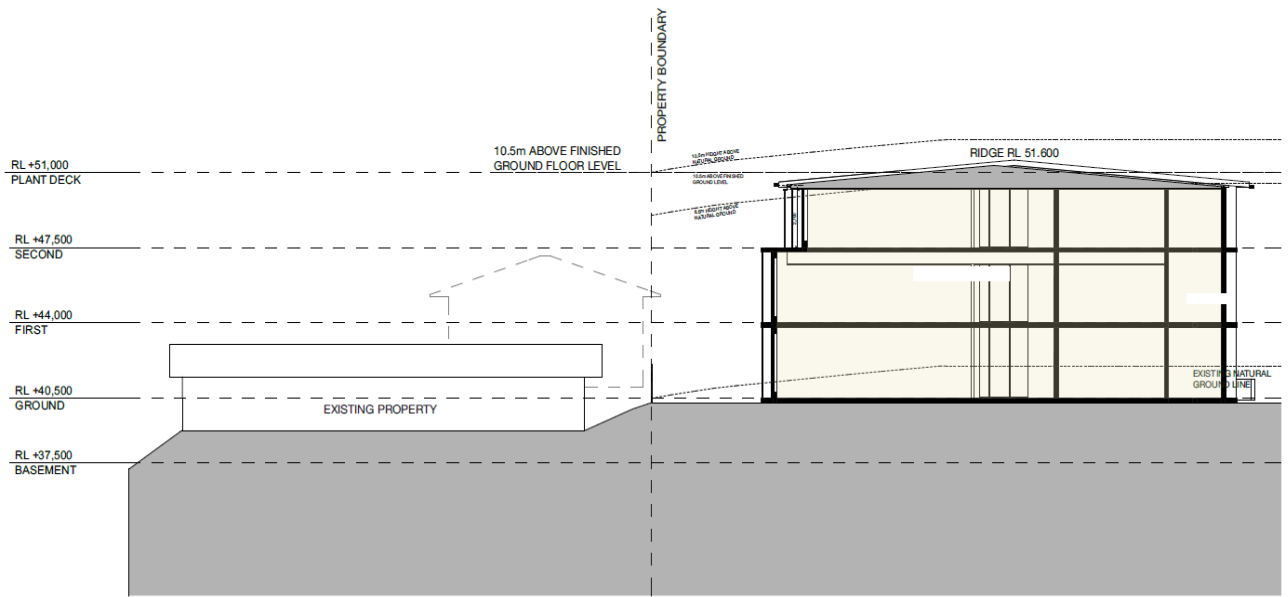


SECTION C

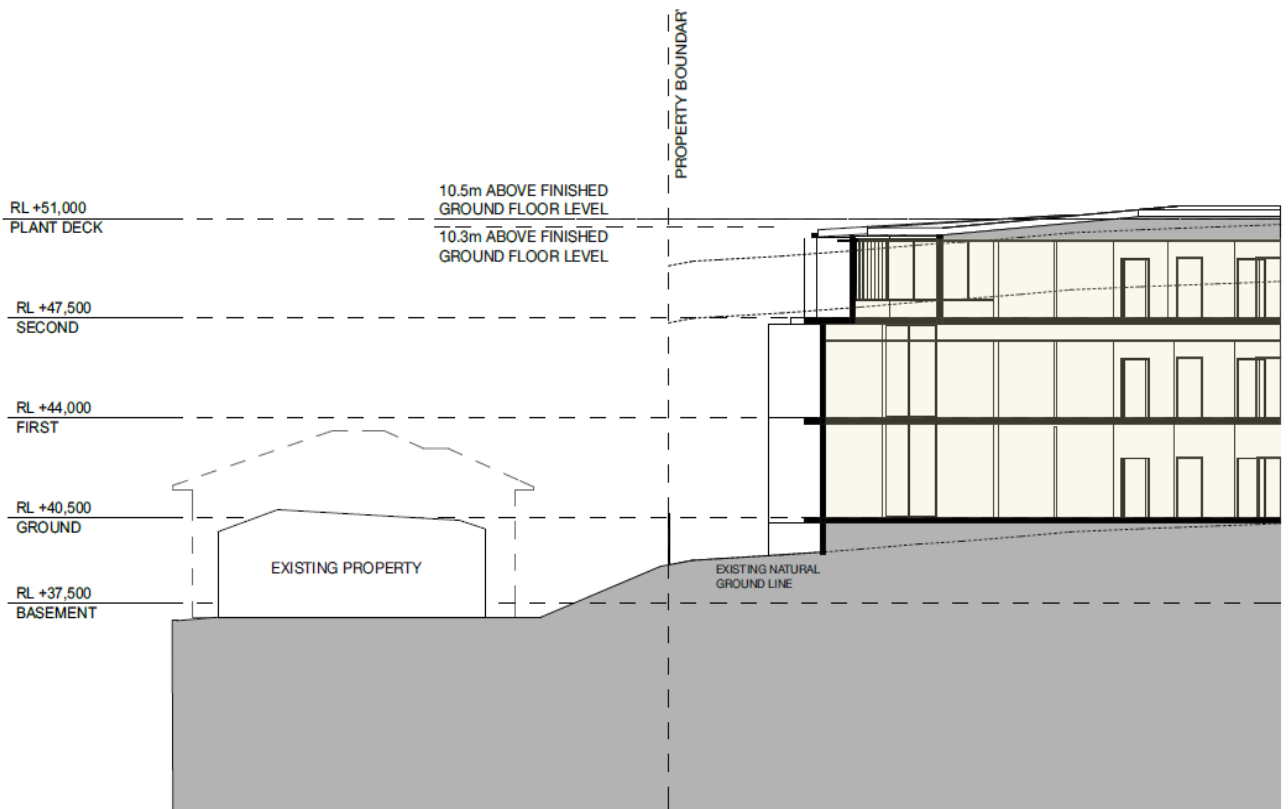


SECTION D

Sections E and F



SECTION E



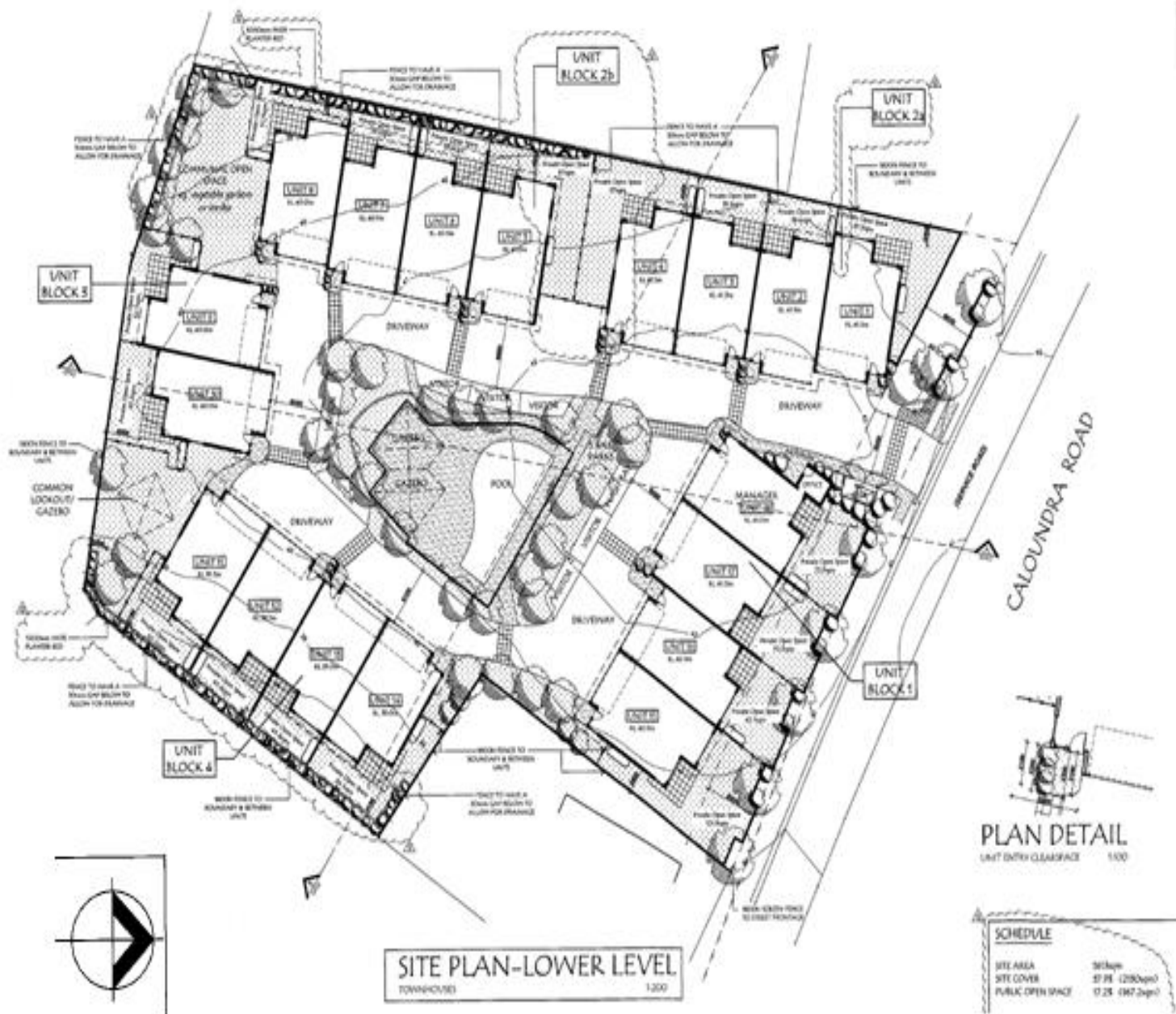
SECTION F

BACKGROUND AND HISTORY OF APPROVALS

MCU2007/510002 – Development Permit for Material Change of Use of Premises to Establish Multiple Dwelling Units (19 two storey units)

- 9 July 2007

A Preliminary Approval for a Material Change of Use (Multiple Dwelling – 19 units) was issued on 9 July 2007. A Preliminary Approval was issued rather than a full development permit, as the development did not achieve compliance with various elements of the planning scheme, **particularly with regard to the amenity of surrounding residents.** At the time the application was publicly notified, there were no properly made submissions received.



- 17 August 2007

On 17 August 2007, an application was submitted by Ken Hicks and Associates, on behalf of Niche Development Pty Ltd, for a Material Change of Use of Premises to Establish a Retirement Community Aged Care 135 beds.

The original plans submitted showed a three storey building with each wing containing balconies and windows overlooking the adjoining residents to the west and east (see elevations below). The building was in the shape of a 6-pointed star. At that time, there was no proposed development to the east.

Council officers had major concerns with the proposed bulk and scale of the building, the height of the building being 12m at points, considerable overlooking and over-shadowing impacts for residents to the west, south and south east from the proposed wings, potential impacts on significant view lines from Caloundra Road, and length of building viewed from the west. The proposal was determined to be an over-development of the site.

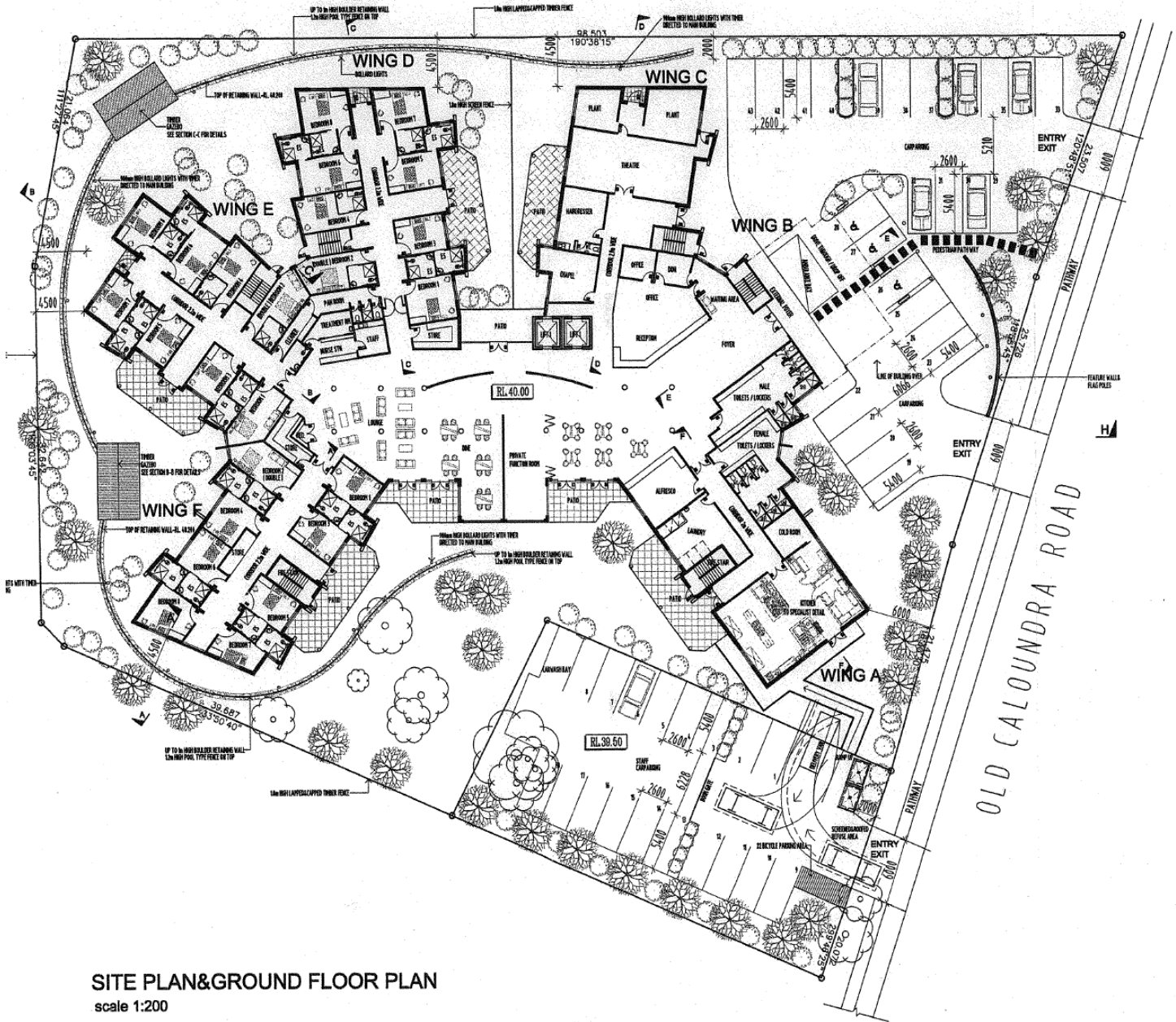
The applicant's response reduced the number of beds from **135 to 81**, to allow for a transition of height from the highest point of the building at 10.374m at the centre, stepping down in height to a minimum of 8.5m at the end of each wing (single storey). All balconies/patios and windows at the end of each of the 5 residential wings were removed to reduce any potential overlooking impacts. The wings allowed for significant deep landscaping in between the wings and along the boundaries of the site. The coverage of the building was proposed at **40.2 per cent**. Building windows were oriented inwards rather than towards the adjoining residents (*see approved plans overleaf*).

The majority of the building also incorporated significant setbacks to the Old Caloundra Road to accommodate the car parking areas and significant landscaping. The closest corner of Wing A of the building was setback 6m from Old Caloundra Road.

After public notification, there were only three submissions against this application, based on traffic issues rather than building design issues.

The proposal was presented to council at a briefing session on 10 September 2007, where support was given to reducing the potential impacts of the proposed building.

<p>SPS15/0081 – On 18 June 2015, council approved a request by the applicant for the proposed new development application to be assessed and decided under the Superseded Caloundra City Plan 2004</p>



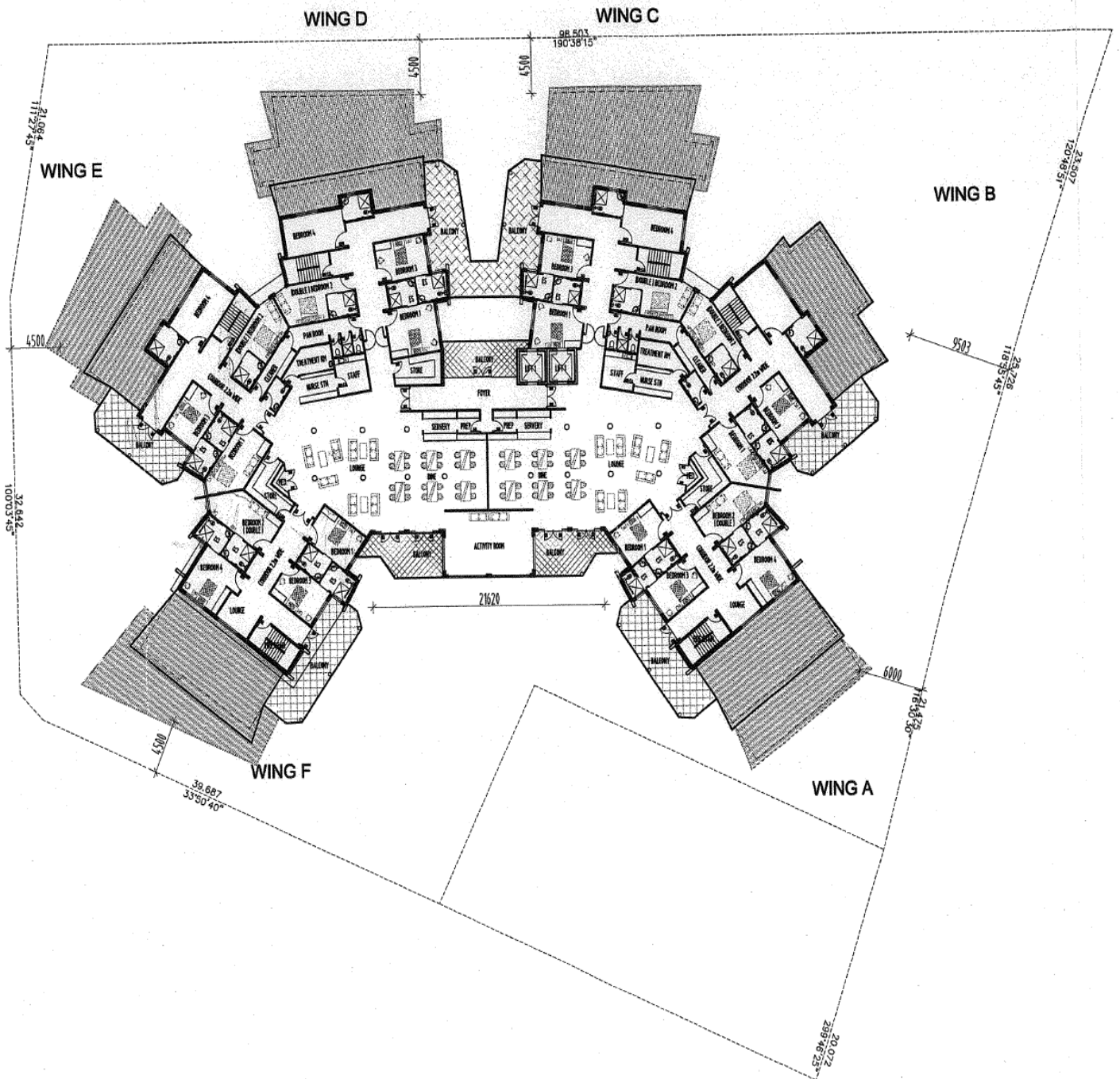
SITE PLAN & GROUND FLOOR PLAN

scale 1:200

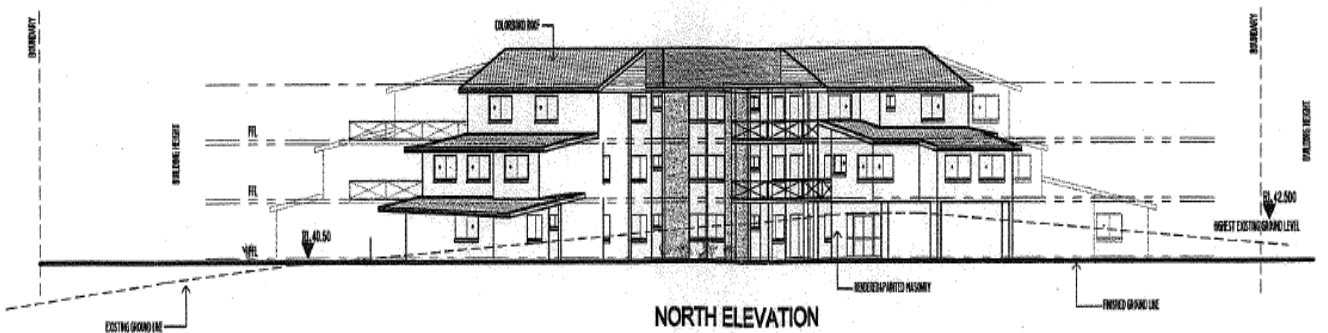
G.F.A.- 2130m²



FIRST FLOOR PLAN



SECOND FLOOR PLAN



ELEVATIONS
scale 1:200

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

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

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

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

Statutory Instruments – State and Other

State Planning Policies

The State Planning Policy has not been deemed by the Minister for State Development, Infrastructure and Planning as being appropriately reflected in council's planning scheme (Caloundra City Plan 2004) and, therefore, requires separate assessment. The proposal is found to comply generally with the State Planning Policy.

Sustainable Planning Act 2009

The previous approval 2007/510002 was comprehensively assessed against the same planning scheme provisions under the Caloundra City Plan 2004. **This Development Permit is valid until 26 August 2016.** Through extensive negotiations and assessment, a building design was approved that satisfied the relevant codes and resulted in a significant reduction in the bulk and scale of the building, negligible overlooking, and no over-shadowing.

The proposed development proposes an outcome which is similar to the original concept which was not supported by council. The impacts include substantial overlooking, over-shadowing, impacts on significant scenic views, blocking of breezes, and a building massing with increased height not in character with the surrounding low density residential area.

Section 314 of the *Sustainable Planning Act 2009* states:

314 (3) (b) The assessment manager must assess the part of the application having regard to the following - ... (b) any development approval for, and any lawful use of, premises the subject of the application or adjacent premises.

This assessment gives consideration to the previous approval Development Approval 2007/510022 granted over the site (see History/Background section of this report – 2007/510022). The current proposal compromises the outcomes previously achieved to

reduce the bulk and scale of the building, to blend in more with the character of the area, transition the height towards the boundaries of the site, to reduce any impacts on the significant views from Caloundra Road, to reduce any potential overlooking and over-shadowing and set the building within well landscaped grounds. Although a better building design, the proposal compromises some of these issues, outlined in detail below.

To approve the proposed development would, therefore, not be consistent with the previous approval and conditions and would compromise some of the aspects previously required by council. Nevertheless, the acute need for nursing beds on the Sunshine Coast, together with the employment opportunities offered, may provide sufficient grounds for approval despite the conflicts.

South East Queensland Regional Plan

The site is located within the urban designation of the South East Queensland Regional Plan. The proposal is for a Material Change of Use of Premises Retirement Community (Aged Care Facility 125 beds) within the urban designation. The proposed development is consistent with the regional land use intent, regional policies and desired regional outcomes for the urban designation.

State Planning Regulatory Provision

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

- Draft Amendment to the South East Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions
- State Planning Regulatory Provision (Adopted Charges)
- State Planning Regulatory Provisions (Adult Stores)
- South East Queensland Koala Conservation State Planning Regulatory Provisions.

This proposal is not inconsistent with any of the above.

Statutory Instruments – Planning Scheme

The applicable planning scheme is the Caloundra City Plan 2004 (16 September 2013) and the following sections relate to the application.

Desired Environmental Outcomes

The Superseded Planning Scheme - Caloundra City Plan 2004 - refers to Desired Environmental Outcomes (DEOs) rather than a Strategic Framework. An assessment has been undertaken against the provisions of these DEOs.

The following table summarises whether the proposal is considered to contribute to the achievement of each DEO. If the table shows that any of the DEO's are compromised, subsequent discussion will be provided below the table.

Desired Environmental Outcome	Is the application considered to contribute to the achievement of the DEOs - ✓ or ✗
1. Economic Development	✓
2. Community Life and Wellbeing	✗ and ✓
3. Natural Assets and Systems	✗
4. Character and Identity	✗
5. Access and Mobility	✓
6. Infrastructure	✓

The application has been assessed against each of the matters above. The pertinent issues arising out of assessment against the DEO's are discussed below.

DEO	Discussion
<p>2. Community Life and Wellbeing</p>	<p><i>The wellbeing of the whole of the community depends on the wellbeing of its members. Caloundra City has socially diverse, cohesive and identifiable communities with a high level of amenity, strong sense of vitality, fairness and capacity for self-help, reflected in:...</i></p> <p>(2) <i>The integration of new communities with existing communities, where...</i></p> <p>(d) <i>The identity of existing communities is retained by careful attention to the location, scale and intensity of new development...</i></p> <p>While the proposal certainly does satisfy the majority of the DEO by providing much needed accommodation for the special needs aged, allowing for ageing in place, it is the design of the building which does not satisfy (2)(d). The mass of the building on top of a prominent hill surrounded by low density housing requires attention to detail in the design in order that it achieves limited impacts on surrounding homes.</p> <p>Although the use is supported, due to its site elevation the proposed building is a large and highly visible one, and is inconsistent with the residential scale housing surrounding the site. 14 objections to the proposed development raised issues around the massing of the building, overlooking, overshadowing and the out of character nature of the proposal with the surrounding low density residential character of the area.</p> <p>The balancing argument is that the development will provide 50% more high care nursing beds for the community in a location that provides breezes and views for those that are mostly bed-bound. The building is well designed architecturally, and will incorporate high quality landscaping on the two sides facing existing residents.</p> <p>Nevertheless, Desired Environmental Outcome 2 is not satisfied in full.</p>
<p>3. Natural Assets and Systems</p>	<p><i>Caloundra's City's natural resources are managed in a sustainable way, to maintain and enhance biodiversity, ecological process, character, lifestyle and community wellbeing with the individual and cumulative impacts of development on natural resources comprehensively assessed and effectively managed. These natural resources (including unnatural water supply systems) include...</i></p> <p>(2) <i>Landscape features such as Bribie Island, the Glass House Mountains, Maleny Plateau, ridgelines, escarpments, beaches, headlands and mountain peaks where:</i></p> <p><i>Development in scenic and visually sensitive areas and adjoining scenic routes identified in the Planning Scheme is limited to low impact activities which compliment, rather than dominate their setting...</i></p> <p>The proposed development is located on the top of a prominent hill. At various vantage points along Caloundra Road heading east, there are significant views and vistas of the Pumicestone Passage, Bribie Island, Moreton Bay and Moreton Island and development in the Golden Beach area. This is a scenic route for residents and tourists. Historically, these view lines have been protected to the extent that building heights in Golden Beach have been carefully planned to preserve views towards the Glass House Mountains and views from the Ridgelines towards Pumicestone</p>

DEO	Discussion
	<p>Passage, Bribie Island, Moreton Bay and Moreton Island (although the high rise along Golden Beach is very visible from this section of Caloundra road).</p> <p>The proposed development will present as a large building against this back drop and does not satisfy the Overall Outcome of the Visual Management Code which states:</p> <p><i>“(2) (a) landscape elements and values which contribute to the distinctive character and identity of Caloundra City (in particular, significant views, scenic routes and inter-urban greenspace) are protected.”</i></p> <p>The proposed building is 2m higher than the existing approved building, but it is also much bulkier at the edges. This will cause some additional loss of vista to the passengers of vehicles heading east, from Stradbroke Drive to the site.</p> <p>A detailed assessment of the Visual Management Code finds that the proposal conflicts with that code.</p> <p>Desired Environmental Outcome 3 is not satisfied, but the visual impact is already compromised by the existing approval to a significant extent and only a small additional loss of view will result from the proposal.</p>
4. Character and Identity	<p><i>Caloundra City’s character and identity are maintained and strengthened, and remain distinctive from the rest of the Sunshine Coast. Key elements of Caloundra City’s character and identity, are:</i></p> <p><i>The natural heritage, including...</i></p> <p>(c) <i>other landscape features such as the Mooloolah River, Bribie Island, Pumicestone Passage, ridgelines, escarpments, beaches, headlands and mountain peaks which provides or are part of the outstanding views and vistas where:....</i></p> <p>(iii) <i>Development in scenic and visually sensitive areas and adjoining scenic routes identified in the Planning Scheme is limited to low impact activities which compliment, rather than dominate their setting...</i></p> <p>(5) <i>the individual character and diversity of communities within Caloundra City where:</i></p> <p><i>Development (including associated landscaping and signage) compliments and strengthens the key elements of local character reflected in any applicable Planning Area Code.</i></p> <p>The comments for DEO 3 above also apply to this Desired Environmental Outcome. The proposal is not a low impact building and it dominates the setting, being slightly higher, but much longer, than the existing approved building.</p> <p>Desired Environmental Outcome 4 is not satisfied. However, the high quality landscaping and the architectural design will act to minimise the visual impact, to the extent possible.</p>

Precincts and Other Elements Code

The particular section relevant to this application as contained within the Precincts and Other Elements Code is Tables 5.2.3(e) and (f), which stipulates whether a Retirement Community is a consistent or an inconsistent use within the Low Density Residential Precinct.

The table does not list a Retirement Community as either consistent or inconsistent within the Low Density Precinct. A Retirement Community use proposed in the Low Density Residential Precinct is, therefore, assessed on its merits and subject to Impact Assessment. Further, there is already an approved 81-bed nursing facility approved on this site, under the same planning scheme.

Overlay Codes

The following overlay codes are applicable to this application:

- Aviation Affected Area
- Biting Insects

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 of the above.

Caloundra South Planning Area

The proposal generally complies with the requirements of the Caloundra South Planning Area Code and the Retirement Community Code, except for the proposed building height of 12.5 m above natural ground level. By way of explanation, Specific Outcome 01 of the Caloundra South Planning Area Code and Specific Outcome 05 of the Retirement Community Code provides a maximum 8.5 m building height as a Probable Solution.

Specific Outcome 01 states:

The Height of a Building or structure

- (a) *Contributes to retention of the inherent character and identity of the Planning Area*
- (b) *Is visually unobtrusive, and*
- (c) *Does not adversely impact upon the amenity of adjoining development, having regard to:*
 - (i) *Over-shadowing*
 - (ii) *Privacy and overlooking*
 - (iii) *Views and vistas*
 - (iv) *Building character and appearance and*
 - (v) *Building massing and scale.*

The proposed building is well over the stipulated 8.5m maximum height permitted (see detailed comments under the Development Codes – Height Section below), being up to 12.5m, as is the existing approval over this site at 10.5m. This latest proposal is also clearly inconsistent with the low density residential character of the area. This is specifically because the scale of the building on top of a prominent hill will impact on the residential amenity of adjoining low density residential development by over-shadowing, overlooking, impacts on views and vistas, and impacts on some significant views and vistas from Caloundra Road. While extensive landscaping is provided to deal with the bulk and scale of the building, this does not altogether overcome these issues.

The issue of over-shadowing is dealt with in detail below.

The proposal conflicts with Specific Outcome 01.

Specific Outcome 037 states:

- (a) *Vegetated buffer strips are provided along major roads to preserve the rural/landscape character of these roads.*

The acceptable solution S37.1, requires vegetated buffer strips to be dedicated along each side of Caloundra Road at a minimum of 30m and a maximum of 60m wide. The proposal is subject to this requirement as identified on MAPCSP3.

The previous application had substantial setbacks to the Old Caloundra Road and the closest part of the building (Wing A) was setback 6m from the front boundary. The setbacks included car parks and large landscaped areas that satisfied the above requirements so substantial landscaping and minimal overlooking would occur. The current proposal, as shown by the various plans and photo montages, dominates Caloundra Road at the frontage. However, the indented front entry allows very increased landscaping with some scale along the frontage.

From a distance, as vehicles head east towards the site, the roadside vegetation along the main road obscures views of the site. The main visual impact arises in close proximity to the site's frontage, although the proposal will be obvious from parts of the main road from the Stradbroke Drive intersection to the site frontage. Reliance on the roadside vegetation to screen the building is only possible until major reconstruction, but the design has been amended since lodgement to comply with the 6m front setback.

The proposal, therefore, conflicts with Specific Outcome 037.

Development Codes

Council officers recognise there is a high, and increasing, need for this type of aged care facility use on the Sunshine Coast and that such a use has a substantial community benefit. Officers also recognise recent trends in the aged care industry for the buildings to be specifically designed to have increased separation between floor levels to provide for specialised services. This acceptance is demonstrated in the recent approval for an over-height Retirement Community (Aged Care Facility) for Tricare at Riveraine Avenue, Warana (council reference MCU15/0186).

The use of the site for a Retirement Community (Aged Care Facility) is generally supported, as demonstrated by the previous approval for the same use under the same planning scheme - Caloundra City Plan 2004. However, the location of the building on top of a hill, with a building mass which is not domestic in scale, is visually imposing. If the proposed building were located on a different site that was not on the top of a hill, it may be more in character with, and have less amenity impacts on, the surrounding area. While the building now meets the required boundary setbacks, the height and bulk of the building will have impacts on the surrounding residential houses, and it is difficult to completely design out the potential for overlooking and over-shadowing.

This is also demonstrated by the outcomes of the previous approvals over this site. For example, this same use and similar application for 135 rooms was assessed in detail under the Caloundra City Plan 2004 and approved with a significant reduction in rooms from 135 to 81 to allow for adequate building transitions to the boundaries to avoid overlooking, over-shadowing, impacts on significant views and the massing effects of the building. The reduction in rooms was to accommodate for significant design changes to limit the building height to 10.3m only at the centre of the site and transition the building with 5 wings to the

edges of the property where the height was limited to 8.5m, with no balconies or windows directly overlooking the adjoining residents.

Public Benefit

The applicant identifies a need for aged care facilities and the potential crisis due to a critical shortage, which the applicant submits has been identified by the Commonwealth Government. Based on this identified shortage of beds, the applicant submits there is an overriding community need. The applicant also argues that, because the Commonwealth has granted licences for beds on this site, this justifies approving the subject development for 125 beds.

The Commonwealth Government's recommended provision of residential aged care for the Sunshine Coast Council area is 102.1 places (beds) per 1,000 people over 70+ years. This is higher than the Queensland target (94.9 places), and the national target (94.5 places), indicating the Commonwealth Government's recognition of greater need in the Sunshine Coast LGA area.

The Sunshine Coast population is currently growing at approximately 2.7% annually, and this trend is expected to continue. It is forecast that, over the next 15 years, over half of the Sunshine Coast's population growth will occur in the area south of Kawana. Much of this population increase will be in those people aged over 65 years.

The last comprehensive audit of aged care provision rates was completed in 2009, and identified a clear need for more aged care beds across the Sunshine Coast. An audit of available high and low care beds showed that the actual ratio of both low and high care beds was below the national target ratio. The research demonstrated there was an imbalance in the distribution of aged care, with the southern part of the Sunshine Coast LGA containing under 35% of the total aged care beds of the region (43% of high care beds, 48% of low care beds and 26% of Independent Living Units). The major under-supply in beds suggests the need for a significant increase in supported residential aged care places/packages over the next 15 years.

In terms of distribution, the main needs are for:

- integrated facilities ("tri-care") in all areas as a strong preference
- high care places to accompany growth in aged population, and
- more Independent Living Units (preferably in integrated facilities) in the southern part of the LGA.

The provision of an additional 125 nursing beds in the southern part of the LGA is equivalent to providing for a population of greater than 1,200 people over the age of 70 years (note: this is based on applying the ratio of 102.1 places per 1,000 people). This will partly assist in redressing the current imbalance in both numbers and types of aged care beds required in the south of the LGA.

The following forward estimates of the aged population for the Sunshine Coast Council area are:

Year	70+ Population	Proportion
2016	38,202	13.2% of the 2016 population
2021	47,281	14.3% of the 2021 population
2026	54,880	14.4% of the 2026 population

The applicant has advised:

- as part of the Department of Social Services' annual review of Regional Distribution Requirements, the department has determined that, in addition to existing bed licences that have previously been issued, an additional 100 placements are required to fulfil current deficiencies in the market.
- it is estimated by Tricare that in excess of 1,000 placements are yet to be provided for previous allocations on the Sunshine Coast. Tricare currently hold 205 licences that are yet to be delivered in Caloundra and Kawana.
- as discussed in the applicant's Needs Assessment, limited suitable land is currently available to satisfy current shortages.
- this continuing trend is currently placing strain on health care services and the ageing community, and
- this proposed development will contribute a community benefit in satisfying the current shortage.

While the argument for "need" is accepted, this needs to be balanced against the amenity impacts on adjoining residents, and conflicts with the requirements of the planning scheme.

Despite the need for this type of facility and the community benefit, it does not follow that the need should override the community expectation and amenity of the adjoining residents, and the conflicts with the planning scheme provisions. A total of 14 properly made submissions were received from adjoining land owners objecting to the proposed development.

Planning Scheme Codes

The application is Impact Assessable and, therefore, assessment is required against the whole planning scheme. However, the most pertinent codes which regulate land use and design applicable to this application include:

- Retirement Community
- Civil Works
- Climate and Energy
- Design for Safety
- Filling and Excavation
- Landscaping
- Nuisance
- Stormwater Management
- Parking and Access
- Structure Planning

The pertinent issues arising out of assessment against the codes is discussed below:

Caloundra South Planning Area Code and Retirement Community Code

Overall Outcome (2) (i) of the Retirement Community Code requires retirement communities to be designed to integrate with the surrounding development. Officers are supportive of the land use, but the scale of the proposed building in this locality is at odds with the surrounding low density character. It could be argued the previous approved building also did not comply in this regard.

Since lodgement, the building design has been substantially amended to deal with privacy and overlooking issues by modifying the new third storey and upgrading of perimeter landscaping. However, Overall Outcome (2) (i) is not achieved.

Specific Outcomes 01, 02 and 05 of the Retirement Community Code require the site to be suitable for the proposed use. Specific Outcome 05 states:

The retirement community is sited and designed to take account of its setting and site context and so as to make a positive contribution to the built form character of the locality.

The general area surrounding the subject site currently includes low density residential development, including the Pelican Heights Estate and the Home Park development located across the other side of Caloundra Road. These and other developments in the general Caloundra area are providing alternative accommodation opportunities to the market which is catering for the ageing population now and in the future. In this way, the location is considered appropriate as the site is well serviced, being only a short bus trip to the Caloundra CBD, Caloundra medical and essential facilities and services.

The previous approval over the site for a Retirement Facility (Aged Care Facility) is indicative of council support for the land use in this locality. However, the proposed building, while a high quality designed building for aged care needs, is more imposing on the subject site.

Building Height

Probable Solution S5.2 of the Retirement Community Code requires a height of 8.5m.

The applicant submits that the quality of life for a resident of a Retirement Community Aged Care Facility is paramount in influencing design decisions. They argue that given the highly serviced nature of high care aged care buildings, the minimum practical floor to floor height to achieve the dual goals of quality resident spaces and efficient building servicing is 3.5m. A three storey building will need to be 10.5m plus the height of any roof.

While this is acknowledged, it needs to be balanced against the character of the area or planning scheme requirements. The proposal significantly exceeds the height requirement of 8.5m and is located in a Low Density Residential Precinct, but it is acknowledged that the previous approval allowed a height of 10.3m at the centre of the building (centre of the site). This proposal is 2m more, but does not achieve that transition to 8.5 m near the neighbouring dwellings of the previous approval. This is reflected in the submissions from the community objecting to the proposed development.

The applicant has now modified setbacks and proposed an extensive, detailed landscape scheme to create screening to the adjoining residences and soften the impact of the building.

While the applicant has reduced the height of the building since lodgement by changing the roof form to a hipped roof with an eave at RL50.60 – 10.20m above finished ground, this is the wrong interpretation of height and the height of the building is closer to 12.5m above natural ground level. The height should be calculated from the natural ground level and not the finished ground level. The ridge of the new roof at its highest point is shown at RL51.60 – 12.5m above finished ground level. The applicant submits the roof plant areas will not be visible above the projected eave line of the building. The roof pitch remains at 5 degrees.

The Caloundra City Plan 2004 defines “height” and “ground level” as follows:

“building height” means the height above ground level measured vertically to the top of the building at all points on the site over which the building is to be erected. The measurements shall include rooftop structures and projections such as architectural features, lift shafts and motor rooms, air conditioning and other mechanical plant, satellite dishes and advertising devices other than any non – load bearing aerial or antenna attached to a building and plumbing ventilation pipes.

“ground level” means in the case of a site where:

- (a) the level of the site has not been altered, the level of the site
- (b) the level of the site has been lawfully altered, the as constructed finished surface level of the site or
- (c) the level of the site has been unlawfully altered, the level of the site as if the site had not been unlawfully altered.

Further consultation with the applicant’s consultant has yielded the following additional information:

Finished Ground Floor Level	RL40.50m
Finished Courtyard And Entry Foyer Level	RL40.40
Roof Eave Heights	RL50.60m
Maximum Roof Ridge	RL51.60m (11.1m above finished ground floor level)
Roof Wall	RL51.60m (11.1m above finished ground floor level)
Plant Deck	RL51.00m
Lift Overrun Roof	RL52.00m (11.5m above finished ground floor level)
Plant Deck Screen	RL53.00m

The applicant believes that the plans are clear in the depiction of the following proposed building heights to be measured above finished ground floor level, in accordance with the agreed height reference adopted in the current development approval. Further, they advise that they are now prepared to remove the Plant Deck Screen and maintain Plant and Lift Overrun to a maximum height of RL52.0m. This will ensure that the building form remains at a height of 11.1m above Finished Ground level, with the exception to the Plant and Lift Overrun.

Nevertheless, the planning scheme requires that the height be measured at any point above (effective) ground level, which means the building has a height of around 12.5m at its highest point above the existing level of the site.

Overlooking

The proposed development will address adjacent properties with large windows, to capture views for residents, causing the potential for overlooking. This affect will be impacted by the higher ground level on which the proposed development will be sited. It is a possibility that many of the occupants will be bed-ridden for much of their time in the proposed development. For the residents of the adjacent low density residential properties, the building with its extensive glazing will induce a sense of being looked down at from above. While it is likely that the patients and guests will mostly be interested in distant views, the perception of being over-looked is real. The landscaping will certainly assist significantly in redressing this, but does not overcome the whole issue, particularly for the highest level.

The applicant submits that the residents are *“high care” and in most cases physically bed bound, and are not able to stand at the windows provided in the rooms to look out or down into the dwelling below*” The applicant submits that natural light in bedrooms has a significant health benefit to residents. However, staff and visitors can look out of the windows at the residents below.

The applicant also submits that rooms to the west and east, because of the orientation, have significant sun shading elements to the face of the windows, which will ameliorate most overlooking of the neighbouring properties. The sitting rooms on the south east and south west corners on Levels 1 and 2 include batten screens to face of windows that act both as shading devices and privacy screens. The upper level sitting rooms have now been redesigned with a setback of 6m from the boundaries and are surrounded by the roof of the sitting rooms below and have sun shading blades similar to those on the residential rooms.

The applicant has significantly reduced overlooking, in particular at the upper level of the western elevation where the top bedrooms have also been stepped back to achieve further vertical elevation of the built form and a reduction in overlooking of the houses to the west.

However, there will still be significant opportunity for overlooking because of the proximity of the building to the boundaries and the height above surrounding development and it is likely residents will still perceive that they are being overlooked.

The sections below, prepared by the applicant, show the context of the proposed building in relation to the surrounding detached houses.



SECTION F



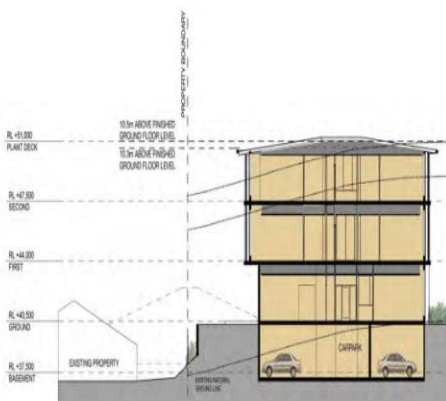
SECTION E



SECTION A



SECTION B



SECTION C



SECTION D

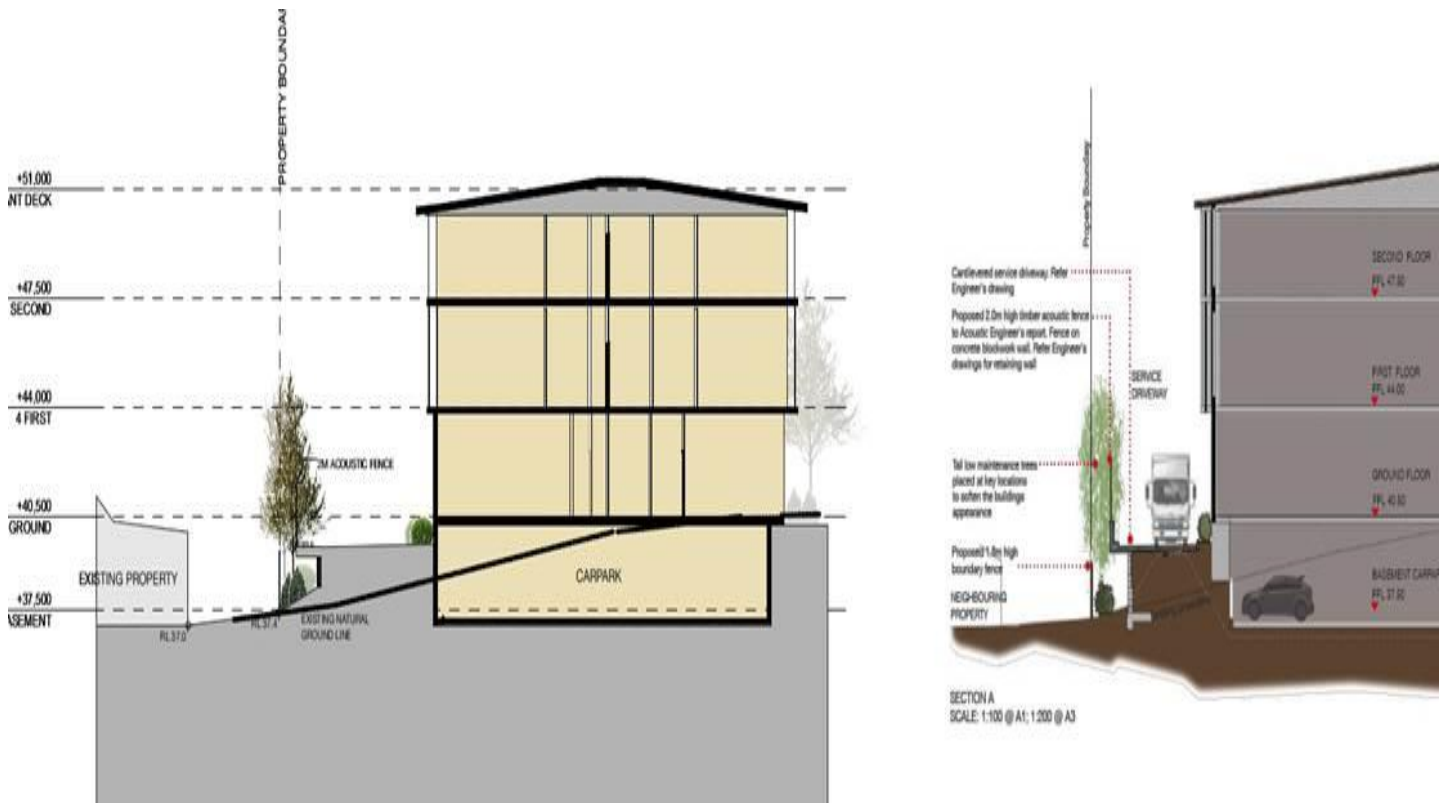
Over-shadowing

The applicant has provided shadow diagrams of the proposed building for 9am and 3pm for 22 June. The shadow diagrams clearly show that residential properties to the east, south and west will be impacted on by over-shadowing from the proposed building.

Below is a plan of the recently approved small lot subdivision with 5 lots along the eastern boundary of the subject site of which, 4 are small lots of 361m² - 367m². These will all be completely over-shadowed, on June 22 from 3pm onwards.



The diagrams below indicate the boundary detailing proposed at this location.



The applicant does not discuss the over-shadowing in any detail but, rather, indicates that the boundary setbacks of the building have been achieved. The applicant's response to the information request seems to imply that, if the setbacks are achieved, then the over-shadowing is acceptable.

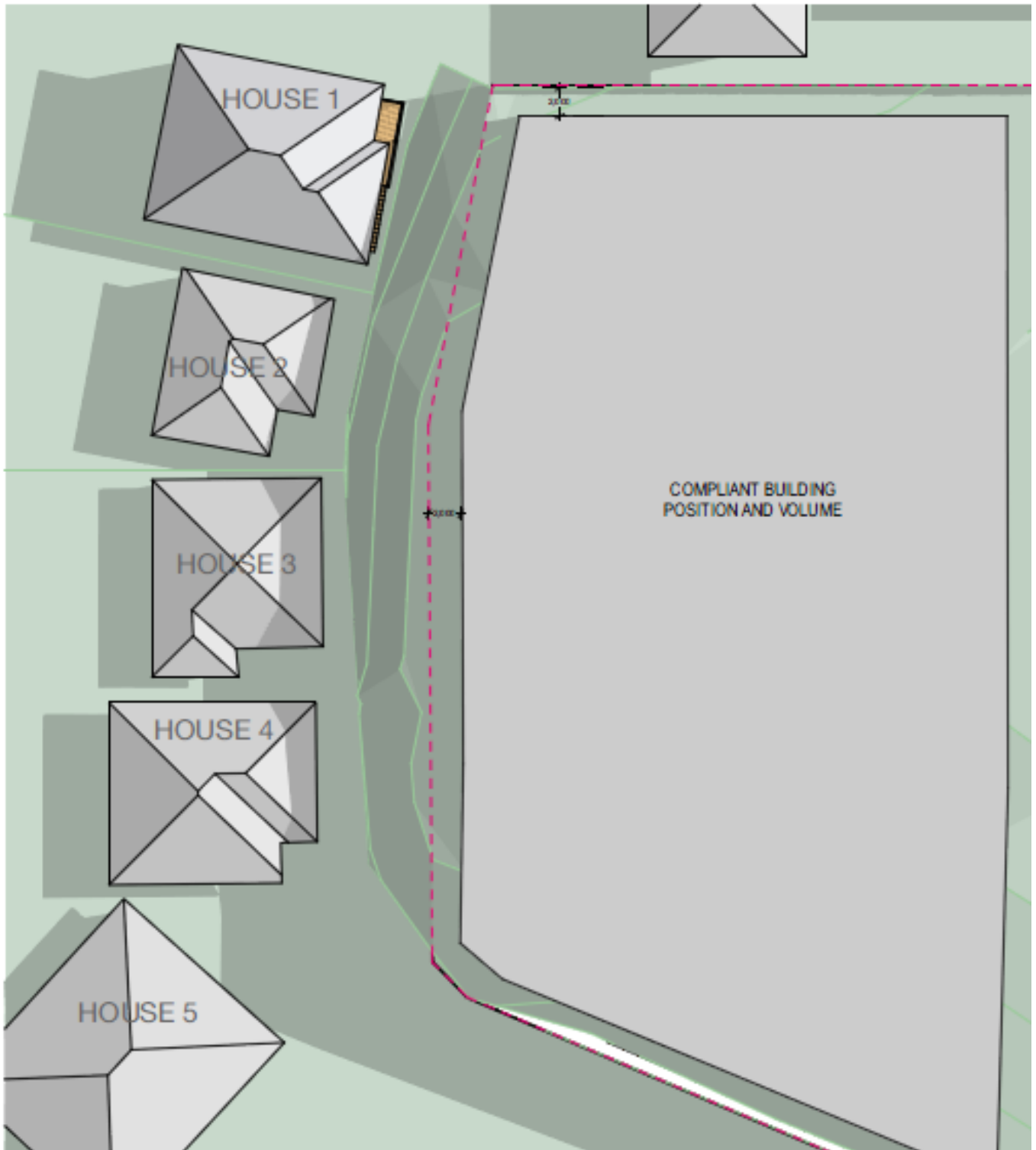
However, of most concern is the over-shadowing of the 4 key homes to the south. These houses are on very small allotments within a multi-housing (body corporate) arrangement. The back walls of these houses are very close to their back boundaries, and their north-facing rear decks and back yards, will be entirely over-shadowed for most of the winter months. As a result, the building must be re-designed to ensure that the southern houses have a minimum of 6m of natural light from the back walls of the houses at the winter solstice (see condition 19). Interim modelling by the applicant has demonstrated that the over-shadowing is only minimally greater than that of allowable 2 storey houses set back 2 m from the common boundary.



To this end, the applicant provided a series of drawings indicating the impacts a “compliant” building, with an 8.5m height limit, set within the boundaries of the dwelling house code, would have on the neighboring properties to the south.

This indicates that the overall length of shadow would have a similar shadow effect on a number of houses. The images depict that some houses would, in fact receive a lesser shadow effect, given the floor plan steps into the site in parts.

Below – 21 June, 12 noon - compliant building – height 8.5m, setback 2m



Below – 21 June, 12 noon – proposed building – height 10.5m, setback 4.5m

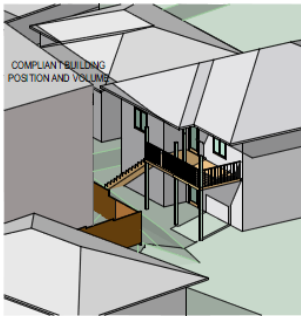


The shadow model provided a block development over the total site that is a solid 8.5m high, this diagram does not allow for setbacks between buildings, pitched roofs, site cover, or other standard outcomes of the predicted low density residential zone. It also presents a flat roof at 8.5m high, setback only 2m off the boundary. This would generally not be the outcome of low density housing zone.

The images below indicate the actual shadow effect that will be placed on the southern neighbours with the proposed building and the compliant building.

Overall, the impact of the shadows of the proposal are greater than a building set back 2m at 8.5m, except where there is a gap in the proposed building benefitting house 3, and a large side setback benefitting house 1. Shadows cast from both diagrams indicate significant light deficiency effects on these neighbors.

HOUSE 1

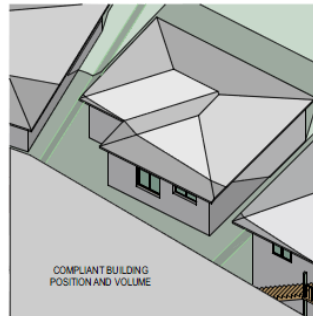


COMPLIANT BUILDING
HOUSE 1
JUNE 21 - 12PM

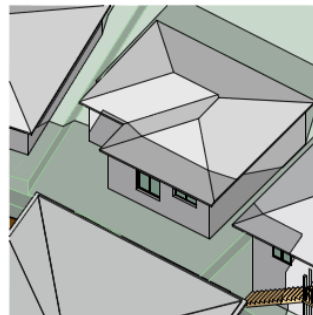


PROPOSED BUILDING
HOUSE 1
JUNE 21 - 12PM

HOUSE 2

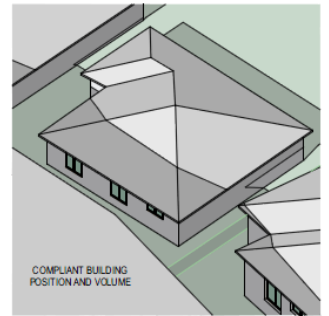


COMPLIANT BUILDING
HOUSE 2
JUNE 21 - 12PM

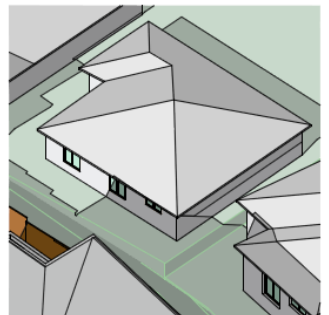


PROPOSED BUILDING
HOUSE 2
JUNE 21 - 12PM

HOUSE 3

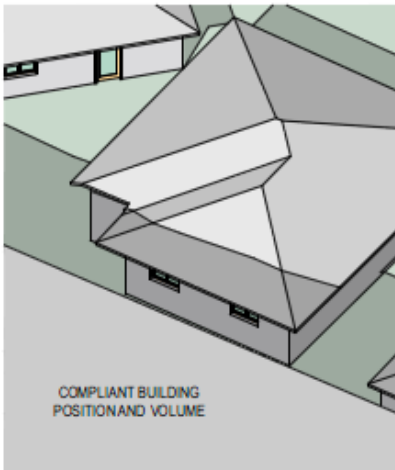


COMPLIANT BUILDING
HOUSE 3
JUNE 21 - 12PM

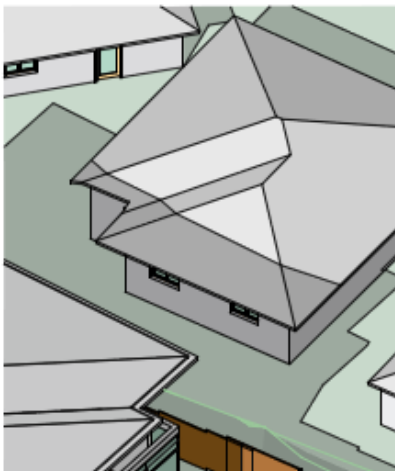


PROPOSED BUILDING
HOUSE 3
JUNE 21 - 12PM

HOUSE 4

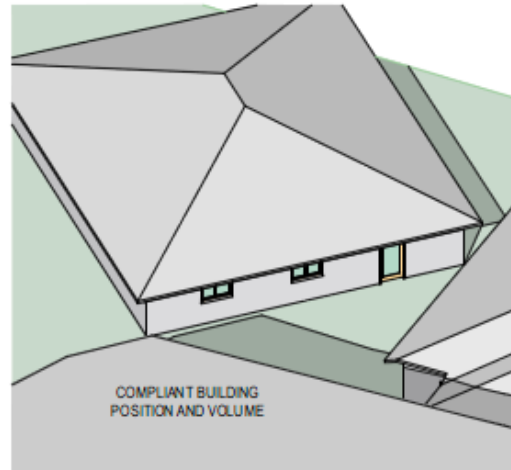


COMPLIANT BUILDING
HOUSE 4
JUNE 21 - 12PM

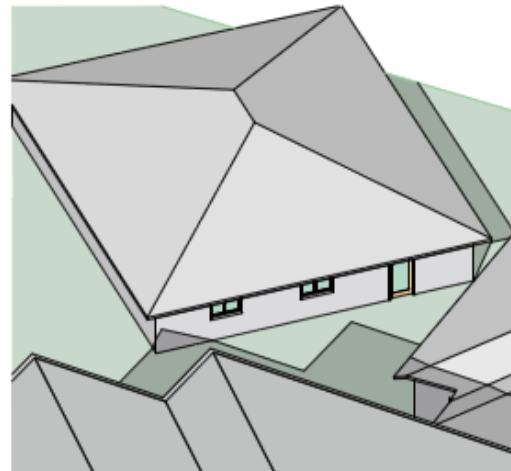


PROPOSED BUILDING
HOUSE 4
JUNE 21 - 12PM

HOUSE 5



COMPLIANT BUILDING
HOUSE 5
JUNE 21 - 12PM



PROPOSED BUILDING
HOUSE 5
JUNE 21 - 12PM

In addition to over-shadowing issues are the impacts of the building on ventilation and prevailing breezes. Probable Solution S5.5 of the Retirement Code requires that buildings do not exceed 40m in length with separation between the buildings (for the purposes of cross ventilation, articulation and light) of at least 4m long. The proposed building along the western boundary is approximately 86m with similar length along the eastern boundary. While visual articulation has been provided to these façades, it is a continuous building with no breaks along the long walls. As a result, there could be some impact on prevailing breezes to the surrounding residents, although it is noted that the high nature of the subject site, above the surrounding development, already acts to block much of the prevailing breezes.

Setbacks

The Retirement Community code requires a side setback of 4.5m and a front setback of 6m. Under the Caloundra City Plan 2004, Retirement Communities were generally expected to be low rise, consisting of clusters of buildings, and not more than 8.5m in height. The code did not include setbacks for multi-storey buildings. As the application is impact assessable, it is subject to assessment against the whole planning scheme. Hence, reference is made to the setback requirements for a multi storey building contained in the Multi Unit Code. This requires side setbacks for buildings up to 11m in height of 4m, front setback of 6m, and a rear setback of 6m.

The multiple dwelling setbacks are an appropriate guide in this instance. Council's information request asked the applicant to demonstrate compliance with the setbacks of the multiple dwelling unit code or provide even more generous setbacks to form a transition buffer to the existing detached houses.

The applicant's response was to increase the setbacks slightly to comply with the side setbacks of 4.5m. However, it should be noted that the recent small lot subdivision to the east has a secondary setback treatment to the Old Caloundra Road, making the setback less than 6m, but has a requirement for an acoustic wall along this frontage.

The current proposal now shows that the building complies with the 6m setback, allowing for far more significant front line landscaping. Thus, the proposal now generally satisfies the required setbacks.

Site Coverage

Specific Outcome 07 states:

The site coverage of all buildings does not result in a built form that is bulky and visually intrusive, with a substantial proportion of the site retained for private and communal open space.

Probable Solution S7.1 requires a site coverage of buildings and structures to not exceed 40 per cent. The proposed coverage is approximately 52 per cent, which substantially exceeds this requirement, a further indication of over-development of the site.

Parking

Generally, the parking numbers comply with the planning scheme requirements.

However, the provision of only 1 person with disabilities parking space in the basement parking area would seem to be disproportionate to the number that would be required by the proposed use. While residents may not utilise disabled parking spaces (high care patients cannot drive) their family, spouses, visitors can. With 125 high care aged facility beds being proposed (although some of these will be lost as a result of required changes), there is a high probability that there will be more elderly visitors requiring disabled parking. Despite this being raised in the information request, the applicant did not provide any additional parking spaces. It is also noted that the previous approval for this site provided parking for 3 persons with disability at the main entrance to the building. A similar development recently approved, for Tricare in Warana for 149 rooms, required the provision of parking for at least 2 persons with disability parking. Any approval of this application should require the same.

Acoustic Walls

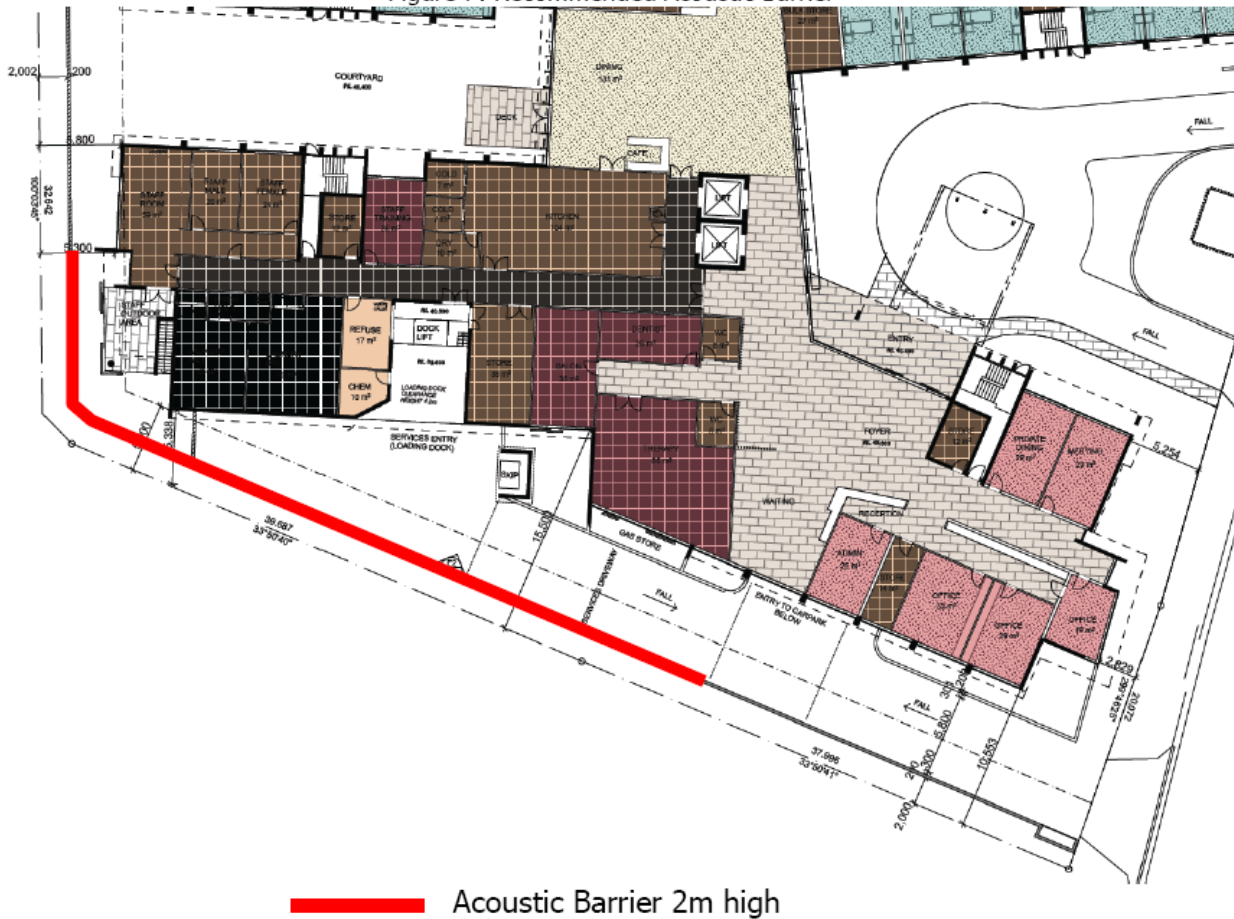
A 2m high acoustic wall is proposed along a portion of the eastern boundary of the site and the southern boundary. The purpose of the wall is to screen the proposed car parking and manoeuvring area and loading dock from the properties to the south and east. These lots

were recently approved for a small lot subdivision and are under construction. Five proposed lots are located with their rear to the boundary of the proposed development.

While the acoustic wall only covers a portion of the eastern boundary adjacent to the loading area, it is unclear how the small lots towards Old Caloundra Road will be affected by traffic generated by the proposed development, as the acoustic wall is not identified along this portion of the site and any approval would need to condition this aspect of the development.

The proposed design and arrangements of this eastern boundary acoustic wall are totally unsatisfactory in terms of the future adjoining lots. There seems to be an acoustic wall sitting on top of a retaining wall, behind which there are delivery vehicles. There is no allowance for landscaping to screen the acoustic wall. When viewed from the future eastern allotments, the wall will appear massively high, with no possibility of landscape treatment of medium sized shrubs to soften the appearance in their rear yards. Accordingly, this section of the site will need to be re-designed as per condition 20.

Figure 7: Recommended Acoustic Barrier



Landscaping

Since lodgement, far greater detail about the landscaping has been submitted. This includes a short term design involving intensive planting, together with a longer term outcome that allows for some thinning over time. Some of the proposed landscaping does not fit completely within the subject site. While the trees are planted within the site, their mature height and spread overlaps the adjacent properties, demonstrating the lack of space between the proposed development and adjacent properties. This occurs mainly on the western boundary of the site and will require addressing at the Operational Works stage.

Further, the lack of landscaping along the eastern boundary, to screen the acoustic walling, is to be addressed with outer landscaping that mitigates the impact of the acoustic wall sitting on top of a retaining wall, in order to give a better visual treatment for those lots to the east.

Visual Management Code

Scenic Amenity

This view line is identified on the Visual Management Code Significant Views Map 7.9 as a “*Scenic Viewpoint - Gateway Views to passage, islands and ocean*”.

Specific Outcome 01 states:

Development does not detract from the visual amenity of Caloundra City’s Scenic Routes.

The probable solution requires that where identified on a scenic route the development is of a **scale** and architectural style and incorporates materials, colours, landscaping and signage in accordance with the development principles contained in the Landscape Values. While the material, colours and landscaping can be conditioned to some extent, it is the massing of the building that is the key issue. The massing and scale of the proposed building on top of a prominent hill will impact on the significant view line. Specific Outcome 01 is not satisfied.

Specific Outcome 02 states:

Impact assessable development does not impact adversely on Caloundra City’s significant views.

Probable Solution S2.1 requires that development protects or enhances the significant views. As noted above, the mass of the building will have some impact on the views.

The subject site is situated on a service road paralleling Caloundra Road. Caloundra Road is currently the southernmost entry point to the coastline on the Sunshine Coast and by virtue of its entry over Little Mountain, provides an expansive view of the sea and coastline from the eastern side of the crest of Little Mountain. Moreton Island, The Spitfire Channel, Bribie Island and the Pumicestone Passage are all visible from Caloundra Road as well as the coastline from Golden Beach to Kings Beach.

In recent history, a substantial amount of vegetation along Caloundra Road has reduced the panoramic view to some degree. This acts as a significant screen to the proposed development as viewed by traffic heading east towards the site. Much of this vegetation is regrowth in combination with landscape buffers to residential subdivisions, which line this portion of Caloundra Road on one or both sides. The extensive vegetation corresponds with the Sunshine Coast’s desire to reflect its highly vegetated landscape character along major roads and along scenic routes, which Caloundra Road is identified as in the Caloundra City 2004 Planning Scheme.

However, reliance on the future retention of this roadside vegetation is not possible as it is likely that much of the vegetation will be lost in any future upgrading of the main road through this area. As a result, the modelling of the visual impact of the buildings on the main road has been undertaken both with, and without, the roadside vegetation. Without the roadside vegetation there is no doubt that the building will appear excessively large and imposing from the main road. Some mitigation of this will be achieved by way of the landscaping on site, particularly with the front setback widened to 6m, but passing traffic will still be very conscious of the existence of this hilltop building.

The view from Caloundra Road towards the coast is one of nine views identified in the Caloundra City Plan area as a significant view.

The adjacent sites and much of the development on this portion of Caloundra Road has been developed as low density reflecting the intent of the planning scheme and setting the character for the area.

Topographically, the subject site can be described as a knoll, having a higher elevation than the adjacent land surrounding it. Its location and elevation provide the site with significant views of the sea, islands, the passage and the vast landscape towards and including the Glasshouse Mountains.

As a result of the site's location and elevation, development on this site needs to be handled with architectural sensitivity. Large structures within view of Caloundra Road will be imposing, in contrast with the surrounding low density residential development.

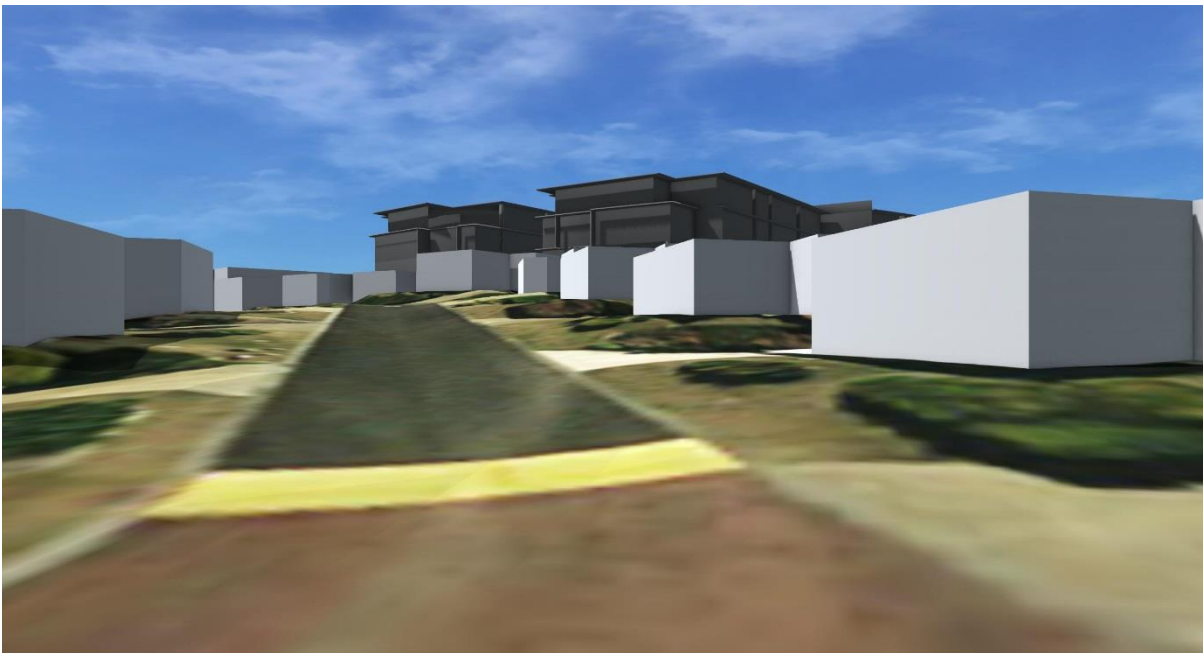
The protection of the significant views along Caloundra Road is important. It is also important that elements within the view, providing context, do not distract from or compete with the view. It is not only the significant view itself which should not be impacted on, but also the scenic character of Caloundra Road that should be maintained. The addition of large structures within the scenic route will impact on the scenic value of the road and the significant view. Nevertheless, the existing roadside vegetation will assist in softening the visual impact of the new building until the proposed landscaping has had a chance to mature.

The proposed development partially obscures a significant view. The location of the proposed development on a knoll accentuates the impacts. Its height and form become more obvious as a result of the proposed building being elevated above its surroundings.

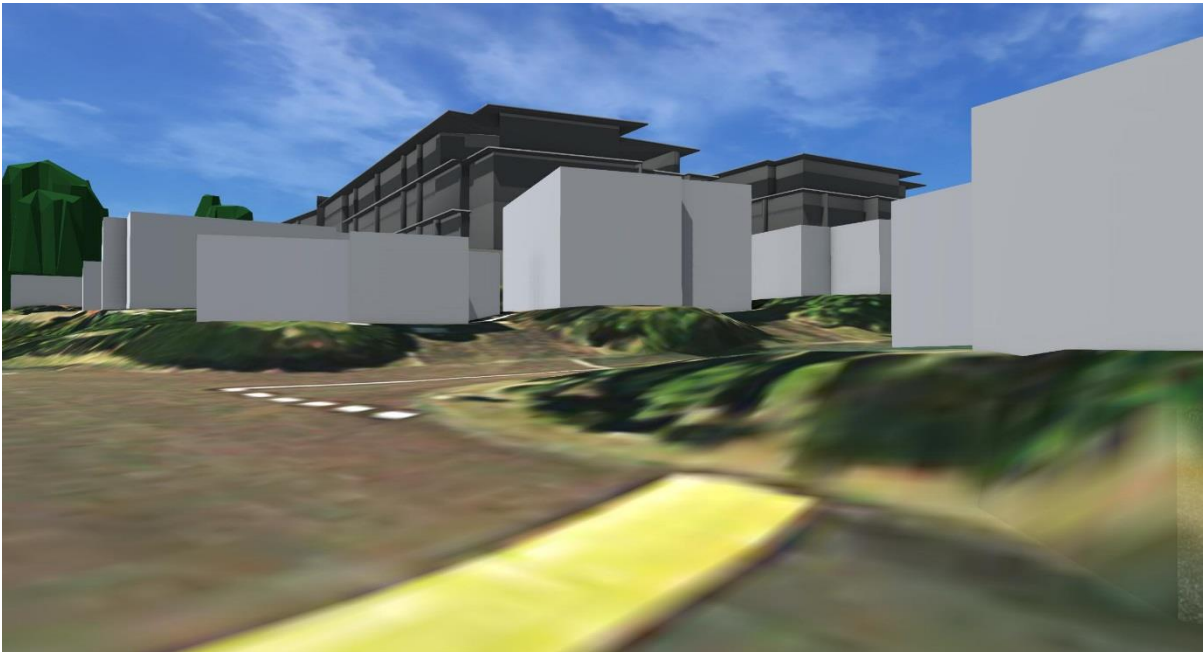
While it is acknowledged that the previous approval for the site was also well over the 8.5 m height limit, the need to achieve a better yield of nursing beds on this site is achieved only as a trade-off against the building mass on this prominent knoll. While some conditions may assist, nevertheless the building will appear very large and imposing, and will block some aspects of views when travelling along the main road.



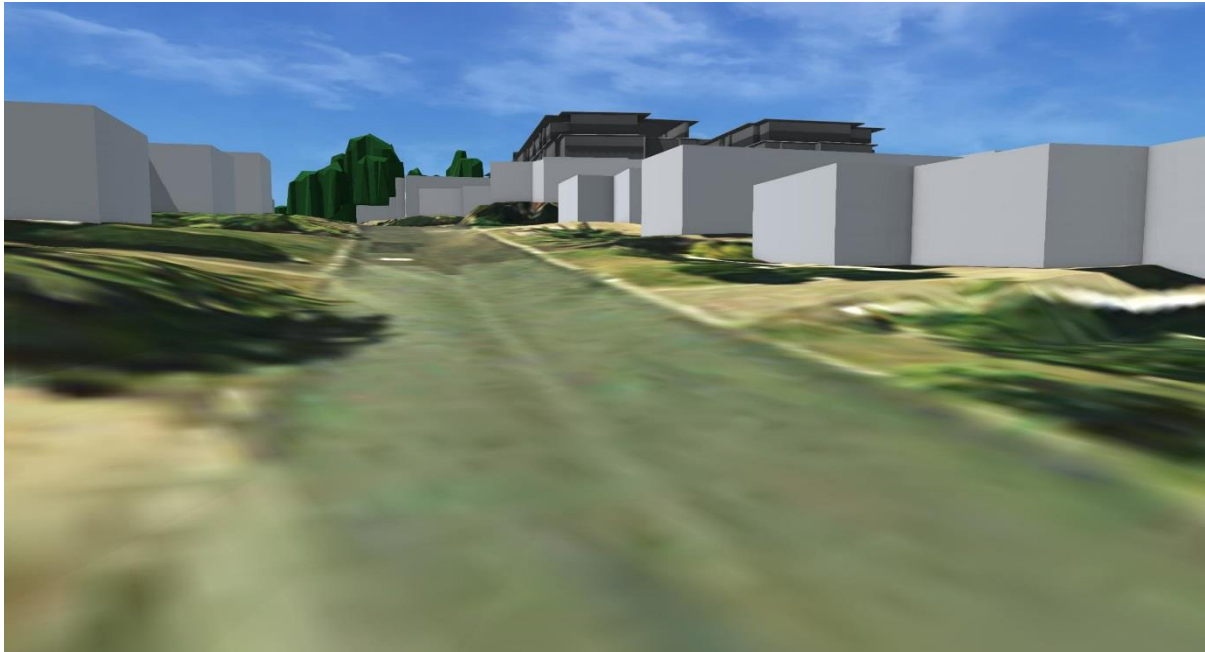
Southern end of Moreton Close
Pelican Heights



Eastermost corner of Moreton Close
Pelican Heights



Corner of Glasshouse Drive and Moreton Close
Pelican Heights



Glasshouse Drive Looking North
Pelican Heights



Southern end of Sunseeker caravan park
Looking in a North Easterly direction.

Aerial Views of the proposed development demonstrate its large scale in comparison to surrounding development.



Elevated view from south-east, showing the surrounding scale of low density residential development and industrial buildings on Sydal Street. The industrial buildings on Sydal Street are nested in a lower area by elevation and are generally limited to a footprint of 1000m², which is about a third of the proposed development's footprint.



Aerial view from north-east
3D Modelling - Caloundra Road Vantage Point – all vegetation removed

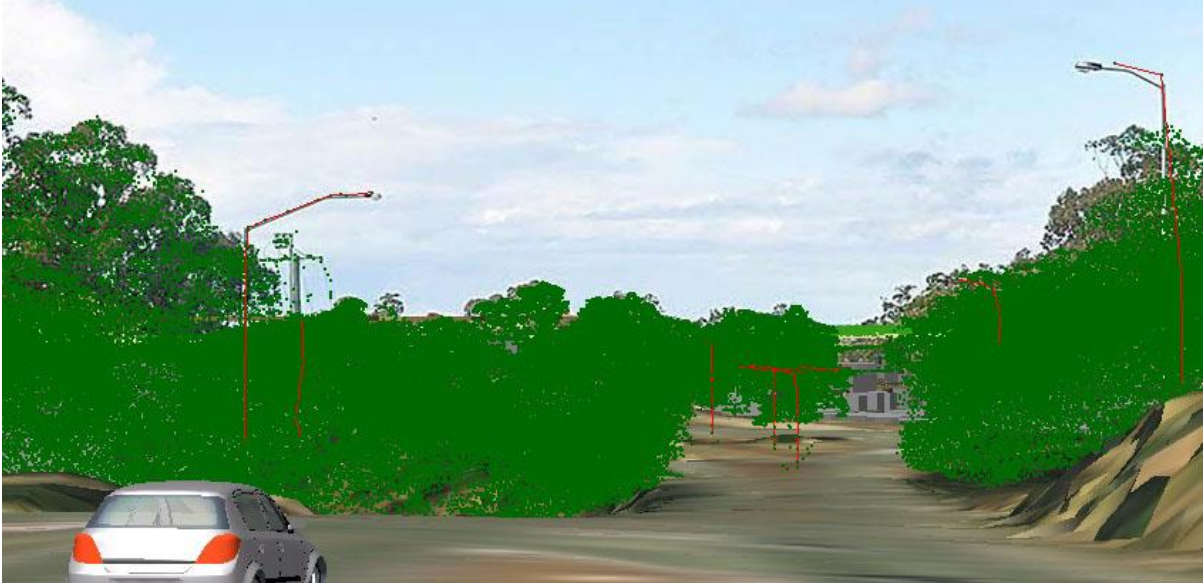
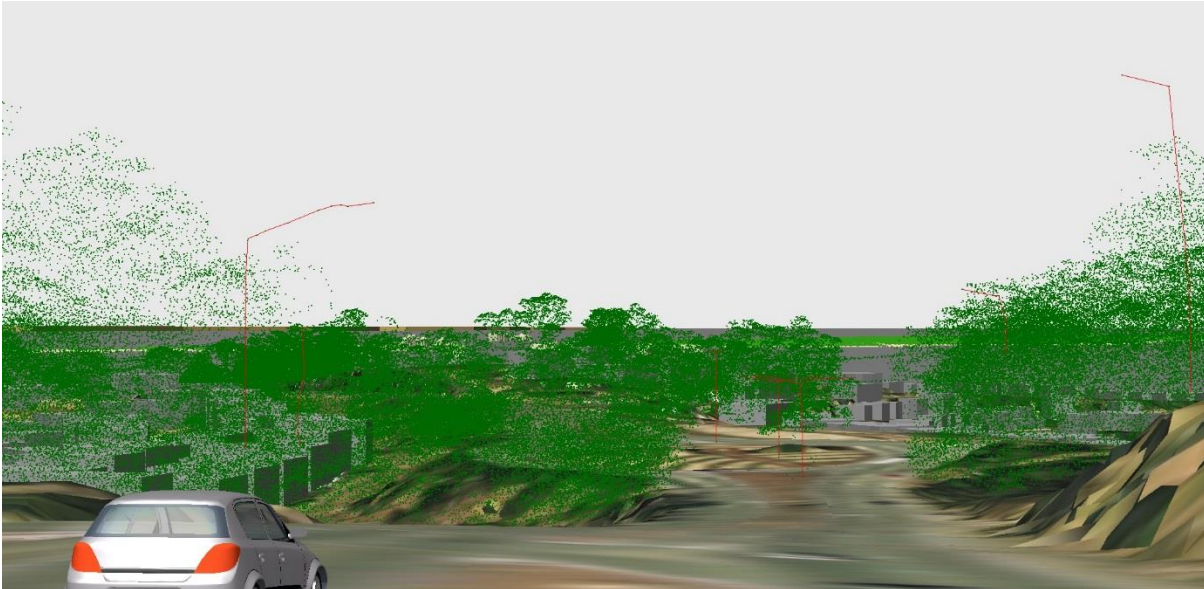


Image of 3D model superimposed onto photograph to verify alignment.



Base 3D model. View from Caloundra Road before the Stradbroke Drive entry.

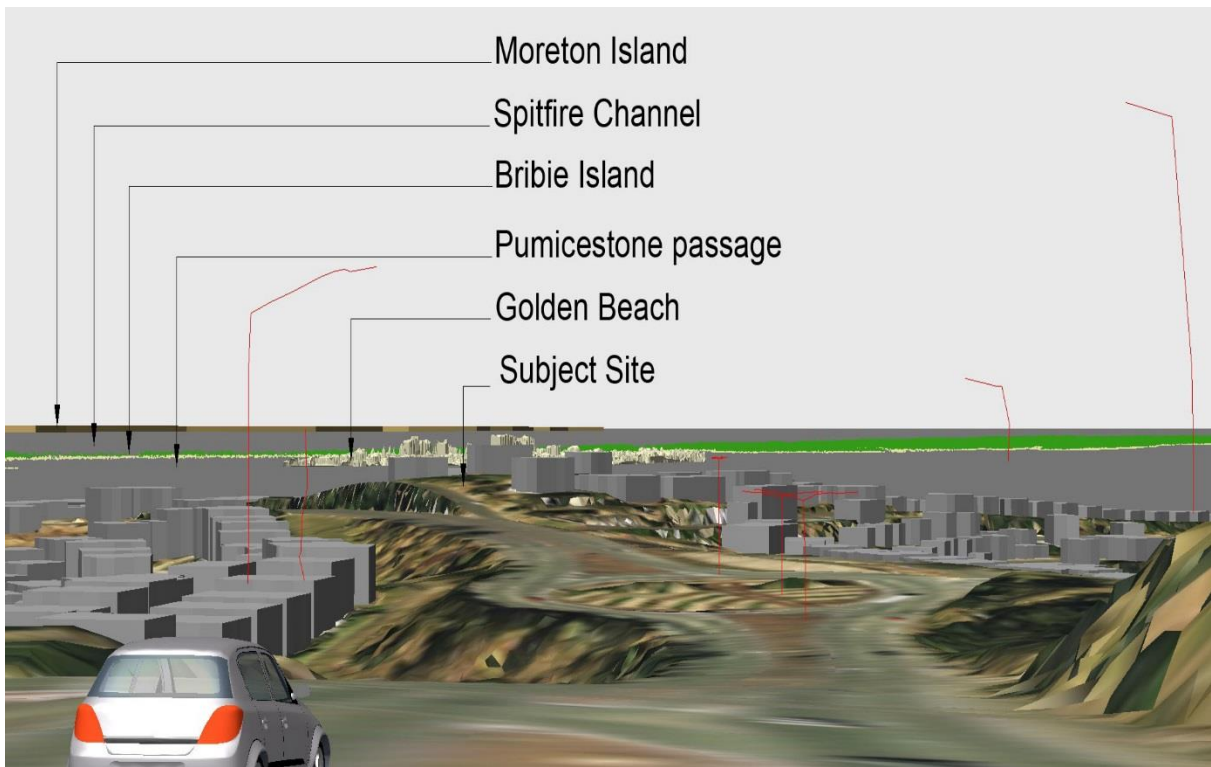
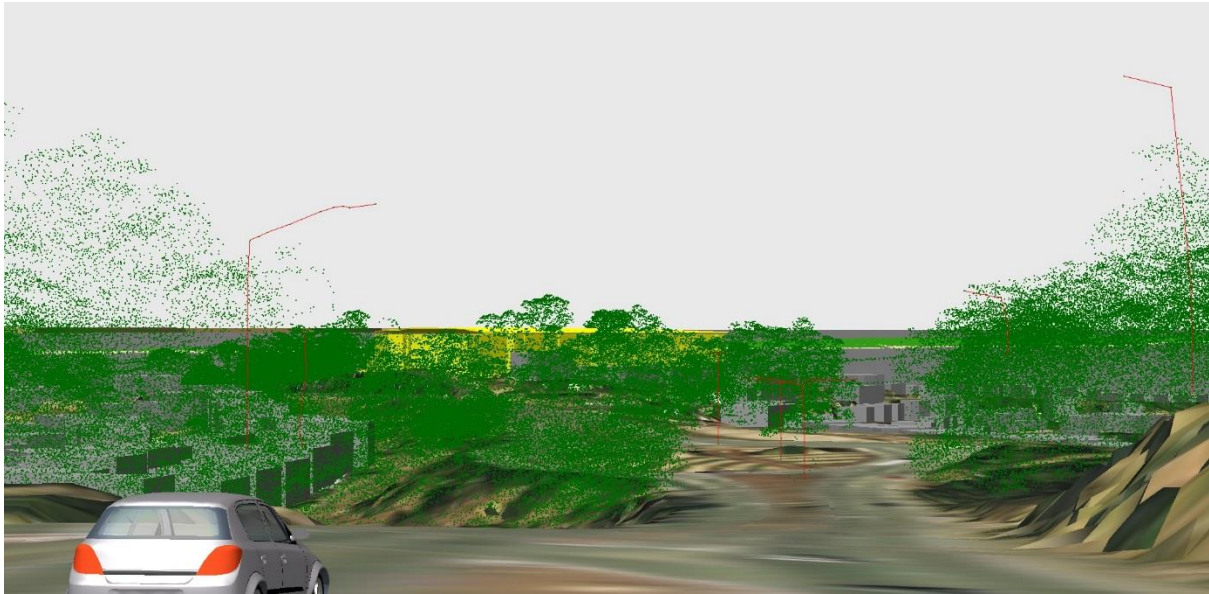


Image of 3D model with vegetation removed for clarity



Proposed development inserted into 3D model – vegetation removed



3D model including vegetation and proposed development

Also refer to comments in Desired Environmental Outcome 3 - Natural Assets and Systems.

The proposal conflicts with the Visual Management Code.

CONSULTATION

IDAS Referral Agencies

The application was referred to the following IDAS referral agencies:

Concurrence

Department of State Development, Infrastructure and Planning (SARA)

The department is a concurrence agency for State Controlled Road matters. The department responded by letter dated 2 November 2015 supporting the proposed development with conditions. In particular, they require a taxi parking space at the front porte-cochere to allow for disability access.

Other Referrals

The application was forwarded to the following internal council specialists:

- 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
- Parks and Gardens

Their assessment generally forms part of this report. In particular, comments from council's Parks and Gardens are included below.

Parks and Gardens

There are two trees within the nature strip close to the property boundary in front of 84-86 Caloundra Rd, which may be affected by the proposed development.

A *Eucalyptus tereticornis* in front of number 86 grows right up against an existing fence and is, therefore, considered to be of medium retention value. Significant disturbance has recently occurred at the base of the tree which appears to be development related. It is recommended that this tree is removed as a part of the development. Parks and Gardens suggest a 3:1 offset, based on council's draft tree management guidelines and in line with standard practice for internal project assessment.

The second tree is a high-value *Corymbia intermedia*, which would require a "no net canopy loss" offset in accordance with the draft tree management guidelines, if removed. The number of new trees that would be required to replace the canopy area of the tree within 5 years has been calculated to be 8. If removal of this specimen cannot be avoided, Parks and Gardens suggest that an offset planting in line with this is provided to council to compensate for its loss. There appears to be ample room within the street for an offset planting.

Public Notification

The application was publicly notified for 15 days in accordance with the requirements of the *Sustainable Planning Act 2009*. 14 properly made submissions and 3 not properly made submissions were received.

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

Issues	Comments
The building massing, length of walls, height and coverage (exceeds requirement by 12%) is too large for the site and being located on top of the hill, is imposing and not in character with the surrounding low density character of the area.	See discussion under Development Codes.
The proposal will impact views towards Caloundra, Pumicestone Passage, the islands and ocean.	See discussion under Development Codes.
Proposal will cause excessive over-shadowing of adjoining residents particularly in winter as shown by the developers own shadow diagrams.	See discussion under Development Codes.
The proposed three-storey development will cause excessive overlooking of adjacent residents with large windows overlooking adjacent residents.	See discussion under Development Codes.
The proposed landscaping on the western side of the proposed	The applicant has provided revised landscape plans which show a tree growth transition. While

Issues	Comments
<p>development (claimed to deal with the privacy issue) will place excessive load on the proposed terraced areas with proposed large trees, particularly during periods of heavy rain and may lead to land-slip; in any case, the proposed large trees will take many years to reach maturity.</p>	<p>some screening will be provided the building massing will still appear dominant to the surrounding residents and overlooking will still occur. The top sections of the building will not be screened. Many of the trees proposed will overlap into the adjoining residential sites potentially causing additional over-shadowing.</p>
<p>Submitters concerns about the length of the building along the western boundary. An approximately 86m long building will significantly impact the light and ventilation currently enjoyed by residents. The Retirement Community Code states “buildings do not exceed 40m in length with separation between buildings” for this reason.</p>	<p>While a full assessment has not been undertaken in regards to breezes, the length of the building at over 80m long in a north – south orientation with a height of approximately 12.55m at points and its proximity to adjoining residences will have a strong likelihood of impacting on the prevailing breezes.</p> <p>The proposed building is approximately 86m long on its western side. Also the height has previously been discussed is exceeded. Together, the over height nature and long building contribute a massing and scale of the building that is not in character with the surrounding area, results in overlooking and over-shadowing and impacts on significant views from Caloundra road towards the Ocean. To exacerbate this the proposed development is in a Low Density Residential Precinct where generally such a development would be required to comply or demonstrate compliance over and above that required i.e. complying or even greater setbacks (not encroachments), transitions in building height (not maximum height to required setback which would normally occur in a multi-unit residential precinct), no over-shadowing, no overlooking, greater landscape buffers, and more generous parking requirement.</p>
<p>The block of land is located in the Low density residential precinct and therefore has a height restriction of 8.5m in order to ensure character of the area is not diminished. As per the amended plans the building height is 11.2m (plus plant height) above finished ground on the apex of an existing hill. This is both considerably more than the 8.5m building height and also in excess of the 10.5m building height consistent with a previously approved development on the site. In the case of the previously approved development it was only 10.5m in height at the centre of the lands’ development area and not at the</p>	<p>A detailed assessment finds the height of the building at points is 12.55m above natural ground level not the finished ground level. This is not characteristic of the existing low density residential character of the area.</p>

Issues	Comments
extremities/boundary areas as is the case with the currently proposed building height for this development. The current development falls short of these height limits and standards.	
Light spillage from the proposed development on submitter properties.	Lighting will be required around the site. This may have additional impacts on adjacent residents. Greater setbacks and a transition in height from the centre to the periphery of the site may reduce these impacts. Any development approval would require lighting to be provided in accordance with the relevant standards.
All the trees to the West/front of the existing proposed site which provided a vegetative barrier of protection inclusive of an existing tree canopy, have been removed from the site prematurely by the developer.	Site clearing has previously occurred. If the development were approved landscape conditions could be attached for street trees to be planted and for onsite landscaping to be provided.
Concern from residents of staff (shifts) and visitor break out areas (landscaped courtyards) on the western façade in close proximity to the boundaries and the impacts of noise and light.	Noted. Any development approval would include conditions of approval to required adequate screening and acoustic treatments of this staff area from the adjacent development.
Drainage Issue on Western Boundary of Proposed Development Site with Stormwater Impacts on the Existing Retaining Wall at the Linda Lea complex (Eastern most boundary) where existing retaining wall at Linda Lea has had recently completed remedial works carried out.	If the proposal were approved conditions would be applied by Councils development engineers to ensure a non-worsening impact of stormwater and to ensure the structural integrity of retaining walls is protected.
Concern about the impacts of flooding and drainage from the proposed development on the surrounding properties.	Stormwater runoff from the building will be directed towards the street and not adjoining properties.
The retaining walls were built a number of years ago, without expectation that a three storey building would be built in this location. Submitter concerns about the stability of the retaining walls.	This is noted. Subsequent operational works applications would need to demonstrate that the retaining walls were structurally sound and that they would not be compromised by the proposed development.
Reflection, glare and privacy are a concern, due to pane glass panels. Summer sun reflecting off the glass into the rear of properties would potentially make home a hotbox.	This may be an issue, however, screening devices are proposed to minimise any reflection that would cause a nuisance to neighbouring residents.

<i>Issues</i>	<i>Comments</i>
Potential for these reflections to impact on traffic on Caloundra Road.	
The nearest bus stop is further along Caloundra Road and residents would have to cross a busy Bellvista Boulevard to access it.	Residents are predominantly high care patients who will not be driving or using public transport. However, visitors and staff may use this public transport and this will be an issue.
Submitter concerns about loss of view lines.	A complying 8.5m high development may also have impacted on these view lines.
<p>The Old Caloundra Road frontage is a narrow thoroughfare and the proposed development would lead to increased traffic flow, parking congestion and noise and there is insufficient parking for the proposed use.</p> <p>Dangerous inadequate intersection with Bellvista Boulevard, which will be made worse with the increase traffic generated by the proposed development. By increasing traffic on service road including waste collection vehicles, refrigeration trucks delivering food, contractors and other service vans will make it even more dangerous.</p> <p>Vehicles with heavy duty or commercial in nature will have a corresponding noise imprint on the residents of this otherwise quiet, low lying/low density residential living area.</p>	<p>The assessment finds that sufficient parking has been provided on site in accordance with the Parking and Access Code. The Old Caloundra Road has sufficient capacity to deal with the expected generation of traffic from the proposed use.</p> <p>Recent upgrades to Bellvista Boulevard have created a safer left in left out from Old Caloundra Road to Bellvista Boulevard.</p> <p>At night potential noise generation by traffic entering and leaving the site during works shifts may cause an amenity issue for surrounding residents. However, the noise from the Caloundra Road and Bellvista Boulevard would already cause noise impacts beyond what would be generated by the proposed use.</p> <p>Conditions could be placed on any approval limiting the use of service vehicles and refrigeration trucks to certain delivery hours.</p>

CONCLUSION

Council officers recognise there is an increased need for this type of aged care facility use on the Sunshine Coast and that such a use has a substantial community benefit. The use of the site for a Retirement Community (Aged Care Facility) is generally supported, as demonstrated by the previous approval for the same use under the same planning scheme - Caloundra City Plan 2004.

However, the proposed development is substantially different to the existing approval. The current application proposes a greater building height, longer unbroken building elevations of up to 86m length, and greater coverage resulting in a greater overall building scale. This is not in character with the surrounding low density residential area.

However, the proposed development is a well designed and attractive building, being responsive to the local sub-tropical climate as well as the needs of the intended use.

Unfortunately, this well designed building finds itself on a site which is a visually prominent knoll, emphasising the visual impact.

The proposed development represents a 50% increase in the number of beds that are currently approved on the site. In order to accommodate this, the proposed building is a storey higher towards the edges of the site than that previously approved. While the building is an attractive architectural design, containing vertical articulation and setbacks to the upper level, it will be perceived as a very large and prominent building on this high knoll. As a result, while the patients may enjoy long-range views and breezes, the existing surrounding residents will suffer some amenity impacts, especially a perception of being overlooked.

In mid-winter, there will also be some additional over-shadowing of the surrounding dwellings, especially the 4 existing houses to the south, and also the future small-lot houses to the east.

Further, the building exceeds the height allowable under the former Caloundra Planning Scheme, being 12.5m in a zone that limits building height to 8.5m. However, there is already an approval for a similar land use over the site which was approved at 10.5m at its highest point. Thus, while there will be significant visual impacts, these are only incrementally more so than the existing approval.

The balancing arguments are that this knoll is a significant site along Caloundra Road and is, arguably, suited to a higher residential use displaying a high quality architectural treatment. Also, there is no doubt that the provision of much needed high care beds is a significant public benefit, in terms of social provision, employment and servicing multipliers, but whether this is sufficient to over-ride the requirements of the planning scheme is the judgement call that must be made.

It can be difficult to find a line indicating where a proposed development becomes an over-development, and where the sum of its impacts burden the public and private realms beyond what might be considered reasonable. However, given the scale of the existing approval, the incremental increase in impacts of the present proposal, modified by the conditions, is considered acceptable.

The application is, therefore, recommended for approval subject to conditions.

8.2.4 MASTER PLAN 93 (SITE DEVELOPMENT PLAN 15 - EASTBANK) 2016, MAIN DRIVE, BIRTINYA

File No:	MPC15/0013
Author/Presenter:	Senior Development Planner Planning and Environment Department
Appendices:	App A - Conditions of Approval 155
Attachments:	Att 1 - Proposed Site Development Plan 169 Att 2 - Proposal Plans 211 Att 3 - Letters of Support 235

Link to PD Online:

<http://pdonline.sunshinecoast.qld.gov.au/MasterView/Modules/Applicationmaster/default.aspx?page=wrapper&key=1729000>

SUMMARY SHEET	
APPLICATION DETAILS	
Applicant:	Stockland Kawana Waters Pty Ltd
Proposal	Site Development Plan for Sport and Recreation - Sports House (High Performance Sports & Medical Centre, Community Sports & Recreation Club, Short Term Accommodation)
Received date:	18/12/2015
Request for Particulars Date:	22/01/2016
Response to Response for Particulars Received Date (Duly Made Date):	23/05/2016
Decision Due Date:	2/07/2016
Number of Submissions:	3 Letters of support (provided in support by the applicant)
PROPERTY DETAILS	
Division:	3
Property Address:	Main Dr BIRTINYA QLD 4575
RP Description:	Lot 711 SP 165752 Lot 805 SP 181080
Land Area:	11,622m ²
Existing Use of Land:	Vacant
STATUTORY DETAILS – FOR USE WITH APPLICATIONS UNDER SUNSHINE COAST PLANNING SCHEME	
Planning Scheme:	Caloundra City Planning Scheme 1996
SEQRP Designation:	Urban Footprint
Strategic Framework Land Use Category	Urban
Local Plan Area:	Kawana Waters
Zone:	Special Development (DCP-1)
Assessment Type:	Site Development Plan (Kawana)

PURPOSE

The purpose of this report is to:

- Seek Council's determination of Master Plan No. 93 (Site Development Plan 15 – Eastbank) 2016 and
- Delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of the Site Development Plan.

The land subject to Detailed Planning Area 1 is predominantly within leasehold land subject to Development Lease No.2. Pursuant to the Kawana Waters Development Agreement. A small part of the application site also lies outside the development lease and is in freehold title. The Minister for the Department of Natural Resources and Mines is the approving authority for the Kawana Waters Structure Plan and any Detailed Planning Area Plan. The Council is the approving authority for any subsequent Site Development Plans within a Detailed Planning Area.

EXECUTIVE SUMMARY

An application has been received from Stockland Kawana Waters Pty Ltd requesting approval of a Site Development Plan for Precinct 15 of the Eastbank Detailed Planning Area. The Site Development Plan is for the intended purpose of Sport and Recreation - Sports House (High Performance Sports & Medical Centre, Community Sports & Recreation Club, Short Term Accommodation). It is situated at Main Drive and Sportsmans Parade, Bokarina.

The land is identified within Precinct 15 of Detailed Planning Area 1 (Master Plan No. 14). The Site Development Plan provides the respective level of development controls that guide the nature, form, extent and location of future development within the Precinct. Due to the land being zoned Special Development under the Caloundra Planning Scheme 1996, this Site Development Plan in essence forms the site specific planning scheme.

Council officers have assessed the Site Development Plan against the Development Documents, namely the Development Control Plan 1, the Kawana Waters Structure Plan and Master Plan No. 14 (Detailed Planning Area Plan – Eastbank/Regatta North) 2001. The proposal generally complies with the Development Documents and it is therefore recommended that the Site Development Plan be approved subject to relevant conditions.

OFFICER RECOMMENDATION

That Council:

- (a) approve the Master Plan 93 (Site Development Plan 15 - Eastbank) 2016, Main Drive, Birtinya, subject to conditions contained in (Appendix A), and**
- (b) delegate authority to the Chief Executive Officer to approve any minor or administrative amendments resulting from the implementation of the Master Plan 93 (Site Development Plan 15 - Eastbank) 2016, Main Drive, Birtinya.**

FINANCE AND RESOURCING

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

It is noted that in June 2016 during the lead up to the Federal Government Election, the Coalition Government made an announcement of \$5.1 million towards the construction of this facility. No other details are known at this stage.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*
Outcome: 1.2 - New capital investment in the region
Operational Activity: 1.2.3.3 - Continue to progress planning, infrastructure delivery solutions and service integration for key development areas at Kawana, Palmview and Caloundra South.

Corporate Plan Goal: *A strong community*
Outcome: 2.1 – Safe and Healthy Communities
Operational Activity: 2.1.3.4 - Further develop corporate events and sporting opportunities at the region's premier sporting precinct, the Sunshine Coast Stadium and Kawana Sports Precinct

CONSULTATION

Community Engagement

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

In response to a request made by the Master Developer, all master plan applications are now publicly available via Council's PD-Online system.

A number of letters of support for the proposal have been submitted by the applicant. This includes three letters from local sporting clubs, and a letter from Vantage Homes Qld.

No letters of objection have been received.

Internal Consultation

The application was forwarded to the following internal Council specialists:

- Economic Development Branch - Economic Development and Major Projects Department.
- Community Facilities and Planning Branch - Community Services Department.
- Major Urban Developments Branch – conditions for an approval were provided.
- Development Services Branch - Engineering and Environment Assessment Unit – conditions for an approval were provided.
- Strategic Planning Branch - (Principal Architect) - conditions for an approval were provided.

Their assessment forms part of this report.

External Consultation

The application was referred to Unitywater and the Department of Transport and Main Roads. Their assessment forms part of this report and conditions have been included in the recommendation of an approval.

PROPOSAL

This report has been prepared as part of the assessment of a Site Development Plan for land located on Precinct 15 of Eastbank/Regatta North (Detailed Planning Area 14). The proposed Site Development Plan seeks to establish a Sport and Recreation - Sports House (High Performance Sports & Medical Centre, Community Sports & Recreation Club, Short Term Accommodation).

The proposed facility is intended to cater for the needs of the Sunshine Coast community and athletes (local, national and international) across all sporting codes. The facility would be open to the public as well as professional athletes.

The facility would be operated by Sunshine Coast Community & Sporting Club Limited, which was incorporated on the 10 October 2014 as a not-for-profit organisation.

The objectives of the Sunshine Coast Community & Sporting Club Limited (as stated within its constitution) are to:

- (a) *provide an inclusive, multi-purpose, regional sports and community hub of national significance for the residents of the Sunshine Coast and visiting sports people.*
- (b) *promote active recreation and generate change to make a positive health difference to the lives and lifestyles of residents of the Sunshine Coast and the wider community and*
- (c) *support and provide funding to other tax exempt entities, particularly sporting clubs and community service organisations operating in the south east Queensland area.*

The proposal is for parts of the facility to be leased to specialised service providers and sports and community organisations (e.g. sports medicine practitioners, strength and conditioning coaches, and a head office for a national sporting organisation).

The proposed development incorporates a large two storey building with a basement car park. The building is separated into two main elements, connected by a covered entry foyer at the centre. The western element contains the restaurant/function room components, while the eastern element contains the sports performance centre components. There is office/administration space within both sides of the building. The building contains the following:

Ground level:

- Administration/meeting/restaurant/function facility – 1,212m²
- Sports Medicine – 351m²
- Multi-purpose function training facility – 1,154m²
- Hydro pools – 201m²
- Gym store – 71m²
- Change rooms – 254m²
- Entry stairs/reception 127m²

Upper level:

- Administration space (sports & community groups) – 516m²
- Function area – 623m² (plus function area deck 72m²)
- Players Lounge – 354m²
- Gym studio (spin/yoga/pilates) 336 m²

The restaurant/function facility is proposed to be open to the public as a traditional licensed hospitality venue that would also provide nutritional food options, tailored to athlete's needs. There are no other details available regarding any proposed licencing arrangement to be applied for.

In addition, 70 x 1 bedroom short term accommodation units are proposed within two separate two storey buildings in the western part of the site.

The total GFA of the development is 8,134m². It is noted that the allowance for this Precinct 15 under the approved higher level Master Plan No.14: Detailed Planning Area Plan - Eastbank/Regatta North is a gross floor area of 15,000m².

A total of 238 car parking spaces are proposed (207 in the basement and 31 at ground level in front of the main building).

Vehicular access is proposed via a two way driveway crossover to Main Drive.

The proposal includes landscaping strips to both street frontages, and pedestrian connections between the development and the walkable waterfront around Lake Kawana on the southern side of the site.

Given the scale and nature of the proposal, the applicant proposes to stage the development in five (5) stages as follows:

- Stage 1 comprises the restaurant function centre component, as well as some administration space and part of the basement car park (74 basement spaces and 11 ground level spaces). Total GFA within stage 1 is 1,989m²
- Stage 2 comprises an enlargement of the restaurant/function component, including outdoor areas to the lake front, as well as additional parking (29 basement spaces)
- Stage 3 comprises the sports medicine area and players' lounge/function room above, as well as additional parking (16 basement spaces and 4 ground level spaces).
- Stage 4a comprises gym changing rooms, storage, hydro pools, part of the indoor running track, admin space (sports and community groups) and gym studio as well as additional parking (49 basement spaces and 19 ground level spaces)
- Stage 4b comprises the remainder of the gym area and outdoor areas fronting the lake as well as additional parking (25 basement spaces)
- Stages 5a and 5b comprise the short term accommodation buildings

SITE DETAILS

Background/Site History

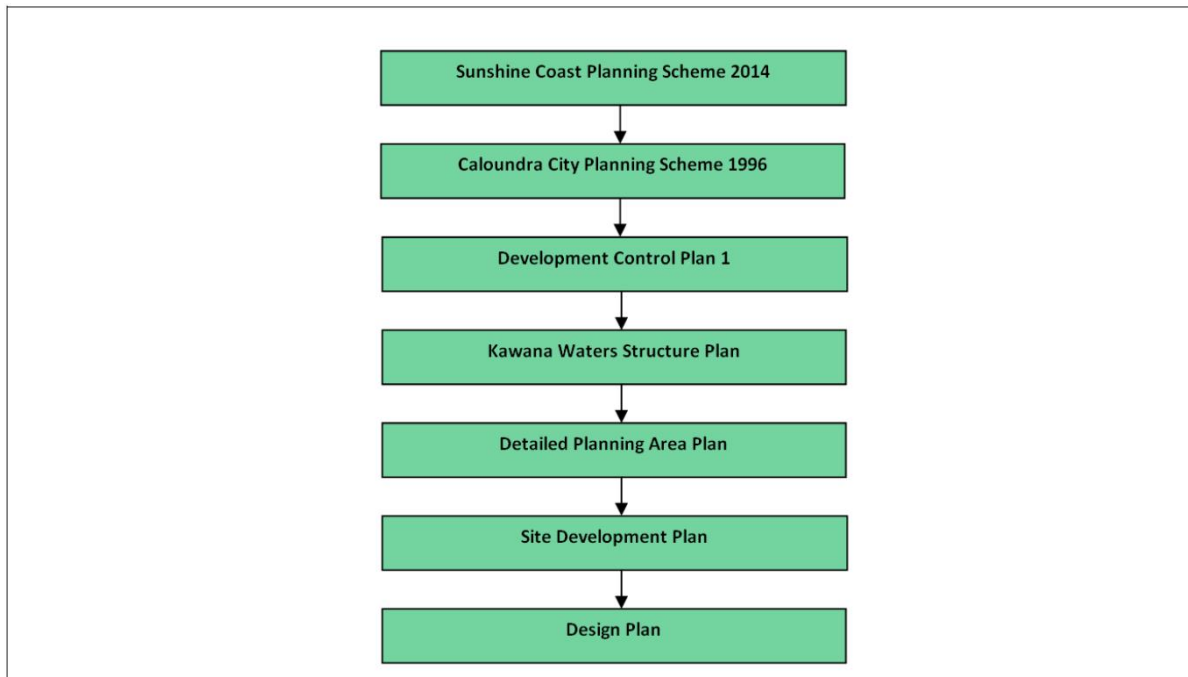
Pursuant to the Sunshine Coast Planning Scheme 2014 the subject site is located in an area identified as "Land within Development Control Plan 1 – Kawana Waters" being also subject to the Kawana Waters Development Agreement.

The Sunshine Coast Planning Scheme 2014 identifies that Section 86 (Planning schemes for particular local governments) and Section 857 (Development control plans under repealed *Local Government, Planning and Environment Act 1990*) of the *Sustainable Planning Act 2009* provides that the repealed Act, the transitional planning scheme and any transitional planning scheme policies continue to apply to the extent necessary to administer Development Control Plan 1 – Kawana Waters.

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

Section 7 of Development Control Plan 1 sets out the Master Planned Community Development Process applicable to the Detailed Planning Area, as shown in Figure 1.

Figure 1: Kawana Waters Master Planned Community Development Process



Before development within Detailed Planning Area 11 can proceed, the Master Developer must have approved a Detailed Planning Area Plan and a Site Development Plan. The Master Plan for the Detailed Planning Area for Eastbank/Regatta North has previously been approved. This report seeks approval for the Site Development Plan master plan document.

Under the provisions of Development Control Plan 1, an application for approval of any Master Plan must comply with the Development Documents. The Development Documents are defined as:

- Development Lease No. 2
- Development Control Plan No. 1 and the Caloundra City Planning Scheme 1996
- The Transport Infrastructure Agreement
- The Development Agreement
- The Hospital Infrastructure Agreement and
- The Community Development Strategy.

Pursuant to the Master Planned Community Development Process set out in Section 7 of Development Control Plan 1, each Master Plan in addition to the Development Documents must also comply with any higher order Master Plan, including the Conditions of Approval.

With respect to this proposed Master Plan (the Site Development Plan), Council must in accordance with both DCP1 and the Development Agreement, determine whether to:

- (a) Approve the Master Plan
- (b) Approve the Master Plan subject to conditions or
- (c) Refuse the Master Plan.

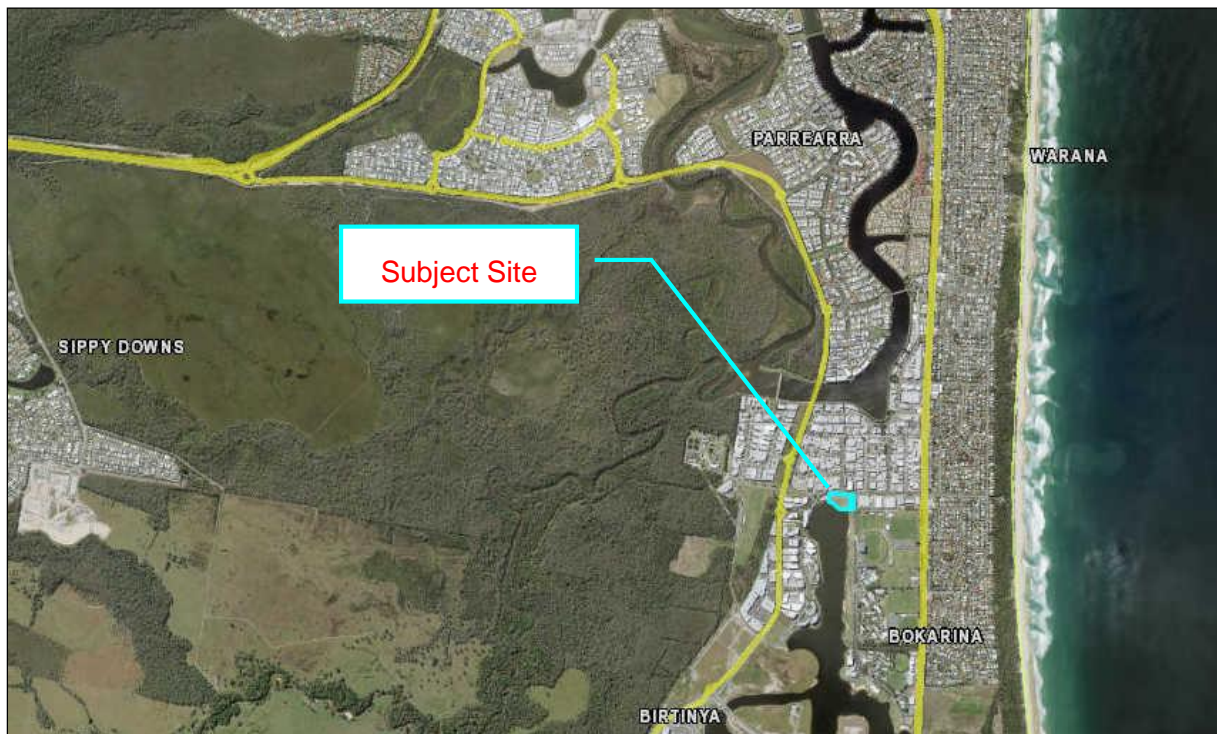
Master Plan No.14 (Detailed Planning Area Plan – Detailed Planning Area - East Bank/Regatta North) 2001 requires a Site Development Plan to be prepared for each Site Development Plan Precinct. This Site Development Plan comprises Precinct 15 and reflects the provisions of the higher order Detailed Planning Area Plan (being Master Plan No.14).

Pursuant to section 7.4.5.2(c) of the DCP1, the proposed Site Development Plan comprises a Supplementary Table of Development that is consistent with the Master Plan No. 14 (Detailed Planning Area Plan – DPA 14 – Eastbank/Regatta North) 2001.

Due to this master plan being for a Site Development Plan, Council is required to make a determination within 40 days after the application is taken to be duly made pursuant to section 7.6.3 of DCP1.

Site Description

The site is located at the northern end of Lake Kawana in Birtinya as illustrated below:



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



Site & Locality Description	
Road Frontage	147 metres to Main Drive and 89 metres to Sportsmans Parade.
Existing Significant Vegetation	Nil
Topography:	Flat
Surrounding Land Uses:	To the north and east, on the other side of Main Drive and Sportsmans Parade respectively, the site adjoins existing industrial uses. To the south the site adjoins Lake Kawana and to the east an existing three storey office building. The site is located 200m to the north of the Sunshine Coast Stadium.

ASSESSMENT

Framework for Assessment

Instruments for Statutory Assessment

The application has been assessed against all applicable statutory planning instruments to the extent they are relevant to the development, including:

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

There are no State planning policies or management plans application to the assessment of the proposed master plan. Consideration of the State Planning Policies was undertaken as part of the consideration of the higher order master plan, being the Structure Plan that was approved by the Minister's Delegate for Department of Natural Resources and Mines on 24 September 2013.

South East Queensland Regional Plan

The site is located within the Urban Footprint of the South East Queensland Regional Plan. The proposed development is consistent with the Desired Regional Outcomes of the SEQ Regional Plan for the Urban Footprint.

Statutory Instruments – Planning Scheme

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

The planning scheme requires all land included in the DCP 1 designation to default to the provisions of DCP-1, as contained within the Caloundra City Plan 1996.

Given the subject site is located within Development Control Plan 1 – Kawana Waters, any development of the site is subject to the provisions of Development Control Plan 1, the Development Agreement and the applicable Master Plans. On review of the higher order Development Documents, the proposed Site Development Plan is consistent with the desired outcomes.

The subject site is identified within DCP-1 as forming part of Detailed Planning Area 1 and Map 11 of the Master Plan No.14 (Detailed Planning Area Plan – Eastbank/Regatta North) shows the site as forming part of Precinct 15 that has a maximum GFA threshold of 15,000m².

Zoning

Pursuant to the Caloundra City Planning Scheme 1996, the subject land is zoned Special Development. Table of Development in Section 2.7 (2) (Special Development Zone) of the Planning Scheme specifies the purposes for which the premises may be used. In this instance, the assessment level for each land use is required to be specified in a Supplementary Table of Development that is to form part of a Site Development Plan.

This proposed Site Development Plan includes a Supplementary Table of Development that specifies the proposed Sports House as a "Permitted Use" (Column 1) where constructed generally in accordance with the approved plans forming part of this Site Development Plan.

Subsequent to approval of this Site Development Plan, the proposed development of the Sports House will be authorised and no further development approvals will be required (other than Operational Works approval) where development is in accordance with the approved plans attached to the Site Development Plan.

Column 4 of the Supplementary Table of Development identifies that all other land uses and development not in accordance with the approved plans forming part of this Site Development as "Prohibited Uses".

Development Control Plan 1 – Kawana Waters

Section 4.10 Detailed Planning Area of the Development Control Plan nominates broad planning and design criteria for Detailed Planning Area 1. The criteria relate to development of nodal areas for sports, leisure, recreation and community activities adjoining Sportsmans Parade and the head of the northern end of the Public Recreation Lake.

Kawana Waters Structure Plan

Both the Development Documents and the approved Structure Plan have formed the basis on which the subject Site Development Plan has been assessed.

The approval of this Site Development Plan is subject to both the Structure Plan approval conditions and Structure Plan Development Criteria.

This assessment has determined that the Site Development Plan is compliant with the Structure Plan approval conditions and the Structure Plan Development Criteria

Relationship to Higher Order Master Plans

The higher order master plan applicable to this application is Detailed Planning Area Plan No. 14 – Eastbank/Regatta North. The site is identified as Precinct 15 under this Master Plan.

Table 1 – Precinct 15 of Detailed Planning Area Plan No. 14 (refer to figure 2) outlines the consistent defined uses for the precinct. This include:

“Sport and Recreation – Sports House *(being a club/s and or sport, leisure or recreation authority/organisation involving training/research/administration facilities and or professional services. This use may also include short term accommodation, Restaurant, Function Room and Food Outlet (not including a drive thru facility) ancillary to any club/s and or sport, leisure or recreation authority/organisation established within the precinct.”*

Whilst the use may also include short term accommodation, Restaurant, Function Room and Food outlet *(not including a drive through facility)* any of these uses if proposed are required to be ancillary to any club/s and or sport, leisure or recreation authority / organisation established within the precinct. They are not intended to be the principal use of the precinct under the Master Plan.

It is considered that, upon completion of the whole development, the Restaurant/Function Rooms and Short Term Accommodation components of the proposal are ancillary to the sport and recreation uses. However, there are some concerns arising during the staging of the development. These are discussed further in the Key Issues section of this report.

In relation to Precinct 15, the Detailed Planning Area Plan contains the following key development controls:

- Maximum 8 storey building height.
- Maximum GFA – 15,000m².
- Maximum site cover – 50%.
- Minimum setback – 3 metres to all boundaries, and
- Outdoor deck/dining areas located in the public access promenade must not exceed in length 50% of the total length of frontage of the precinct to the Public Recreation Lake.

The proposed development complies with these development controls, having a height of 3 storeys, total GFA of 8,134m² and site cover of 47%. The proposed buildings are setback a minimum of 3 metres from all site boundaries (including from the future front boundary to Main Drive after road widening for DTMR’s Coast Connect bus priority project).

The proposal does not include any outdoor deck/dining area within the public access promenade to the Lake Kawana frontage of the site.

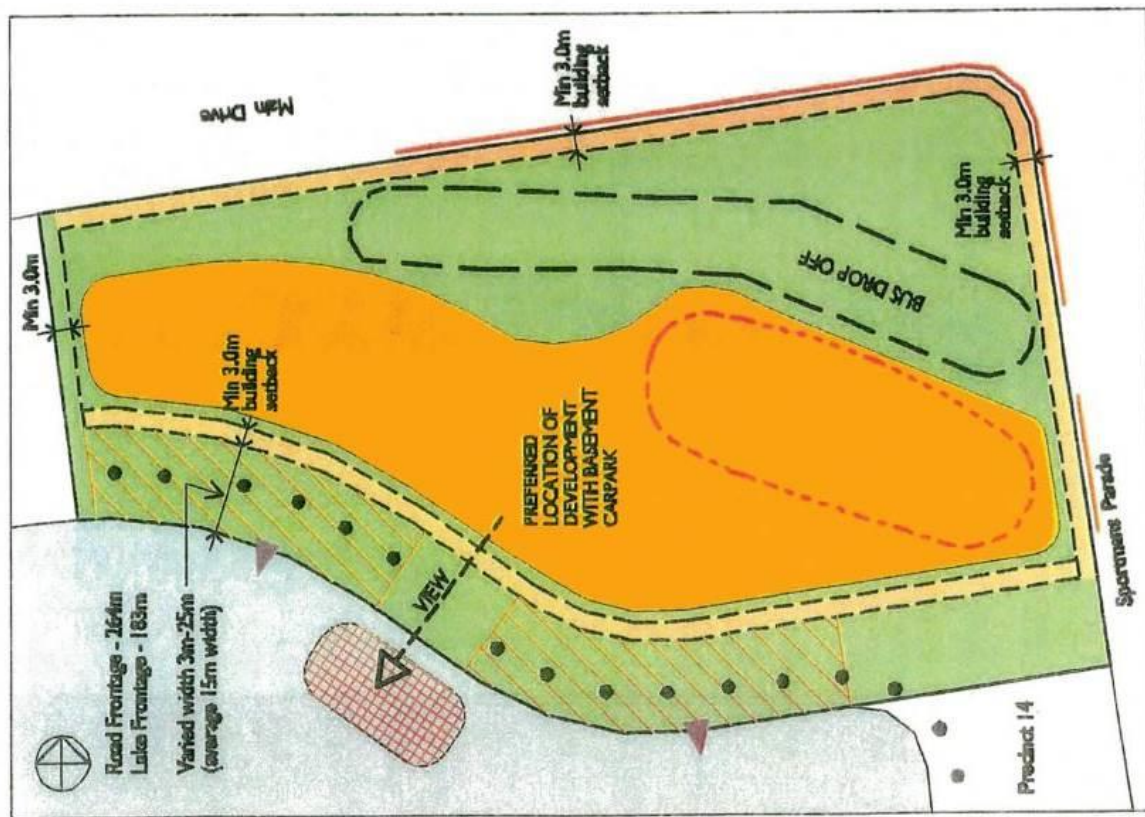
Figure 2 - DPAP Extract

DEVELOPMENT CRITERIA	
BUILDING HEIGHT	DEFINED USES
<p>Maximum 8 storeys for buildings</p> <p>Iconic structures should be limited to a maximum of 3 metres above finished building height up to a maximum height of 9 storeys.</p>	<p>Community uses limited to:</p> <ul style="list-style-type: none"> • Landing • Sport and Recreation - Sports House (being a club's and or sports, leisure or recreation authority/organisation involving training/research/administration facilities and or professional services. This use may also include short term accommodation, Restaurant, Function Room and Food Outlet (not including a drive thru facility) ancillary to any club's and or sports, leisure or recreation authority/organisation established within the precinct. • Outdoor Entertainment • Park • Public Purpose • Public Utility excluding telecommunications facility
LEGEND	DENSITY OF DEVELOPMENT
<p>Parland/Landscaping</p> <p>Lakes</p> <p>Building setback</p> <p>Outdoor decking area</p> <p>Possible Jetty Access</p> <p>Preferred location for 8 storey component</p> <p>Preferred location of development with basement carpark</p> <p>Public Access Promenade varied width 3.0m-25m (average 15m width)</p> <p>Potential feature - outdoor deck/dining area/viewing platform (refer section 8.4.2)</p> <p>No vehicular access</p> <p>0-2m transition zone (refer section 8.3.2)</p>	<p>Max GFA - 15000sqm</p> <p>Sta Cover - 50%</p>
	OUTDOOR DECK/DINING AREA
	<p>Outdoor Deck/Dining Area located in the Public Access Promenade must not exceed in length 50% of the total length of frontage of the Precinct to the Public Recreation Lanes.</p>

TABLE 1 - PRECINCT 15 (14365m2)

Scale 1:1000

Note: This map is indicative only and is subject to future detailed design as part of a Site Development Plan.



Key IssuesStaging

The proponent proposes to stage the development. There are resulting complexities in the effective operation of completed stages while the construction of later stages occur around them. This has been a matter of ongoing discussion, including the following issues:

- Stage 1 comprising a restaurant/function centre (which could essentially be a licensed tavern) only, not representing the intent for the precinct to be developed for recreation and sport purposes.
- Suitability of proposed staging reflecting the practicality of construction staging
- Implications for each stage to meet required development criteria (e.g. car parking, landscaping etc.)
- Potential for construction disruption to existing stages following occupation of the site

In response to these concerns, the applicant has provided an amended staging plan and some additional information to support the staging proposal.

Stage 1 now includes some office/administration space in addition to the restaurant/function rooms. Further, each stage is now proposed to be delivered for the full height of the design, thereby avoiding the need for construction above existing operational elements.

The applicant advises that the staging would not necessarily occur sequentially and that it is intended for previous stages to become operational before subsequent stages are constructed.

The applicant has provided letters of support, specifically in relation to the staging of the development.

A letter has been provided from Vantage Homes Qld, who are not the appointed builder for the project but are an experienced construction company, who state they are qualified to comment on the issue. Vantage advise that the proposed staging plan is practically achievable, and have provided the following further commentary:

“With respect to safety, pursuant to the Work Health and Safety Act 2011 a person conducting or undertaking a business must ensure, so far as is reasonably practicable, the health and safety of:

- (a) workers engaged, or caused to be engaged by the person, and*
- (b) workers whose activities in carrying out work are influenced or directed by the person; while the workers are at work in the business or undertaking.*

Also a person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking. Consequently, the Sunshine Coast Community & Sporting Club Limited will require the appointed

Principal Contractor to have in place a Safety Management System and a Project Safety and Environmental Plans and Management Plan for each stage.

If the Hub was to be built in stages, then control measures would be put into place to ensure that workers and members of the public are not at risk of injury. Control measures would involve exclusion zones and other safety management which would depend on access areas to site and traffic management around and on the site to ensure that there is no risk to workers or members of the public.

Special consideration will be given to the external facade of the building to ensure that material and colour selection will be consistent throughout the construction staging.

This process will ensure that the design integrity will be maintained and will accurately reflect the original design intent.”

The applicant has also submitted three letters of support from local sporting organisations (Brother's Rugby Club, Sunshine Coast Falcons and ESS Performance), advising that they have reviewed the staging plan, and that they intend to utilise Stage 1 of the development for genuine sporting purposes (e.g. theory based training sessions, club meetings, awards ceremonies, etc.)

The proposed staging plan indicates that a sufficient amount of on-site parking is proposed with each stage.

The Detailed Planning Area Plan refers to Caloundra City Plan 1996 for parking requirements. The 1996 scheme does not provide a parking rate for the proposed use, but the parking rate for commercial premises (which is considered to be the most similar use with a parking rate under that scheme) is 1 space per 30m² GFA.

Stage 1 of the proposal comprises 1,989m² GFA, therefore 66.3 spaces are required for this stage. The applicant proposes a total of 85 parking spaces within Stage 1, representing a significant surplus. The additional parking proposed with each subsequent stage would ensure sufficient parking is provided at each stage of the development.

In accordance with the relevant use definition (contained within the Detailed Planning Area Plan), the Restaurant/function room component must be ancillary to the sports related components.

A condition is recommended requiring that:

- Stage 1 occur as the first stage (to ensure sufficient on-site parking is available for all subsequent stages) and
- That while Stage 1 is the only developed stage, the restaurant/function room components of the use must remain ancillary to the sports related components.

With regard to landscaping, the applicant proposes to stage the works in accordance with the stage boundaries shown on the submitted staging plan. This could result in a disjointed landscaping outcome to each street frontage until all stages of the development are completed. Conditions are recommended requiring the implementation of all proposed landscaping measures as follows:

- Landscaping is provided to the full Main Drive frontage of the site in conjunction with Stage 1.
- Landscaping is provided to the full Sportsmans Parade frontage in conjunction with the first stage that adjoins Sportsmans Parade.

A condition is also recommended regarding the landscaping of temporarily vacant land to ensure a high quality visual outcome to land left vacant during the staging process.

Land Tenure

The subject site currently comprises two lots (one leasehold, as part of the development lease and one freehold). Construction is proposed over the boundary of the two lots. A condition is recommended requiring amalgamation of both lots, following the free-holding of the existing leasehold lot.

Traffic and Transport

With regard to traffic impacts, the site is within the area modelled for the Kawana Waters Structure Plan. Traffic generation for the subject site is in accordance with the approved master planning. The proposal is considered to be consistent with the master plans (e.g. the development is well within the allowable GFA for the site), therefore traffic matters are considered to have been addressed.

The proposed car parking layout and access driveway(s) have been assessed and certified as compliant with the appropriate standard (AS2890) by an RPEQ. They have been considered as part of this assessment and found to be compliant.

Main Drive in front of the subject site forms part of the State Government planned Coast Connect bus priority corridor. As part of this project, DTMR plan to widen Main Drive and introduce a central median in front of the site.

As a result of the Coast Connect project, bus manoeuvring, vehicle circulation and parking on site are complex and solutions have been discussed extensively with the applicant

Many of the recommended engineering conditions result from the planned future implementation of Coast Connect. There are two key considerations:

- This widening has implications for verge levels, and the interface with proposed site levels. The existing road has 3% crossfall from the centreline to the kerb and channel. When that widening is undertaken, to ensure road surface drainage, this crossfall is maintained resulting the new kerb and channel being lower than the existing. The verge profile will be similar pre and post widening, so the verge level at the bottom of the proposed frontage retaining wall will reduce and
- The Coast Connect plans show a median being constructed along Main Drive. This will result in the primary access become left-in/left-out.

The restriction of vehicle access to left in/left out once Coast Connect is constructed will impede accessibility to the site, especially as the roundabout at the western end of Main Drive would also be removed as part of the same project. The applicant may choose to seek approval for a second driveway from Sportsmans Parade in future to address this issue. This would require an amendment to the Site Development Plan as well as Operational Works approval.

DTMR have reviewed the latest plans for the development and provided written confirmation that it has no significant concerns and that the proposal is considered to accommodate current planning requirements for the future Coast Connect project.

The application proposes a total of 238 on-site parking spaces. This falls short of the 271 spaces required, based on a rate of 1 space per 30m² GFA for Commercial uses under the Caloundra City Plan 1996. However, the applicant submits that this in excess of the number of spaces nominated in the Eastbank Parking Management Plan prepared for Lensworth Kawana Waters dated September 2002.

It is also noted that many visitors are likely to arrive at the site by bus during major events. For example, travelling patrons utilising the short-term accommodation component of the facility are expected to arrive to the facility by way of private transfer from the airport, by bus or by a privately organised car pool.

The need for on-site parking is further offset by the site being located on an identified priority public transport corridor, with both the planned Coast Connect bus priority corridor and the Sunshine Coast Light Rail proposal travelling along Main Drive in front of the site. These projects will ensure the site has access to high frequency public transport services in future.

The proposed external works are limited to a driveway from Main Drive as part of the first stage of development. The driveway location is consistent with the higher order Detailed Planning Area Plan.

There is existing kerb and channel, concrete footpaths and street trees on both street frontages of the site.

Pedestrian facilities

The submitted plans show the following pedestrian facilities:

- A main pedestrian entry to the site from Main Drive to the front entrance of the main building (with a shared zone across the driveway in front of the building).
- A pathway along the front of the main building providing pedestrian access to the front at-grade car park.
- Pedestrian access from the basement to the walkable waterfront (via stairs).
- Pedestrian access from the foyer of the main building to the walkable waterfront (via stairs), and
- A disability access compliant pedestrian ramp from the foyer of the main building to the walkable waterfront.

A condition is recommended to ensure that any retaining walls, or handrails for the pedestrian ramp to the walkable waterfront, are entirely contained within private property. The ramp has been amended to ensure the grade does not exceed 1:20 outside the boundary of the subject site to comply with Council requirements.

The applicant has engaged an accredited access consultant from Indesign to provide ongoing advice to the design team in an effort to ensure compliance is achieved with respect to the Disability (Access to Premises — Buildings) Standards 2010, Part D3 of the Building Code of Australia and the broader requirements of the *Disability Discrimination Act 1992* (DDA). The access consultant has confirmed that based on the submitted plans, the proposal will achieve community expectations and best practise for a person with a disability.

A condition is recommended requiring that a detailed disability access plan be submitted to Council prior to commencement of use of the first stage of the development.

Bicycle Facilities

The proposal incorporates 8 outdoor bicycle hoops for visitors located at the eastern end of the ground level car park, within Stage 4a. No specific provision has been made for staff bicycle parking. This is considered insufficient for the proposed development.

The requirement for additional bicycle parking (especially for staff) is drawn from the Kawana Waters Structure Plan. The Structure Plan was most recently amended as version 5, approved on 27 August 2015.

This version of the Structure Plan contains a condition relating to the achievement of public and active transport mode shares as per the DTMR approved transport model for Kawana. The condition requires that “all future development within DPA’s 11, 12, 13, 14, 15 and the Transit Precinct must incorporate ‘best practice’ standards of infrastructure for public and active transport”.

To determine the required number of spaces Council has referred to the relevant similar requirements of the Sunshine Coast Planning Scheme and other Master Plans under the Structure Plan.

Under the Sunshine Coast Planning Scheme 2014 the proposed use would be defined as “Indoor Sport and Recreation”. In accordance with the Transport and parking code, a

sufficient number of bicycle parking spaces is required to accommodate the number of bicycles likely to be parked at any one time.

A condition is recommended requiring that two of the car parking spaces within the basement be converted to a secure enclosure of employee bicycle parking. The enclosure must be provided within close proximity of the lift, be well lit and under CCTV surveillance, and provide as many racks or hoops to secure bicycle to as possible. A plan amendment is also recommended to show a stair free ramp from the walkable waterfront into the basement for easier bicycle access.

In applying the Structure Plan provisions Council has taken the approach that it is reasonable and relevant to ensure that the appropriate bicycle parking facilities are provided, particularly considering that:

- the subject site is in close proximity to the network of cycle and pedestrian networks throughout Birtinya, the Health Hub and the future Town Centre and Bokarina Beach development areas.
- given the site's access cycle networks, it is considered that some staff are likely to cycle to the site.
- in order to make cycling a more attractive option for staff, secure undercover bicycle parking is required.
- it is noted that end of trip facilities are already proposed as part of the gym facilities, and
- the intent of the condition is to provide for facilities that encourage active transport mode choices, in this case the use of bicycles.

Built Form

The proposed built form has been reviewed by Council's urban design specialist, who advises it is generally of a high standard and is compatible with its setting. A condition is recommended requiring additional articulation be provided to the short term accommodation built roofs to prevent them from appearing overly 'boxy'.

In relation to the built form of the development, the project architect advises:

"We reduce the physical bulk and scale of the built form by stepping back the height of the building from the boundaries. This provides a human scale to the built form where pedestrians come in close proximity along walkways and the promenade. Higher sections of the building have been constructed of translucent materials to provide a lightweight, semitransparent effect.

This building will sit on a podium to allow for the basement to have access to natural ventilation. Although it has not been resolved to a high level of detail at this point, there is a clear intent to ensure that landscape elements are sympathetic to and enhance the built form, providing a highly permeable transition from the existing pathway to the high performance sport and community hub.

The building is orientated toward the lake, however visual cues from the street and lake side are used to advise the location of public entry into the building. The building is detailed to have street presence and at a human scale.

Architectural character is generated from several sources. The proposed use of the building, its orientation, ESD principles, its location and how it sits within the existing context of the built form around the lake as well as the idea of this structure to be an iconic element at the head of the lake. We consider this proposal captures all these elements into an architectural form that is sensibly local and is regionally recognisable."

A condition is also recommended requiring the removal of the entry feature roof overhang to the walkable waterfront as this is situated over public land.

Other Issues

There are a number of large and significant services on the subject land, under easement (including the ocean outfall from the Kawana sewage treatment plant). All proposed buildings and infrastructure are wholly outside the existing easements and appropriate conditions have been included to ensure the protection of key infrastructure.

Legal

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

Policy

There are no policy implications arising from this report.

Risk

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

Related Documentation

- Development Lease No. 2
- Development Control Plan No. 1 and the Caloundra City Planning Scheme 1996
- Detailed Planning Area Plan No. 14 – Eastbank/Regatta North
- The Kawana Waters Development Agreement
- The Transport Infrastructure Agreement
- The Community Development Strategy

Implementation

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

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

8.2.5 PROPOSED NAMBOUR TO COOLUM STRATEGIC RECREATION TRAIL

File No:	Council meetings
Author:	Coordinator Open Space and Social Policy Planning and Environment Department
Appendices:	App A - Draft Nambour to Coolum Strategic Trail249 App B - Nambour to Coolum Recreation Trail Project Update..251
Attachments:	Att 1 - Nambour to Coolum Recreation Trail Feasibility Study Executive Summary255

PURPOSE

The purpose of the report is to present the findings of the Nambour to Coolum Recreation Trail Feasibility Study. This report also seeks Council's endorsement to consult with key stakeholders regarding the outcomes of the Nambour to Coolum Recreation Trail Feasibility Study and the Draft Nambour to Coolum Strategic Trail.

EXECUTIVE SUMMARY

The Open Space Strategy 2011 encourages the development of recreation trails across the Sunshine Coast as an important element of the open space and recreation network. Subsequently the Sunshine Coast Recreation Trails Plan 2012 was adopted and this Plan identified a notional multi-tenure trail from Nambour to Coolum and recommended further investigation of this trail. As a direct action of the Plan, the Nambour to Coolum Trail Feasibility Study (the Study) was undertaken.

The purpose of the Study was to investigate the potential for a trail between Nambour and Coolum and to recommend a preferred strategic alignment if the trail was considered feasible. The concept of a recreation trail connecting Nambour to Coolum is based on the historic use of this connection for passenger transport and sugar cane trains. There have been a number of former investigations into this proposed trail.

The Study was undertaken by external expert trail planners whom assessed the feasibility of the proposed trail with regards to trail attributes, potential trail users, and issues associated with the land tenure of the old cane train line and a proposed trail. The Study concluded:

- A recreation trail from Nambour to Coolum with various network connections and entrance points established over a 20 – 30 year period has merit.
- Following the full length of the historical cane rail line is not feasible due to impacts on private land owners.
- A continuous link from Nambour to Coolum is not achievable in the short term, however, is feasible in the long term.
- Short term local links should be prioritised as a catalyst whilst investigations continue into longer term options, and
- The proposed trail should be recognised in relevant planning documents to ensure its protection.

An Executive Summary of the Study is attached (Attachment 1 - Nambour to Coolum Feasibility Study Executive Summary) to provide an overview of the Study findings and recommendations.

Based on the Study findings and recommendations, an internal review of the trail has been undertaken to inform the preparation of the draft Nambour to Coolum Strategic Trail (Appendix A – Draft Nambour to Coolum Strategic Trail).

The proposed Nambour to Coolum Strategic Trail includes key trail attributes identified in the Study, is located predominantly on public (State and Local Government) land and existing easements, and is respectful of private landowners. It connects key features including cane train heritage sites and features, open space areas (parks and waterways), integrates and strengthens local trail networks and provides a unique opportunity to access a diversity of recreational and historical experiences.

The Draft Nambour to Coolum Strategic Trail, if supported by the community, could be delivered over a 20 – 30 year period in a staged approach. Potential stages could include the following:

1. Three Local Trail Areas – Nambour, Bli Bli and Coolum
2. Primary Trail – predominately public land
3. Trail Extensions – connections to key features
4. Long term Strategic links – requiring further investigation

Refer to Appendix A – Draft Nambour to Coolum Strategic Trail

This staged approach would enable Council to act upon the easily secured sections on public land as soon as possible, providing a trail experience to the local community (Local Trail Areas). This also allows time to further investigate and consult on the final alignment of the Primary Trail and Trail Extensions and explore options for resolution of the Strategic Links.

While the Trail is considered to have merit, there are significant constraints associated with delivering the proposed Nambour to Coolum Strategic Trail. These constraints include securing continuous and appropriate alignments, providing suitable river and creek crossings, and ensuring public safety is not compromised along with the preservation of the cane train heritage.

To conclude the preliminary feasibility assessment phase of this project, it is recommended that key stakeholders involved in consultation to date be advised of the feasibility assessment outcomes, and provided with an opportunity for feedback on the recommended strategic directions. A project update has been prepared for this purpose (Appendix B – Nambour to Coolum Recreation Trail Project Update).

This report recommends that Council conceptually support the Draft Nambour to Coolum Strategic Trail and associated Project Update for targeted consultation. (Appendix A – Draft Nambour to Coolum Strategic Trail and Appendix B – Nambour to Coolum Recreation Trail Project Update).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Proposed Nambour to Coolum Strategic Recreation Trail”**
- (b) endorse the Draft Nambour to Coolum Strategic Trail for the purpose of stakeholder and community comment as outlined in (Appendix A) Draft Nambour to Coolum Strategic Trail and (Appendix B) Nambour to Coolum Recreation Trail Project Update, and**
- (c) note that the outcomes of the consultation phase will be used to prepare the final Nambour to Coolum Strategic Trail report for Council consideration.**

FINANCE AND RESOURCING

2014/15 – Trail feasibility investigation commenced.

Funds allocated in the 2014/15 budget to undertake the Study – \$30,000 (expended).

2015/16 – Progressed trail planning.

2016/17 – No funding allocated (consultation will be undertaken with in house resources).

Internal resources have been utilised to review the study findings and prepare the Draft Nambour to Coolum Strategic Trail.

The Study provided an indicative cost of the trail construction based on a range of trail types at a dollar per kilometre rate to assist in informing the study recommendations. Based on these estimates some high level indicative costings are provided below for the first stage. More detailed costings will need to be determined during detailed planning for each of the stage as the trail progresses.

Indicative Costings

Stage 1. Planning - 2017/18 - Detailed scoping and planning and design of three Local Trails (Nambour, Bli Bli and Coolum) - Approximately \$130,000.

Stage 1. Construction - 2018-21 - Construct the Local Trails and prepare a long term Implementation Plan – Approximately \$2.3million (Subject to the planning and design completed in 2017/18).

Based on the broad indicative costs which require detailed trail alignment and design it is estimated that the total cost over 20 -30 years for 48kms of Recreation Trail is approximately \$7.5million.

These preliminary estimates include modest estimates for the potential new pedestrian bridges required to enable the trail connections to be achieved, however due to ownership and engineering uncertainty, costs associated with the historic bridges are still unknown.

Based on current trail maintenance costs it is estimated that the annual management and maintenance of the trail post construction would be approximately \$87,000.

Currently, the 10 year Capital Works Program does not have a sub-program for the development of Recreation Trails and there is currently no funding allocated to the implementation of the proposed trail.

CORPORATE PLAN

Corporate Plan Goal: *An enviable lifestyle and environment*

Outcome: 3.2 - Well-managed and maintained open space, waterways and foreshore assets

Operational Activity: 3.2.4 - Manage the region's high quality urban and rural open space network

CONSULTATION

Relevant Divisional and Portfolio Councillors have been briefed and involved in the engagement program and briefed on the Study outcomes and support the recommendations in this report.

- Cr E Hungerford (Division 7), Cr S Robinson (Division 9), Cr G Rogerson (Division 10)
- Portfolio Councilor's – Cr C Dickson and Cr J McKay

A briefing note has been circulated to the Executive Leadership Team providing an overview of the project status and recommendations contained in this report.

An internal team was developed to manage the Feasibility Study phase of the project and extensive internal consultation was undertaken across Council.

Project Team members - Coordinator Natural Areas Management, Environment Operations, Project Coordinator, Major Urban Developments.

Internal Consultation

Regional Strategy and Planning Department

Manager Environment & Sustainability Policy; Coordinator Open Space and Social Policy; Coordinator Biodiversity and Waterways; Senior Ecologist; Senior Hydrologist; Senior Planner, Strategic Planning; Senior Planner, Development Services; Senior Active Transport Planner.

Comment: Supportive. Need to recognise impacts of flooding and develop appropriate design solutions, potential links to the active transport network.

Infrastructure Services Department

Manager, Waste & Resource Management; Acting Manager, Environmental Operations; Coordinator, Waste Diversion/Disposal; Recreation Trails Activation Officer; Bushfire Management Officer; Senior Environment Visitor Centre Officer; Contracts Officer, Parks and Gardens.

Comment: Supportive, incorporate maintenance access, low maintenance infrastructure, location at waste site not to impact on operations.

Corporate Strategy & Development Department

Industry Investment Facilitator, Economic Development

Comment: Supportive, opportunities for links with local and regional services.

Corporate Services Department

Coordinator Property Projects & Development

Comment: Supportive

Community Services Department

Coordinator, Sport & Community Venues

Comment: Supportive

Office of Mayor and CEO

Chief Legal Officer

Comment: Legal advice on historic bridges

External Consultation

In addition to extensive consultation undertaken during the development of the adopted Sunshine Coast Recreation Trails Plan, the Nambour to Coolool Recreation Trail Feasibility Study undertook targeted engagement with land holders within the primary investigation areas as well as trail users, Government Departments, businesses and community groups. External consultation was undertaken by Inspiring Places and Council's Senior Open Space Planner in the development of the Study with the following Government representatives:

- Director, Real Estate, Environment, Emergency, Security & Housing Management, Department of Education and Training.
- Principal, Nambour High School, Department of Education and Training.
- Regional Manager, Maritime Safety Queensland.

- Manager Project Planning & Corridor Management, Department of Transport and Main Roads.
- Senior Ranger, Queensland Parks and Wildlife Service.
- Senior Advisor, Department of National Parks Sport and Racing, and
- Strategic Planning Manager, Unitywater.

Queensland Parks and Wildlife Service and the Department of Transport and Main Roads have advised that they are supportive of the proposed primary, local and trail extensions alignments identified in the Study, subject to detailed site investigation where the trail was proposed on their land. Department of Education and Training representative, while supporting the concept of a trail, indicated that security issues would need to be addressed and that it was subject to Departmental approval.

Community Engagement

During the Study land holders within the primary investigation corridor as well as trail users, businesses and community groups were consulted. This included:

- 45 landowners adjoining the primary trail corridor and along former cane train alignment
- Suncoast Cycling Alliance
- Bushrangers Mountain Bike Club
- Sunshine Coast Bicycle Touring Club
- Sunshine Coast Bushwalking Club
- Sunshine Coast Kayaking Club
- Representatives from the Heritage Tramway Group and
- Nambour Activation Plan Working Group and local business representatives.

Consultation identified that the majority of private landowners were not supportive of a recreation trail if it were to cross their property primarily due to concerns of the impacts it would have on their business, privacy and agricultural activities. There was a general view that sufficient opportunity was currently available on road reserves and in public lands with limited need to access private property.

There was strong support for the trail from user groups, business, not for profit and community advocates. Benefits raised included health and recreation opportunities for the local community, greater diversity of trail opportunities, the importance of the areas cane heritage to be showcased and new economic opportunities linked to tourism. Mountain bike riders would not necessarily be attracted to a single trail, but may be able to use it to access specific sites like Parklands Conservation Park.

It is proposed that these identified Key Stakeholders be advised of the Study findings (Appendix B – Project Update) and be provided an opportunity to comment on the recommended Strategic Trail. It is also intended that the trail information be made available on the Council Website and Libraries for comment for a three week period. A number of information sessions will also be held to provide Key Stakeholders the opportunity to discuss the proposal.

PROPOSAL

The concept of a recreation trail from Nambour to Coolum was first identified when the Moreton Mill in Nambour closed in 2003 making the cane train line corridor redundant. Initially, trail investigations focussed on the cane train line corridor, however the cessation of

rail easements over private land in 2003 made securing a continuous trail corridor along this cane train alignment extremely difficult.

In 2015 expert external trail planners “Inspiring Place” were engaged to undertake detailed analysis of the feasibility and potential alignment of a trail from Nambour to Coolum (The Study). The Study included site investigations, reviewed tourism industry data, national and international trail benchmarking, consultation with key stakeholders, trail alignment assessment and calculation of preliminary costs to construct such a trail.

The Study concluded that a recreation trail from Nambour to Coolum had strong merit based on the following:

- it would service a resident base population (Nambour, Bli Bli and Coolum) in excess of 40,000 and address future residential growth for these towns over the next 15 years
- meet demand and high participation rates in organised and non-organised recreational activities such as walking, cycling and running
- provide trails for bushwalking, running and cycling clubs
- appeal to the growing demand of outdoor activities (including use of trails) amongst visitors as a reason to come to an area or when in a region
- the strength of proximity to Brisbane as the core domestic market for the Sunshine Coast and
- potential for economic opportunities e.g. Parklands Conservation Park (Mountain Bikes etc.)

Having established that the potential trail had merit, the Study provided an appropriate alignment that addressed the specific criteria identified through the research and consultation phase of the project. The criteria used to develop the trail alignment included proximity to points of interest, including cane rail heritage, unique features, accessibility to town centres and existing trails, capacity to support a range of users, synergies with other plans (e.g. Active Transport Plan) and proximity to public land.

Following an internal review of the Study and its proposed alignment, along with more recent information relevant to achieving the above criteria, Council officers have developed the Nambour to Coolum Strategic Trail (Appendix A – Draft Nambour to Coolum Strategic Trail).

While the proposed trail does not follow the full length of the original cane train alignment due to the significant impacts on the private land owners, the proposed trail provides a range of options for a diverse range of recreational users. It is proposed that the trail be viewed as a long term project to be realised over a 20 – 30 year period.

The planning and delivery of the Nambour to Coolum Strategic Trail could involve four stages:

1. Three Local Trail Areas – Nambour, Bli Bli and Coolum
2. Primary Trail – predominately public land
3. Trail Extensions – connections to key features
4. Long term Strategic links – requiring further investigation and

(Timing of each stage will be determined as detailed planning progresses)

The first stage would include the planning and delivery of trails within the three local areas of Nambour, Bli Bli and Coolum. Establishing these Local Trails would seek to strengthen walking and cycling opportunities for the local residents and gain community support for the ongoing development of the longer elements of the Primary Trail and Trail Extensions.

The proposed Local Trails (16kms in total) include:

1. Nambour – Approximately 5kms following Petrie Creek from Quota Park in the heart of Nambour to the historical Saltwater Bridge east of the Bruce Highway.
2. Bli Bli – Approximately 6kms of three trails branching from McMartins Sports Oval to Maroochy Wetlands, and Stoney Wharf and
3. Coolum – Approximately 5kms from the northern side of the historical Twin Bridges to the Council Depot and along existing footpaths to Coolum Surf Club.

The Nambour to Coolum Strategic Trail when completed as proposed, will provide numerous route options crossing a diversity of landscapes, natural and cultural features across various different terrains. Overall the proposed Trail includes approximately 48kms (16km in Local Trails, 17kms on the Primary Trail (including Strategic Links), and 15kms of Trail Extensions.

The proposed trail will provide a significant outdoor recreation opportunity for local residents in Nambour, Bli Bli and Coolum. It will provide strong appeal to walkers, runners and recreational bike riders, and some appeal to bike riding commuters. It is anticipated that sections of the trail will also have appeal to visitors to the Sunshine Coast.

The Trail's connection with the cane rail heritage was identified during consultation and benchmarking as an important element of this trail experience. The prominent physical remnants of the former cane rail corridor include rail levies, cuttings and bridges. While consultation indicated that many levies had been removed from private property, the proposed strategic alignment would capture a number of remaining examples (e.g. Coolum Conservation Park, Bli Bli Railway Cutting).

The three State Heritage Listed bridges (Maroochy River Lift Bridge, Saltwater Bridge and the Twin Bridges) are identified as important elements of the trail experience. Further investigations are needed to make an informed decision regarding bridge ownership and condition. It is currently Council's position that the ownership of the bridges does not lay with Council.

The Nambour to Coolum Trail is anticipated to be a long term project that can develop as the region grows and recreation demands increase for access to quality trail experiences.

Economic opportunities

The Study found that the trail had the potential to support a range of economic activities such as tour operator opportunities, product development, aligning with the Sunshine Coast Food Trail and opportunities for existing businesses such as bike and equipment hire, food and accommodation.

A significant opportunity identified in the Study was the potential link to Parklands Conservation Park as a major mountain biking destination through the provision of a safe, direct off road cycling link from Nambour.

Conclusion

The Nambour to Coolum Strategic Trail (Appendix A) provides an opportunity to establish the building blocks for an interconnected recreation network between Nambour and Coolum. These trails have capacity to service the local trail needs of the growing towns of Nambour, Bli Bli and Coolum, linking them to a diverse open space network of parks, reserves, rivers, creeks and mountains. The Strategic Trail also has capacity to provide broader tourism opportunities and associated economic benefits to the region.

It is recommended that the Nambour to Coolum Strategic Trail has merit and that the key stakeholder and community be provided with the Study findings and the recommended strategic alignment to enable the short and long term trail planning and development of the trail to progress.

Legal

Ownership of the bridges is a legal matter for resolution. Currently it is Council's position that the ownership of the State Heritage Listed Maroochy River Lift Bridge, Twin Bridges and Saltwater Bridge does not lay with Council. This issue will be investigated during further planning phase, however, the trail does not propose to use these bridges to transverse the waterways.

Further negotiations are to be undertaken with State Government (Queensland Parks and Wildlife, Department of Education, Department of Transport and Main Roads) and relevant land owners to establish tenure arrangements to secure ongoing public access for the future.

Policy

The Sunshine Coast Open Space Strategy 2011 and Sunshine Coast Recreation Trails Plan 2012 form Council's policy position. Both of these documents have been reviewed in the development of the Nambour to Coolum Strategic Trail.

Sunshine Coast Open Space Strategy

Network Blueprint

- Sunshine Coast wide - Continue planning for significant trails
- Coolum - Investigate development of recreation trails utilising existing open space
- Bli Bli - Develop recreation trail linkages into the Bli Bli community hub and
- Nambour - Establish a local Nambour circuit incorporating Petrie Creek and Quota Park subject to the Nambour Master Plan.

Sunshine Coast Recreation Trails Plan

Network Blueprint - The Sunshine Coast Recreation Trails Plan identifies the Nambour to Coolum Trail as a Notional Only (Potential Future Link/Trail) with local sections at Nambour identified as a Short/Medium Term Planning Priority.

Risk

The development of multi-tenure recreation trails introduces a higher degree of risk than if Council was developing facilities into single tenure public lands, however with comprehensive planning and management, this risk can be minimised.

Initial discussions with State Government representatives have secured in principle support for accessing State Land.

The proposed trail alignment has taken a risk adverse approach to the trail development. The proposed trail will be predominately located on public lands to minimise impacts on private land holders. The trail experience however has not been compromised and the recommended alignment provides for a diverse and quality range of recreational experiences.

Previous Council Resolution**Special Meeting (Strategies) -7 March 2011 - Council Resolution (SM11/11)**

That Council:

- Receive and note the report titled "Sunshine Coast Open Space Strategy 2011"*
- Adopt the Sunshine Coast Open Space Strategy (Appendix A) to guide Council and the community in future open space planning, management and decision making subject to consideration in annual budget processes*

- (c) *Request the Chief Executive Officer to develop a detailed implementation and staging plan based on Councils long term financial model and other revenue sources, for future consideration by Council and*
- (d) *Thank the 47 submitters for their contribution to the preparation of the Sunshine Coast Open Space Strategy 2011.*

Ordinary Meeting – 31 January 2012 – Council Resolution (OM12/17)

That Council:

- (a) *receive and note the report titled “Sunshine Coast Recreation Trail Plan 2012*
- (b) *endorse the Sunshine Coast Recreation Trail Plan 2012 (Appendix A as amended) to guide Council and the community in trail planning, management and decision making, including the Capital Works Program subject to consideration in annual budget processes and*
- (c) *authorise the Chief Executive Officer to finalise the mapping to clearly indicate those trails that are at planning stage (indicative only) to enable further planning to proceed.*

Related Documentation

Sunshine Coast Open Space Strategy March 2011

Sunshine Coast Recreation Trails Plan March 2012

Nambour Showgrounds Master Plan 2013-2023

Nambour Activation Plan 2015

Critical Dates

Enabling the Draft Nambour to Cooloom Strategic Trail to be provided for stakeholder and community comment is recommended in the September period. This timing then allows Council to consider the adoption of the Strategic Trail before the end of 2016 enabling Stage 1 – Local Trails (planning and design) to be referred to the 2017/2018 Capital Works budget process.

Implementation

1. Advise key stakeholders involved in the Study of the outcome of the Study.
2. Provide the recommended Draft Nambour to Cooloom Strategic Trail and Project Update to key stakeholders and place on community display and conduct information sessions.
3. Prepare a report to Council advising the outcome of the community feedback and seek Council endorsement of the trail.
4. Infrastructure Services to prepare a funding bid for the master planning of the Nambour to Cooloom trail for the 2017/18 budget to include the three priority local trails (Nambour, Bli Bli and Cooloom).
5. Refer Construction (commencement of Stage 1) to 2018/2019, 2019/2020, 2020/2021 budgets.
6. Prepare an Implementation Plan to progress further planning and investigations into the details of delivering the remainder of the Nambour to Cooloom Strategic Trail.

8.3 CORPORATE SERVICES

8.3.1 JUNE 2016 FINANCIAL PERFORMANCE REPORT

File No: Financial Reporting
Author: Coordinator Financial Services
Corporate Services Department

To be provided

8.3.2 DISPOSAL OF LAND - 25 PEACHESTER ROAD BEERWAH - PART OF LOT 53 ON SP 224917

File No: F2016/193113

Author: Senior Property Officer
Corporate Services Department

Attachments: Att 1 - Locality Map Lot 53 on SP 224917275
Att 2 - Site Map Proposed Easement in Lot 53 on SP244917277
Att 3 - Proposed Easement Plan279

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 for sewerage over Council freehold land.

EXECUTIVE SUMMARY

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 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 applies.

Council was requested by JMCPS Investments Pty Ltd to consider a sewerage easement within Lot 53 on SP 224917 which will facilitate a residential subdivision at 24 Turner Street, Beerwah (Attachment 1). A site map of the proposed easement (Attachment 2).

The easement is for sewerage and the requested area is 9 m². The easement will be in favour of Northern SEQ Distributor-Retailer Authority (Unitywater). A proposed easement survey plan is attached (Attachment 3).

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Disposal of Land - 25 Peachester Road Beerwah - Part of Lot 53 on SP 224917” and
- (b) resolve, pursuant to section 236 (2) of the *Local Government Regulation 2012*, that an exception to dispose of an easement in Lot 53 on SP 224917 other than by tender or auction applies, as the disposal is, pursuant to section 236(1)(b)(i), to a government agency.

FINANCE AND RESOURCING

The impact on Council’s freehold land was valued at \$2,000 with valuation costs being \$1,650. Should Council resolve that an exception applies, the applicant will be invoiced for the value of the easement and the valuation costs (\$3,650).

All direct expenditure associated with these dealings, including the survey plan and easement documentation will be met by the applicant.

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

Internal Consultation

Request for Comments was circulated on the proposed sewerage main to all relevant stakeholders, including the local Councillor. No objections were received from Internal Stakeholders, 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 the Manager Procurement and Contracts and a Solicitor from Legal Services

External Consultation

Property Management Branch has liaised with JMCPS Investments Pty Ltd on this matter. JMCPS Investments Pty Ltd are agreeable to the subject terms and conditions of the easement.

Community Engagement

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

PROPOSAL

The applicant is proposing a Development Application, MCU15/0010 at 24 Turner Street Beerwah.

This development will require an easement for sewerage with an area of 9m², through Council's freehold property described as Lot 53 on SP 224917 situated at 25 Peachester Road, Beerwah.

The proposed easement will be in favour of Northern SEQ Distributor-Retailer Authority (Unitywater).

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 an exception if the disposal is to a government agency.

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

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

Legal

Legal Services has been consulted on the application of 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 risk issues to address in relation to this report.

Previous Council Resolution

There is no previous resolution in relation to this request

Related Documentation

There is no related documentation relevant to this report.

Critical Dates

While there are no specific critical dates for this easement, it is incumbent on Council to finalise the easement expeditiously so that service providers and other land owners are provided with an acceptable level of service.

Implementation

Should Council resolve that an exception apply, the applicant will be invoiced for the land and valuation costs. Upon payment, Council will execute the easement document and the related survey plan.

**8.3.3 MOTION FOR 120TH ANNUAL LOCAL GOVERNMENT ASSOCIATION
QUEENSLAND CONFERENCE 2016**

File No:	LGAQ
Author:	Coordinator Councillor Governance Corporate Services Department
Appendices:	App A - LGAQ Annual Conference Motion287
Attachments:	Att 1 - Guidelines on Arrangements for Infrastructure External to State Government Sites and Non-State Schools289

PURPOSE

In accordance with the LGAQ Annual Conference rules, this report presents to council a proposed motion to be forwarded to the LGAQ for consideration at the 120th Annual Conference.

EXECUTIVE SUMMARY

The 120th Annual LGAQ Conference is scheduled to take place on the Gold Coast from 18 – 20 October 2016.

The LGAQ forwarded a circular to all Queensland local governments calling for conference motions. The deadline for receipt of motions is 26 August 2016 to enable the preliminary agenda to be finalised and provided to member councils prior to the Annual Conference.

The LGAQ require a council resolution for all motions submitted. Following a call for nomination of motions to all councillors, one motion in relation to funding of infrastructure external to state government facilities – renegotiation of guidelines has been prepared for council's consideration.

The current arrangement was formulated at a time when grants and subsidies from the State Government were such that it was considered reasonable for Local Government to comply with the requirements of these guidelines. As this is no longer the case, it is appropriate that consideration be given to the guidelines being abandoned and replaced with a more appropriately balanced agreement.

As seven years have elapsed since LGAQ last visited this issue, it is considered appropriate to push for State Government review again.

Council may also consider two additional motions for submission to the LGAQ titled *Request to investigate providing legislative power to local government to apply catchment based developer contributions for delivery of non-trunk infrastructure* and *Request to State Government to review processes around the Planning Scheme amendment with a view to removing or significantly reducing the timeframes associated with 1st State Interest Check Reviews*.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Motion for 120th Annual Local Government Association Queensland Conference 2016” and
- (b) forward the motion titled ‘To develop new guidelines to replace *Guidelines On Arrangements for Infrastructure External to State Government Sites and Non-State Schools – December 1997*’ (Appendix A) to the Local Government Association Queensland for inclusion in the 120th Annual Conference Agenda.

FINANCE AND RESOURCING

There are no finance and resourcing impacts as a result of preparing this report and attachment.

CORPORATE PLAN

Corporate Plan Goal: *A public sector leader*
Outcome: We serve our community by providing this great service
Operational Activity: S28 - Elected council - providing community leadership, democratic representation, advocacy and decision-making

CONSULTATION

Internal Consultation

Consultation has occurred with:

- Manager, Transport and Infrastructure Policy
- Manager, Transport Infrastructure Management

External Consultation

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

Community Engagement

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

PROPOSAL

The next annual conference of the LGAQ will be held on the Gold Coast from 18 – 20 October 2016.

The LGAQ forwarded a circular to all Queensland local governments calling for conference motions. The LGAQ require a council resolution for all motions submitted. The deadline for receipt of the motions is 26 August 2016 to enable the preliminary agenda to be finalised and provided to member councils prior to the annual conference.

Following a call for nomination of motions to all councillors, Councillor Baberowski sought recommendations from relevant managers associated with the Transport, the Arts and Heritage portfolio. One motion in relation to funding of infrastructure external to state government facilities – renegotiation of guidelines has been prepared for council’s consideration.

The motion requests that the *Guidelines on Arrangements for Infrastructure External to State Government Sites and Non-State Schools – December 1997*, be reviewed. A full copy of the Guidelines is provided as Attachment 1 – “Guidelines on Arrangements for Infrastructure External to State Government Sites and Non-State Schools – December 1997”. The Guidelines call on councils to design and document the required works and submit cost estimates to the relevant State Government agency for works external to State Government infrastructure. When applied to schools, this means that councils are required to address pick-up and set-down areas, roadworks, road widening, traffic island breaks, acceleration and deceleration lanes, footpaths and footpath widenings, external parking, signing and landscaping. The Guidelines then state that a 50% subsidy will be provided to councils.

The subsidy is actually provided by councils, and further to this, all future operational, maintenance and renewals costs become councils’ responsibility in total. There is a risk that the State could remove its “subsidy” and put 100% of everything onto councils.

The current arrangement was formulated at a time when grants and subsidies from the State Government were such that it was considered reasonable for Local Government to comply with the requirements of these guidelines. As this is no longer the case, it is appropriate that consideration be given to the guidelines being abandoned and replaced with a more appropriately balanced agreement.

In 2009, the LGAQ Annual Conference resolved to approach the state government for a review of the Guidelines, which attracted the following response from Minister Hinchliffe:

“Formal guidelines detailing these arrangements, including operational guidelines, were published in December 1997. In all cases, a local government should consult with the relevant State Government agency about the development and the costs of the external infrastructure.”

The Government is not intending to review the current arrangements at this time”.
(Underlining by Author)

As seven years have elapsed since LGAQ last visited this issue, it is considered appropriate to push for State Government review again.

In addition, there are two further possible topics which Council may consider as possible motions for the conference:

- (1) Request to investigate providing legislative power to local government to apply catchment based developer contributions for delivery of non-trunk infrastructure

Currently the ‘first developer’ is required, via development approval conditions, to provide connection to the network upgrades triggered by that development, often at significant cost. The spare capacity of those upgrade works is then enjoyed at no cost by follow-on development. It should be noted that in such situations, the connections-to-network do not qualify as trunk works identified in councils’ plans for trunk infrastructure, hence fall outside the infrastructure charges regime. There is a case to be put calling for a spread of that connection-to-network cost across all the development beneficiaries, defined within a closed and clearly identified catchment. Where the ‘first developer’ would still be conditioned to deliver the works, it would be on the understanding that collected and to-be-collected contributions would be provided to that party funding the works. This would not only introduce equity, it could also incentivise investment that might otherwise balk at the high cost of development, often sufficient to make a project unprofitable. There is currently no legislative power enabling councils to collect and distribute such contributions.

- (2) Request to State Government to review processes around the Planning Scheme amendment with a view to removing or significantly reducing the timeframes associated with 1st State Interest Check Reviews

The timeframes involved in the completion of State interest reviews of planning scheme amendments are adversely affecting the capacity of local government to implement planning policy in a timely manner. Planning schemes ought to be living documents and be able to be modified in such a way that they can lead rather than follow emerging issues. In recent times there is evidence of 1st State interest review processes taking up to 12 months to complete. This delay poses a significant risk to the integrity of the plan-making system and makes it difficult for local government to retain the integrity of planning schemes over time. A major review of State interest review processes is required to support planning reform and ensure that local government can continue to deliver appropriate planning policy in an effective and timely manner. This review should well beyond the current proposals as set out in the guidelines supporting the new planning act.

Should Council consider one or both of the secondary motions above necessary for submission to the LGAQ, these will also need to be resolved with the below added to the Officer Recommendation:

- (c) forward the motion titled 'Request to investigate providing legislative power to local government to apply catchment based developer contributions for delivery of non-trunk infrastructure' to the Local Government Association Queensland for inclusion in the 120th Annual Conference Agenda and
- (d) forward the motion titled 'Request to investigate providing legislative power to local government to apply catchment based developer contributions for delivery of non-trunk infrastructure' to the Local Government Association Queensland for inclusion in the 120th Annual Conference Agenda.

Legal

There are no legal implications relevant to this report.

Policy

There are no current policy implications associated with this report.

Risk

The risk associated with the proposed motion the subject of this report is that, without taking action, Council is open to funding infrastructure that should be the responsibility of State Government.

Previous Council Resolution

There is no previous council resolution relevant to this report.

Related Documentation

Further information in relation to the LGAQ Annual Conference is located at <http://lgaq.asn.au/120th-annual-conference>

LGAQ resolution from the 2009 Annual Conference:



Local Government Association of Queensland Inc
113th Annual Conference - Replies to Resolutions

**FUNDING OF INFRASTRUCTURE EXTERNAL TO STATE GOVERNMENT FACILITIES -
RENEGOTIATION OF GUIDELINES**

"That the Local Government Association of Queensland make representations to the Queensland Government to review their policy on funding requirements for external infrastructure to State Government sites and non-State schools and to renegotiate in good faith the scope and terms of the 'Guidelines On Arrangements For Infrastructure External To State Government Sites And Non-State Schools'."

Critical Dates

This report must be considered by council at the August Ordinary Meeting in order to allow for the motion to be received by the LGAQ prior to the deadline of 26 August 2016.

Implementation

If resolved by council, the motion or motions will be forwarded to the LGAQ for inclusion in the conference motions.

8.4 COMMUNITY SERVICES

8.4.1 PEST SURVEY PROGRAM

File No: Statutory Meetings
Author: Coordinator Healthy Places
Community Services Department

PURPOSE

This report seeks Council endorsement to conduct a pest survey program for 12 months.

EXECUTIVE SUMMARY

The *Biosecurity Act 2014* (the Act) now replaces the *Land Protection (Pest and Stock Route Management) Act 2002*. Pest survey work will continue to occur but now as a *12 Month Surveillance Program for Sunshine Coast Council* (the Program) under the *Biosecurity Act 2014*. The program requires authorisation by council under section 235 of the Act to lawfully conduct this work in the management of invasive plants.

Biosecurity matter is defined in full in the *Biosecurity Act 2014*, but in brief is a living plant and animal, pathogen, disease, or contaminant. The Program is for invasive pest plant biosecurity matter – for example groundsel bush, rat's tail grasses, parthenium, salvinia, etc.

Work under the program involves confirming the presence, absence, extent and/or magnitude of invasive plants. The work also includes monitoring compliance activities and measures that prevent and/or control invasive plants. Council authorisation of the Program gives authorised persons power to enter private property without consent. The Program is a necessary initial step before other compliance work under the Act can occur such as issuing and monitoring compliance of a Biosecurity Order.

The 2016/17 budget allocation provides sufficient finance and resources to undertake the proposed Program. The Program is consistent with three Council *Corporate Plan 2014-2019* goals, and provides an instrument for the implementation of actions specified in council's *Pest Management Plan 2012-2016*.

The Program is scheduled to commence on 5 September 2016 and end on 4 September 2017 and will be implemented by council's Vector and Pest Plant Education and Control Team.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Pest Survey Program"
- (b) adopt the *12 Month Surveillance Program for Sunshine Coast Council* in accordance with section 235 of the *Biosecurity Act 2014*
- (c) authorise the carrying out of the *12 Month Surveillance Program for Sunshine Coast Council* in accordance with section 235 of the *Biosecurity Act 2014*
- (d) note the following details of the *12 Month Surveillance Program for Sunshine Coast Council* (which are required to be specified in this authorisation under Section 236 *Biosecurity Act 2014*):
 - (i) relates to biosecurity matter being invasive plants

- (ii) purpose is to monitor for compliance with the *Biosecurity Act 2014* and monitor the presence and extent of invasive plants
- (iii) starts on 5 September 2016
- (iv) ends on 4 September 2017
- (v) is for monitoring compliance with the *Biosecurity Act 2014* and places that will be entered and inspected are privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m²
- (vi) is for determining the presence or extent of the spread of biosecurity matter and applies to privately owned land within the Sunshine Coast Council Local Government Area and are properties with land size equal to or greater than 4,000m² and
- (vii) surveillance in the localities of Beerwah, Booroobin, Conondale, Diamond Valley, Doonan, Dulong, Glenview, Harper Creek, Hunchy, Kiels Mountain, Landsborough, Meridan Plains, Mooloolah Valley, Palmview, Peachester, Perwillowen, West Woombye, Weyba Downs and Wootha.

FINANCE AND RESOURCING

The 2016/17 budget allocated to address invasive pest plant issues through the pest survey program is \$364,883, allocated as follows:

Salaries	\$ 273,381
Materials and services	\$ 6,657
Vehicles and plant	\$ 59,767
Internal materials and services	\$ 25,077

This equates to 3 x full time equivalent persons allocating their time to this program:

- 2.2 x full time equivalent positions conduct the proactive inspections (more than 2,500 per year) and
- 0.8 x full time equivalent positions responding reactively to complaints (around 330 complaints per year) lodged by the community on declared plants.

The 2016/17 budget allocation is sufficient to undertake the proposed Program under the *Biosecurity Act 2014*.

CORPORATE PLAN

Corporate Plan Goal:	<i>A healthy environment</i>
Outcome:	3.2 - Well-managed and maintained open space, waterways and foreshore assets
Operational Activity:	3.2.3 - Manage the region's high quality urban and rural open space network
Corporate Plan Goal:	<i>A healthy environment</i>
Outcome:	3.3 - A reputation for innovative environmental practices
Operational Activity:	3.3.1.4 - Continue to engage, support and grow community partnerships in managing and enhancing the region's natural assets on public and private lands

3.3.3 – Strengthen council's approach to working with the Queensland Government, industry, community groups and land owners to manage plants and feral animals in the region

Corporate Plan Goal: *Service excellence*
Outcome: 4.1 – Customer focussed services
Operational Activity: 4.1.5 – Administer and review council's local laws and relevant State legislation in a manner that supports council's economic, community, and environmental goals for the region and is consistent with statutory obligations.

CONSULTATION

Portfolio Councillor Consultation

- Cr McKay – Portfolio Councillor for Community and Environment

Internal Consultation

The following internal stakeholders contributed to the development of this report:

- Acting Coordinator Healthy Places
- Acting Coordinator Community Land Permits and Parking
- Team Leader Vector and Pest Plant Education and Control

External Consultation

The following external stakeholders were consulted:

- Principal Biosecurity Officer, Biosecurity Queensland – Maroochy Research Facility
- The Chief Executive Officer of the Department of Agriculture and Fisheries will be consulted prior to the commencement of the *Program*.

Community Engagement

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

PROPOSAL

Council endorsement of the *12 Month Surveillance Program for Sunshine Coast Council* (the Program) under the *Biosecurity Act 2014* will ensure authorised council officers can continue to carry out work through to 4 September 2017 to enter private property, inspect, monitor, collect samples and give instructions to control biosecurity matter.

Biosecurity matter is defined in the *Biosecurity Act 2014*, as a living thing (e.g. plant or animal), pathogen, disease and contaminant. The biosecurity matter for the proposed Program is invasive plants, i.e. weeds such as groundsel bush, rat's tail grasses, parthenium and salvinia.

The proposed Program under the *Biosecurity Act 2014* must be authorised by council to allow the carrying out of the following activities:

- monitoring compliance with the *Biosecurity Act 2014*
- confirming the presence, absence, and/or the extent of invasive plants
- monitoring the effectiveness of measures taken in response to a biosecurity risk
- monitoring compliance with requirements about prohibited matter or restricted matter (as defined in the Act) and
- monitoring levels of invasive plants, including a carrier.

The Program will continue work that council has previously delivered under pest survey programs and the *Land Protection (Pest and Stock Route Management) Act 2002*. Based on historical data from council's work in pest surveys under *the Land Protection (Pest and Stock Route Management) Act 2002* and Council's *Pest Management Plan 2012-2016*:

- from the proactive inspections conducted, 7% contained declared plants
- 50% of landholders entered into a voluntary pest management plan with council to undertake certain actions within certain timeframes
- 50% received a pest control notice and the vast majority complied and
- Less than 1% of properties inspected resulted in council engaging a contractor to enter and clear the property.

Legal

Authorisation of the proposed Program by a resolution of the local government is required in accordance with section 235 *Biosecurity Act 2014*.

Section 236 of the *Biosecurity Act 2014* outlines what must be stated in the program authorisation for a biosecurity program.

The authorisation of the program enlivens a number of specific powers under the Act including section 261 (Power to enter place under biosecurity program), section 262 (Power to enter place to check compliance with biosecurity order) and section 270 (Entry of place under sections 261 and 262).

Policy

Local governments in Queensland have a biosecurity obligation to control biosecurity matter within their boundaries in accordance with the *Biosecurity Act 2014*.

The Program contributes to the outcomes of the *Sunshine Coast Local Government Area Pest Management Plan 2012-2016*.

Risk

With increasing numbers of residents moving to our hinterland with limited understanding of rural land management, invasive plants can present a problem on large and small acreage as well as urban fringe areas. Failure to endorse the *12 Month Surveillance Program for Sunshine Coast Council* would mean Council would:

- not meet its obligations under the Act
- increase the risks associated with not controlling invasive plants throughout the region
- potentially cause significant environmental damage and the resulting loss of biodiversity
- threaten stock and domestic animals and
- potentially cause loss of agricultural productivity and loss of community amenity.

Previous Council Resolution**Council Resolution (OM15/94) on 18 June 2015**

That Council:

- (a) *receive and note the report titled “2015/2016 Pest Survey Programs” and*
- (b) *approve the following pest survey programs for the Sunshine Coast Council in accordance with the Land Protection (Pest and Stock Route Management) Act 2002, Section 241:*
 - (i) *Survey Program 1: 04/07/15 to 30/09/15 for the localities of Glass House Mountains, Peachester, Palmview, Ilkley, Eudlo, Bli Bli, Verrierdale, Eerwah Vale, Kiamba*
 - (ii) *Survey Program 2: 01/10/15 to 31/12/15 for the localities of Peachester, Conondale, Ilkley, Bli Bli, Verrierdale, Eerwah Vale, Kiamba*
 - (iii) *Survey Program 3: 01/01/16 to 31/03/16 for the localities of Peachester, Conondale, Eudlo, Hunchy, North Arm, Verrierdale, Mapleton, Reesville, Witta, Weba Downs, Tanawha and*
 - (iv) *Survey Program 4: 01/04/16 to 30/06/16 for the localities of Peachester, Conondale, Eudlo, Hunchy, Mapleton, Reesville, Witta, Weba Downs, Tanawha and North Arm.*

Related Documentation

- *Local Government Act 2009*
- *Biosecurity Act 2014*
- *Sunshine Coast Local Government Area Pest Management Plan 2012-2016*

Critical Dates

The Program has been scheduled to commence monitoring activities from 5 September 2016 to 4 September 2017.

Notice of the Program must be given at least 14 days prior to the commencement of the program. The notification would be raised no later than 21 August 2016.

Implementation

The Program will be available at all Customer Service Centres and will be published on the council website at least 14 days before commencement. The Program is a necessary initial step before council can undertake compliance and enforcement work can commence to prevent and control invasive plants.

The program will be implemented by council’s Vector and Pest Plant Control Officers (Healthy Places Unit) in correlation to council land management schedules. This ensures an efficient delivery for maximum benefit to both community and council’s assets. Council has a number of tools to be used in the education, surveillance, compliance and enforcement work including a fact sheet will be supplied to the owner outlining the requirements of the legislation and their options. A number of resources including educational booklets, a smartphone application, fact sheets, and public notices will be provided to rural and peri-urban landholders via social media, mail outs and surveys. Information is also available online at council’s website.

Council’s Vector and Pest Plant Control Officers will seek voluntary compliance and collaborate with landholders wherever possible to facilitate the control of invasive plants. The Program will allow the confirmation of the presence of invasive plants on a property, allow Council to communicate and inform a person about their biosecurity general obligation, and assess whether to issue a Biosecurity Order to a person for failure to discharge their general

biosecurity obligation (which may require the person to undertake management action – such as prevention and control). If a property owner fails to comply, (or the occupier fails to allow the owner to comply) the authorised Program under the *Biosecurity Act 2014* provides for the property to be entered and for council to undertake the work required (section 263). Costs can be recovered from the person that has failed to comply (section 380).

8.4.2 SYSTEMATIC INSPECTION PROGRAM - REGULATED DOGS

File No:	Animal Management
Author:	Coordinator Response Services Community Services Department
Attachments:	Att 1 - Regulated dogs mandatory conditions327
	Att 2 - Information sheet prescribed collars331

PURPOSE

The purpose of this report is to seek approval by council resolution to conduct a systematic inspection program to monitor the compliance of mandatory conditions for regulated dogs within the boundaries of the Sunshine Coast region, in accordance with the *Animal Management (Cats and Dogs) Act 2008*.

EXECUTIVE SUMMARY

The *Animal Management (Cats and Dogs) Act 2008* (the Act) requires local governments to manage regulated dogs within their boundaries. Council undertakes investigations into animal attacks and declares dogs to be regulated dogs in accordance with the Act. There are three categories of regulated dogs as defined under the Act:

- declared dangerous dog
- declared menacing dog and
- restricted dog.

Once a dog is classified as a regulated dog, the animal owner must adhere to mandatory conditions as outlined in the Act (refer to Attachment 1). To ensure compliance with these conditions, Council officers' conduct an initial inspection at the property where the animal is normally kept and work with the animal owner to ensure all conditions are met.

To guarantee the ongoing compliance of the mandatory conditions to keep a regulated dog, a check of the property should be conducted annually to address any breaches. Annual inspections can only occur, if council approves, by resolution, a systematic inspection program. This program provides authorised officers the power to enter private property to check for continued compliance by the dog owner with the mandatory conditions for keeping a regulated dog. Without a systematic inspection program, council has no other way of confirming if a regulated dog is being kept in accordance with the conditions imposed under the Act unless a complaint is received.

It is proposed that the systematic inspection program be undertaken by four authorised officers to commence on 10 October 2016 and concluding on 16 December 2016. Officers will undertake inspections at all properties where:

- a regulated dog was last known to have been kept according to Council records and
- it is identified that a regulated dog is now being kept.

As part of this year's audit officers will also be providing regulated dog owners with information on the changes to *Local Law No. 2 (Animal Management) 2011* made earlier this year where council introduced a requirement for a regulated dog to wear an identifying collar.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Systematic inspection program - Regulated Dogs” and
- (b) approve the following systematic inspection program for the Sunshine Coast Council area in accordance with the *Animal Management (Cats and Dogs) Act 2008, section 113 (Approval of an inspection program authorising entry)*:
 - (i) compliance audit of the premises within the region where Council’s Regulated Dog Register indicates a regulated dog is being kept, to occur from 10 October 2016 to 16 December 2016.

FINANCE AND RESOURCING

Council records show that there are 67 regulated dogs in the Sunshine Coast area which require an annual inspection. The cost to undertake this program is estimated to be approximately \$15,016 which is funded via the registration fees collected from the regulated dog owners.

The 2016/17 registration fee as adopted by Council for a regulated dog is \$456.

The cost of the regulated dog collars is approximately \$40 each depending on the size of the collar and has been funded by the registration fee for regulated dogs for the 2016/17 financial year.

CORPORATE PLAN

Corporate Plan Goal: *Service excellence*

Outcome: 4.1 - Customer focused services

Operational Activity: 4.1.3 - Administer Council’s local laws in a manner that supports Council’s economic, community and environmental goals for the region and is consistent with statutory obligations

CONSULTATION

Portfolio Councillor Consultation

- Cr McKay – Portfolio Councillor for Community and Environment

Internal Consultation

Consultation has been undertaken with the following key internal stakeholders:

- Director Community Services
- Manager Community Response
- Management Accountant, Finance and Business.

External Consultation

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

Community Engagement

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

PROPOSAL

The *Animal Management (Cats and Dogs) Act 2008* was introduced in 2009 making local governments responsible for the effective management of regulated dogs in the local government area.

Council accepted this responsibility by appointing authorised officers to investigate, monitor and enforce compliance with the *Animal Management (Cats and Dogs) Act 2008* (the Act). These officers investigate complaints that may lead to a dog being declared to be dangerous, restricted or menacing (i.e. a regulated dog).

Once a dog is declared a regulated dog, the animal owner must adhere to mandatory conditions as outlined in the Act (refer to Attachment 1). To ensure compliance with these conditions, authorised officers conduct an initial inspection at the property where the animal is normally kept and work with the animal owner to ensure all the conditions are met.

The systematic inspection program allows council to proactively monitor adherence with these conditions on an ongoing basis. Without this program council has no other way of confirming if a regulated dog is being kept in accordance with the mandatory conditions, unless a complaint is received. To conduct a systematic inspection program for regulated dogs council must pass a resolution as outlined in the Act, *section 113 (Approval of inspection program authorising entry)*. The systematic inspection program provides authorised officers the power to enter private property in order to check for continued compliance by the dog owner with the mandatory conditions for keeping a regulated dog.

It is proposed that the systematic inspection program will be undertaken by four authorised officers, commencing on 10 October 2016 and concluding on 16 December 2016.

Officers will undertake inspections at all properties where:

- a regulated dog was last known to have been kept according to Council records and
- it is identified that a regulated dog is now being kept.

Council records show that there is 67 regulated dogs in the Sunshine Coast area which require an annual inspection. The cost to undertake this program is estimated to be approximately \$15,016 which is funded via the registration fees collected from the regulated dog owners.

In conducting the systematic inspection program over the past three (3) years officers have identified a continued improvement in the compliance with the mandatory conditions.

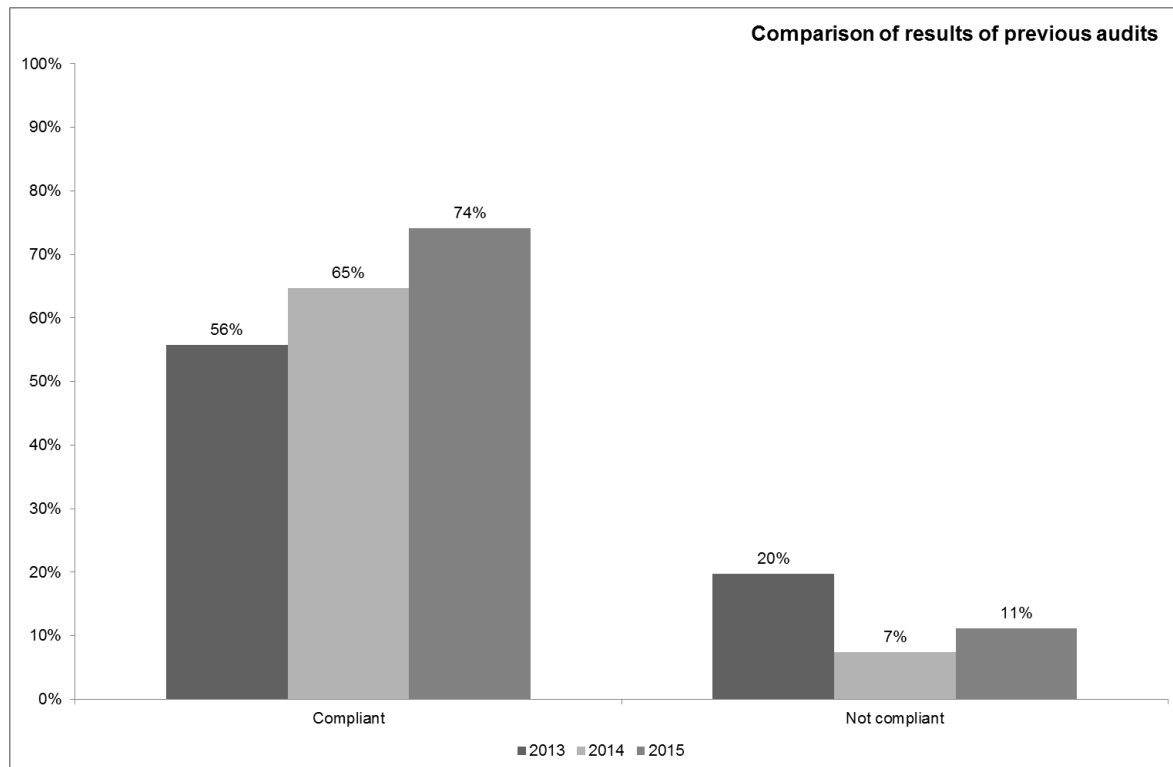


Chart note: All results in the above chart exclude dogs residing in the Noosa Shire Council Area

As part of this year's audit, authorised officers will also be providing regulated dog owners with information on the changes to *Local Law No. 2 (Animal Management) 2011* made in January 2016, where council introduced a requirement for a regulated dog to wear an identifying collar.

The collar was introduced to ensure the community can quickly and easily identify a regulated dog when they are in a public space.

Regulated dog owners are required to ensure their dog is wearing the prescribed collar at all times, failure to do so may result in an on-the-spot fine of \$609.

Regulated dog owners will be provided with a collar and information sheet outlining their obligations as the owner of a regulated dog (see Attachment 2 – Regulated dog collar information sheet).

The cost of the collars is approximately \$40 each depending on the size of the collar and has been covered by the 2016/17 registration fee for regulated dogs.

Legal

Council has an obligation to the community to ensure that dogs identified and declared as dangerous, menacing or restricted are being monitored for compliance with the *Animal Management (Cats and Dogs) Act 2008*. In particular the mandatory conditions set out for the keeping of regulated dogs (refer to Attachment 1 – Mandatory conditions for keeping regulated dogs).

The *Animal Management (Cats and Dogs) Act 2008, section 113 (Approval of an inspection program authorising entry)* provides the power for a local government to pass a resolution to approve a program under which an authorised person may enter a place to monitor compliance with the *Animal Management (Cats and Dogs) Act 2008*.

An approved inspection program must state the following:

- (a) the purpose of the program
- (b) when the program starts
- (c) a descriptions of the places which will be entered as part of the program and
- (d) the period over which the program will be carried out (of not more than 6 months).

Council must provide notice of the systematic inspection program at least 14 days, but not more than 28 days before an approved inspection program starts. This notice must be published in a newspaper circulating the local government area and on the local government's website.

Due to the potential risk for regulated dogs not being kept in accordance with the mandatory conditions of the declaration, the *Animal Management (Cats and Dogs) Act 2008* provides considerable powers to authorised officers to require compliance. Where an animal owner has failed to comply with the mandatory conditions for keeping a regulated dog, Council may in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Compliance and Enforcement Policy 2009*:

- issue an on-the-spot fine (\$853)
- issue a compliance notice outlining the mandatory conditions which must be adhered to
- where an officer deems the dog may be a risk to the community they may seize a regulated dog (*Animal Management (Cats and Dogs) Act 2008, section 125*)
- where an officer reasonably believes the dog is dangerous and the person cannot control it, they may seize the regulated dog and issue a destruction notice (*Animal Management (Cats and Dogs) Act 2008, section 127*)
- undertake further legal action such as prosecution through the Magistrate's Court. The maximum penalty for failure to comply with conditions for keeping a regulated dog is 75 penalty units (\$9,142.50).

Policy

Council's *Compliance and Enforcement Policy 2009* identifies how Council is to meet its statutory obligations, and exercise its compliance and enforcement actions. Officers will utilise the *Compliance and Enforcement Policy 2009* in conjunction with the *Animal Management (Cats and Dogs) Act 2008* in assessing the most appropriate enforcement action to address areas which require further action.

Risk

An approved systematic inspection program allows council to proactively monitor and ensure animal owners are adhering to the conditions for keeping a regulated dog. These conditions are in place to reduce the risk posed by these animals.

Alternatively council must wait until a community member reports an incident where the owner of a regulated dog has failed to meet conditions, exposing the community to unnecessary risk.

Previous Council Resolution

Ordinary Meeting 20 August 2015 – OM15/133

That Council:

- (a) *receive and note the report titled "Systematic Inspection Program - Regulated Dogs" and*
- (b) *approve the following systematic inspection program for the Sunshine Coast Council area in accordance with the Animal Management (Cats and Dogs) Act 2008, section 113 (Approval of an inspection program authorising entry):*
 - (i) *compliance audit of the premises within the region where Council's Regulated Dog Register indicates a regulated dog is being kept to occur from 12 October 2015 to 18 December 2015.*

Related Documentation

- *Animal Management (Cats and Dogs) Act 2008*
- *Animal Management (Cats and Dogs) Regulation 2009*
- *Compliance and Enforcement Policy 2009*

Critical Dates

Council must provide notice of the systematic inspection program at least 14 days, but not more than 28 days before an approved inspection program starts. This notice must be published in a newspaper circulating the local government area and on the local government's website.

The systematic inspection program is proposed to commence 10 October 2016. This means that 25 September 2016 is the last date that an advertisement can be placed in the local newspaper advising of Council's intent to undertake the systematic inspection program.

The program must not exceed dates outlined in the recommendation.

Implementation5 September to 25 September 2016

Upon council endorsement, it is intended that an advertisement will be placed in the Sunshine Coast Daily between 5 September 2016 and 25 September 2016, in accordance with the Act.

10 October 2016 – 16 December 2016

Council's four (4) authorised officers will commence the approved systematic inspection program on 10 October 2016 and concluding no later than 16 December 2016. Properties will be identified from the Regulated Dog Register and will be inspected for compliance with the mandatory conditions for keeping a regulated dog. Inspections will be undertaken unannounced on weekdays in daylight hours in accordance with the Act.

Where a breach of the mandatory conditions is identified, officers will determine the appropriate action in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Compliance and Enforcement Policy 2009*. These actions may include:

- issue an on-the-spot fine (\$853)
- issue a compliance notice outlining the mandatory conditions which must be adhered to
- where an officer deems the dog may be a risk to the community they may seize a regulated dog (*Animal Management (Cats and Dogs) Act 2008, section 125*)
- where an officer reasonably believes the dog is dangerous and the person cannot control it, they may seize the regulated dog and issue a destruction notice (*Animal Management (Cats and Dogs) Act 2008, section 127*)
- further legal action such as prosecution through the Magistrate's Court. The maximum penalty for failure to comply with conditions for keeping a regulated dog is 75 penalty units (\$9,142.50).

8.4.3 REQUEST FOR CLOSED CIRCUIT TELEVISION - NORTH SHORE COMMUNITY CENTRE**File No:** I2016/41978**Author:** Community Safety Officer
Community Services Department**Attachments:** Att 1 - North Shore Community Centre Location341

PURPOSE

This report seeks council consideration for an application received from the North Shore Community Centre Incorporated for the installation of a closed circuit television system at the North Shore Community Centre at 701 David Low Way, Mudjimba.

This application is before council as per the requirements of the *Public Space Closed Circuit Television (CCTV) Policy 2014*.

EXECUTIVE SUMMARY

Council has received a formal request from the North Shore Community Centre Incorporated seeking approval to install a closed circuit television system at the North Shore Community Centre, which they manage under a licence agreement through council. The centre is regularly used with 22 different user groups utilising the facility 7 days of the week (primarily on Monday to Friday).

The applicant has requested closed circuit television due to recurrent incidents of vandalism to the facility and in the immediate surrounds/open space. As a result, the closed circuit television cameras have been requested to discourage unlawful activity to the facility and be able to capture footage of, and identify, the offenders involved.

In accordance with council's *Public Space Closed Circuit Television (CCTV) Policy 2014*, this application has been assessed using the *Closed Circuit Television Assessment Framework* and meets the requirements of this policy as:

- the primary purpose of the system is for the investigation and/or prosecution of civil and criminal offences in relation to the security of council's facilities and assets, and for improving public confidence in the safety and security of public spaces
- other crime prevention measures, including improved lighting and activation of spaces, have been undertaken by the applicant, and the installation of a closed circuit television system is the last security measure to be undertaken and
- there is strong evidence for the need to install a closed circuit television system.

There are no immediate and long term installation and operational costs to council as the North Shore Community Centre Management Committee will be solely responsible for the costs of installing, operating, maintaining, repairing and replacing all improvements (including closed circuit television cameras/systems) within their tenure area. In the event that the Management Committee no longer hold the licence for the venue, Council would be responsible for the maintenance of the closed circuit television cameras/systems and any requests for accessing the information recorded.

The assessment supports the North Shore Community Centre Incorporation's request, on the proviso that:

- all capital and ongoing operating costs are the responsibility of the applicant
- the applicant undertakes the maintenance and operations of the closed circuit television system in accordance with legislative requirements and council's *Public Space Closed Circuit Television (CCTV) Policy 2014*

- the applicant submits to council, Closed Circuit Television Standard Operating Procedures within 60 days of the system becoming operational and
- closed circuit television footage is only to be accessed by authorised persons determined by council.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Request for Closed Circuit Television - North Shore Community Centre ” and
- (b) approve the application received from the North Shore Community Centre Incorporated, for the installation of closed circuit television system situated at 701 David Low Way, Mudjimba, subject to a formal agreement with the applicant detailing the following conditions:
 - (i) all capital and ongoing operational costs are the responsibility of the applicant
 - (ii) the applicant undertakes the maintenance and operations of the closed circuit television system in accordance with legislative requirements and council’s *Public Space Closed Circuit Television (CCTV) Policy 2014*
 - (iii) the applicant submits to council Closed Circuit Television Standard Operating Procedures within 60 days of the system becoming operational and
 - (iv) closed circuit television footage is only to be accessed by authorised persons determined by council.

FINANCE AND RESOURCING

There will be no immediate and long term installation and operational costs to council. If approved, the North Shore Community Centre Management Committee will be solely responsible for the costs of installing, operating, maintaining, repairing and replacing all closed circuit television cameras/systems within their tenure area.

In the event that the Management Committee no longer hold the licence for the venue, Council would be responsible for the maintenance of the closed circuit television cameras/systems and any requests for accessing the information recorded.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*
Outcome: 2.1 - Safe and healthy communities
Operational Activity: 2.1.9 - Develop community safety partnerships with state agencies and community groups to enhance resident and visitor safety

CONSULTATION

Portfolio Councillor Consultation

- Councillor McKay – Portfolio Councillor for Community and Environment
- Councillor O’Pray – Division 8 Councillor

Internal Consultation

A representatives from across Departments were consulted including:

- Property Management Branch
- Legal Services Branch

External Consultation

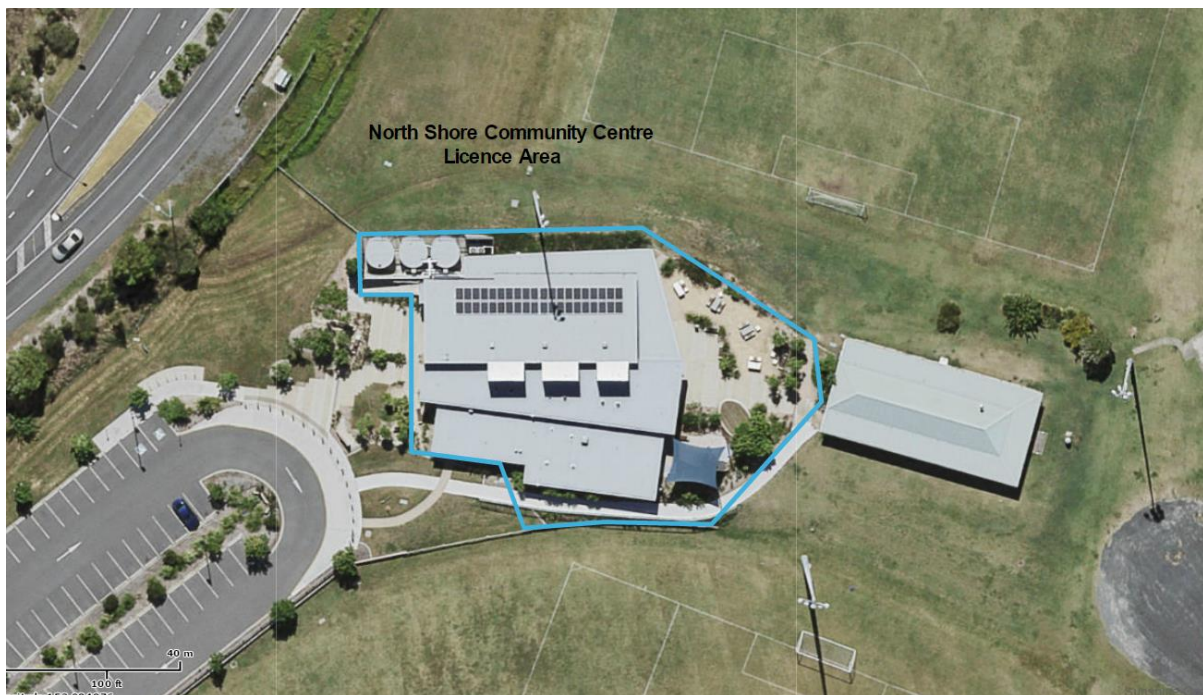
- North Shore Community Centre Incorporated
- The Queensland Police Service, Officer in Charge – Coolum Police Station
- NASKAM Security

Community Engagement

As the request for closed circuit television pertains to a community managed facility, the applicant has advised engagement with users of the facility has been conducted by the North Shore Community Centre Management Committee.

PROPOSAL

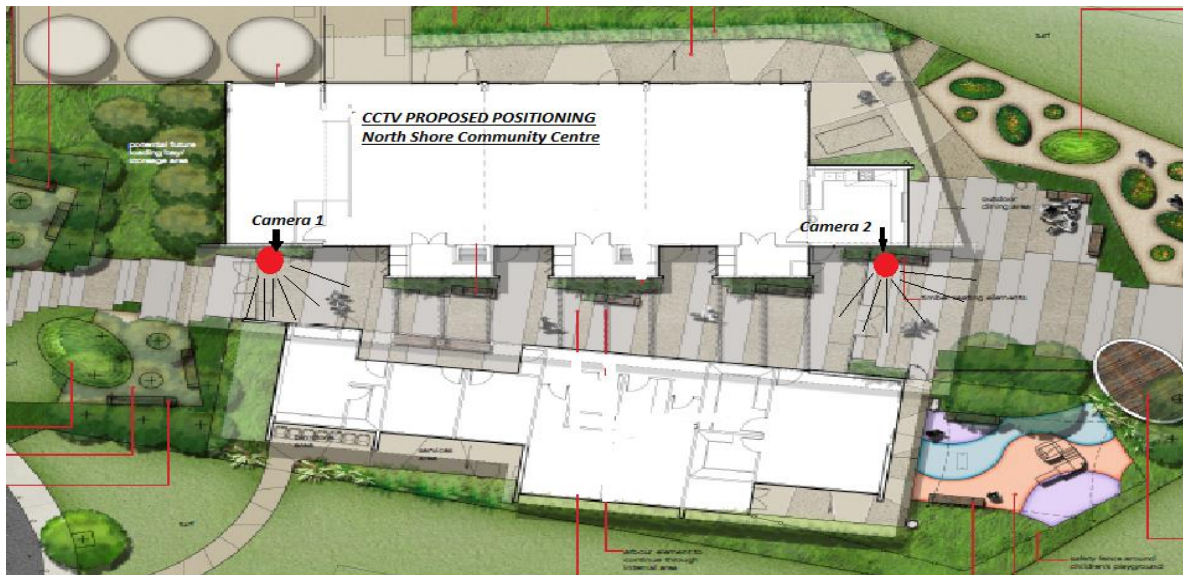
In June 2016, council received a formal request from the North Shore Community Centre Inc. seeking approval to install a Closed Circuit Television (CCTV) system at the community facility located on Lot 102 on SP154822 at 701 David Low Way, Mudjimba.



Council has a current Licence agreement with the North Shore Community Centre Inc. to use part of the land described as part of Lot 102 on SP154822 with the agreement expiring on 7 September 2017.

The centre is regularly used with 22 different user groups utilising the facility 7 days of the week (primarily on Monday to Friday).

The proposed locations of the cameras are noted by the red dots in the plan below.



Background

The *Public Space Closed Circuit Television (CCTV) Policy 2014* was developed in response to the Corporate Plan 2014-2019 priority to provide safe and healthy communities, by planning, partnering and supporting the community through a range of community development practices.

During the development of the *Public Space Closed Circuit Television (CCTV) Policy 2014*, it was determined that any organisation with tenure (Licence or Lease) over council property or facility would be considered by the Information Privacy Commissioner's Office as a 'contractor' for council. For this reason, council is responsible to ensure that any installation and management of a closed circuit television system on a council facility (even if funded and operated by the Licensee) complies with the *Information Privacy Act 2009*. To assist legislation and policy compliance, requests to install closed circuit television systems on council owned or council controlled land and/or infrastructure must be assessed using the Closed Circuit Television Assessment Framework outlined in the policy.

Assessment Framework

Following policy adoption, requests for closed circuit television systems in public space are to be assessed by the following framework to ensure a unified, equitable and transparent assessment based on evidence and considering the 'whole of life' costs:

- (1) Determining the appropriateness of the system
 - (i) Define the purpose of closed circuit television
 - (ii) Site assessment
- (2) Key stakeholder consultation / Evidence gathering
- (3) Identify resource requirements and implications including 'whole of life' costs
- (4) Decision and notification
- (5) Implementation.

Assessment

Details of the assessment is provided below:

- (1) Determining the appropriateness of the system
 - (i) Purpose

The applicant has advised the purpose of the closed circuit television system is to discourage and detect unlawful behaviour in and around the facility and for access control.

The applicants' purpose for installing and managing a closed circuit television system aligns with council policy as follows:

The purpose of installing and managing a closed circuit television surveillance system is to assist:

- the investigation and/or prosecution of civil and criminal offences in relation to the security of council's facilities and assets
- improving public confidence in the safety and security of public spaces.

(ii) Site assessment

Council officers undertook a safety audit of the facility in October 2014 to investigate ongoing reports of vandalism and security concerns at the facility. Over the past 4 years, there have been 19 reported and documented incidents causing damage to the facility ranging from minor damage to gates to smashed windows.

Officers provided advice and guidance to the Management Committee to aid in the reduction of these offences. It was determined that due to varying factors, including facility location and design, the Centre may be prone to anti-social and criminal activity and would benefit from the installation of mechanical surveillance such as closed circuit television.

The applicant has sought professional operational and design advice from the Queensland Police and an authorised security company.

(2) Stakeholder consultation / evidence gathering

Consultation has been undertaken by the applicant and council as outlined in the Consultation section of this report.

In addition, the applicant has consulted with facility users and has advised there is support for the application.

The Queensland Police Service, through the Coolumbia Police Station, has provided council with comment detailing support for the installation of a closed circuit television system at the facility.

Consultation has been undertaken with council's Property Management Branch, who have provided 'in principle' Lessor's consent for the 'minor' works to the facility and have endorsed the closed circuit television systems as they meet council's procurement, standardisation and maintenance recommendations.

(3) Resource requirements

As per council's *Public Space Closed Circuit Television (CCTV) Policy 2014*, organisations that occupy council owned or council controlled land and/or infrastructure are solely responsible for the costs of installing, maintaining, repairing and replacing all closed circuit television cameras/systems within their tenure area.

There are no additional infrastructure or environmental works required to ensure successful system installation and operation.

The North Shore Community Centre Incorporation have engaged experienced, qualified security providers to assist in the closed circuit television system development and quotation, with the intent to engage that contractor for system installation and maintenance. The nominated security providers currently provide services to council and has an in-depth knowledge of council's public space closed circuit television systems and operational procedures.

As such, there are no immediate and long term installation and ongoing operational costs to council.

Findings from this assessment support the North Shore Community Centre Incorporation's application for the installation of a closed circuit television system at the North Shore Community Centre for the following reasons:

- The primary purpose of the proposed system aligns with council policy
- There is evidence to support the need for a closed circuit television system at the facility
- The proposal has support from facility users and the Queensland Police Service and
- There are no immediate and long term costs to Council.

Legal

During the development of the *Public Space Closed Circuit Television (CCTV) Policy 2014*, it was determined that any organisation with tenure (Licence or Lease) over council property or facility would be considered by the Information Privacy Commissioner's Office as a 'contractor' for council. For this reason, council is responsible to ensure that any installation and management of a closed circuit television system on a council facility (even if funded and operated by the Licensee) complies with the *Information Privacy Act 2009*. To aid with compliance, closed circuit television system footage will only be accessed by authorised persons as determined by council.

Policy

The *Public Space Closed Circuit Television (CCTV) Policy 2014* outlines the principles which guide council's decisions in the establishment and management of closed circuit television systems in public spaces. This application has been assessed against this policy.

To ensure compliance with the *Information Privacy Act 2009*, council's *Public Space Closed Circuit Television (CCTV) Policy 2014* states "Requests from Organisations to install CCTV cameras/systems on council owned or council controlled land and/or infrastructure will be assessed using the CCTV Assessment Framework outlined in the CCTV Policy."

Risk

With regard to risk to property, there is a risk of further vandalism and damage to council assets without the installation of a closed circuit television system at the facility.

During the development of the *Public Space Closed Circuit Television (CCTV) Policy 2014*, it was determined that any organisation with tenure (Licence or Lease) over council property or facility would be considered by the Information Privacy Commissioner's Office as a 'contractor' for council. For this reason, council is responsible to ensure that any installation and management of a closed circuit television system on a council facility (even if funded and operated by the Licensee) complies with the *Information Privacy Act 2009*.

If approved by council, the applicant is to enter into a formal Agreement with council detailing roles and responsibilities for the installation, operations and management of the closed circuit television system. Council officers will continue to work with the applicant to ensure system installation and operations comply with councils *Public Space Closed Circuit Television (CCTV) Policy 2014* and the *Information Privacy Act 2009*.

Previous Council Resolution

Ordinary Meeting 11 December 2014 (OM14/176)

That Council:

- (a) *receive and note the report titled "Community Safety Policy/Closed Circuit Television Policy"*
- (b) *adopt the Community Safety Strategic Policy (Appendix A)*
- (c) *adopt the Public Space Closed Circuit Television Strategic Policy (Appendix B) and*
- (d) *refer appropriate Closed Circuit Television capital and operational funding to future annual Council budgets for consideration to ensure all systems are "fit for purpose"*

Related Documentation

- Sunshine Coast Corporate Plan 2014-2019
- Sunshine Coast Social Strategy 2015
- Sunshine Coast Community Safety Policy 2014
- Sunshine Coast Public Space Closed Circuit Television (CCTV) Policy 2014
- Sunshine Coast Community Safety Action Plan 2016-2020
- Community Groups Occupying Council Owned or Council Controlled Land and/or Infrastructure Policy 2014
- Licence Agreement between the Sunshine Coast Regional Council and the North Shore Community Centre Inc. dated 16 February 2016.

Critical Dates

There are no critical dates relevant to this report.

Implementation

If approved by council, the application will proceed to Property Management Branch for Lessor's consent for 'minor' works.

Council Officers will advise the applicant of council's decision and enter into an agreement with the Centre for the installation, operation and ongoing maintenance of the proposed closed circuit television system.

The agreement will detail the applicant's financial and legislative compliance responsibilities, with a condition to submit to council Standard Operating Procedures within 60 days of the installation of the system.

Council officers will continue to work with the applicant to ensure system installation and operations comply with councils *Public Space Closed Circuit Television (CCTV) Policy 2014* and the *Information Privacy Act 2009*.

**8.4.4 COMMUNITY PARTNERSHIP FUNDING PROGRAM
RECOMMENDATIONS 2016**

File No: Statutory Meetings
Author: Team Leader Community Connections
Community Services Department

To be provided

8.4.5 2015/2016 REGIONAL ARTS DEVELOPMENT FUND JUNE 2016 RECOMMENDATIONS

File No:	Council Statutory Meeting - 18 August 2016
Author:	Team Leader Cultural Programs Community Services Department
Appendices:	App A - RADF Recommendations June 2016.....353
Attachments:	Att 1 - RADF funding comparisons.....355 Att 2 - RADF Recommendations additional information (<i>Under Separate Cover</i>) – <i>Confidential</i>.....<i>Conf Pg 5</i>

PURPOSE

This report seeks Council consideration and endorsement of funding recommendations for the June 2016 funding period of the 2015/16 Regional Arts Development Fund program.

EXECUTIVE SUMMARY

The Regional Arts Development Fund (RADF) program supports cultural activity through the professional development and employment of arts and cultural workers in regional Queensland.

RADF is a partnership between the State Government (through Arts Queensland) and Council. The program is jointly funded on a 40:60 basis by Arts Queensland and Council respectively. Each year local councils bid for partnership funding with a written agreement outlining the process of expenditure of the funds.

The 2015/16 RADF program included five funding categories for application by individuals and groups including:

- individual funding
- mentorships
- concept development
- major projects
- seed funding (up to 3 years)

Applications are submitted following an Expression of Interest (EOI) process. The program is open for applications all year round with assessment taking place in four funding periods annually.

This report concerns the fourth assessment period for the 2015/16 RADF program which included applications received until 1 June 2016.

The RADF Committee assesses funding applications for recommendation to Council. The committee is made up of eight independent, external professional and arts industry representatives, is resourced and supported by a Council officer, and is chaired by the Portfolio Councillor for Transport, the Arts and Heritage.

A total of 24 applications were received for this June round requesting \$131,738. The RADF committee determined funding outcomes based on Arts Queensland RADF Guidelines, assessment criteria and according to merit, benefit, skill and capacity demonstrated in each application.

The RADF committee recommends 17 applications for funding, totalling \$50,078 for Council's consideration and endorsement (Appendix A).

Due to the timing of the fourth RADF round and the council meeting timelines, and in consultation with the Finance Department, the unspent 2015/16 RADF grant funds required for this round have been identified for carryover into the 2016/17 financial year.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “2015/2016 Regional Arts Development Fund June 2016 Recommendations” and
- (b) endorse the Regional Arts Development Funding Recommendations June 2016 (Appendix A).

FINANCE AND RESOURCING

The Regional Arts Development Fund (RADF) budget is jointly funded by the Queensland Government (Arts Queensland) with a 40 percent contribution of \$107,232 and Council with a 60 percent contribution of \$160,848. This provision for RADF was adopted in the 2015/16 budget process by Council.

The 2015/16 RADF funding program includes four funding periods at the end of which the applications received during that period are assessed. These periods end:

- 21 September 2015
- 1 December 2015
- 1 March 2016
- 1 June 2016

This report concerns the fourth assessment period of 2015/16, which ended 1 June 2016.

This report recommends funding of 17 out of the 24 applications received, totalling \$50,078. There are sufficient funds in the adopted 2015/16 budget to cover the recommendations in this report.

Below is a summary of recommendations for the June 2016 RADF funding period.

Applications received	Funding requested	Applications recommended	Funding recommended	% Applications recommended
24	\$131,738	17	\$50,078	71%

In the September 2015 funding period, two of the successful applicants were allocated multi-year funding through RADF’s Seed Funding category. This category provides up to \$10,000 in the first year, \$5,000 in the second year and \$2,500 in the third year, therefore there are ongoing budget implications for these two recommendations.

There were no multi-year applications received in the June funding period.

Budget commitments for the 2015/16 RADF program are summarised in the table below.

Budget Implications	2015/16	2016/17	2017/18
RADF September 2015	\$42,130	\$10,000	\$5,000
RADF December 2015	\$53,450	\$0	\$0
RADF March 2016	\$62,395	\$0	\$0
RADF June 2016	\$50,078	\$0	\$0

Due to the timing of the fourth RADF round and the council meeting timelines, and in consultation with the Finance Department, the 2015/16 RADF grant funds required for this round have been identified for carryover into the 2016/17 financial year.

CORPORATE PLAN

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

CONSULTATION

Portfolio Councillor Consultation

- Cr Baberowski - Portfolio Councillor for Transport, the Arts and Heritage

Internal Consultation

Internal consultation was undertaken with:

- Team Leader Cultural Programs, Community Services
- RADF Liaison Officer, Community Connections, Community Services
- Team Leader Community Connections, Community Services
- Management Accountant, Finance.

External Consultation

Applications are submitted following a flexible and efficient EOI process. This process is designed to save time for potential applicants, allowing those applicants with limited opportunity for a successful funding outcome to be aware of this prior to completing a full application. It also provides an opportunity for applicants to receive advice and support in the development of their projects.

To achieve this, Council's RADF Liaison Officer provided applicants with assistance for project development, preparation of application content and guidance throughout the application process.

External consultation was also undertaken with the RADF Committee, which consists of eight independent community members, who have been nominated and selected to provide expert advice and recommendations to Council officers on matters related to RADF.

The vibrant and diverse membership of the committee includes representatives from two major Chamber of Commerce associations and sector representatives from industries such as Music, Visual Arts, Law and Community and Cultural Development.

Community Engagement

A wide-ranging community engagement program was undertaken as part of the RADF review process conducted between December 2014 and April 2015. However, no general community engagement was required to inform this report.

PROPOSAL

The Regional Arts Development Fund (RADF) supports cultural activity through the professional development and employment of arts and cultural workers in regional Queensland.

RADF is a partnership between State Government, through Arts Queensland, and Council, and is jointly funded on a 40:60 basis by the State Government (Arts Queensland) and Council respectively. Each year local councils bid for partnership funding and a written agreement outlines the process for expenditure of the funds.

The RADF program includes categories of funding available for individuals and groups as outlined in the table below.

RADF Funding Category	Description
Major projects	Amounts up to \$10,000 for projects that benefit creativity in the local region
Seed funding	Seed funding of \$10,000 in the first year, \$5,000 in the second year, \$2,500 the third year for projects that benefit creativity in the local region and have a strong prospect of commercial success in the long term
Individual funding	Funding to attend, present or showcase at professional development seminars, conferences, activities or appropriate arts events. Up to \$750 within Australia or \$1,500 international
Concept development	To develop arts research ideas and project proposals to the implementation stage. Funding up to \$5,000
Mentorships	To engage professional artists or creative workers to mentor emerging artists. Funding up to \$5,000

Applications are submitted following a flexible and efficient EOI process. This process is designed to save time for potential applicants, allowing those applicants with little or no chance of a successful funding outcome to be aware of this prior to completing a full application. It also provides an opportunity for applicants to receive advice and support in the development of their projects and grant applications.

The program is open for applications all year round and assessment takes place over four funding periods annually. These periods end:

- 21 September 2015
- 1 December 2015
- 1 March 2016
- 1 June 2016

This report covers the fourth and final assessment period for 2015/16, assessed by the RADF Committee in June 2016.

Council's external RADF Committee assesses funding applications for recommendation to Council. The committee is made up of eight independent, external professional and arts industry representatives, is resourced and supported by a Council officer, and is chaired by the Portfolio Councillor for Transport, the Arts and Heritage.

Promotion and Support

Promotion of the RADF program included:

- Advertising in local community newspapers, media releases
- Emails to previous RADF applicants
- Region-wide RADF information sessions in February 2016 with presentations conducted by Grants officers in Beerwah, Buderim, Eumundi, Caloundra and Kawana.

All relevant information was also posted on Council's website, Facebook and Twitter, featured in Councillor Columns, spotlight print and radio, gallery e-news, library e-news and Council's messages on hold.

Staff attended face to face development meetings with applicants and responded to numerous telephone enquiries and emails.

This most recent marketing of the Regional Arts Development Fund (RADF) program complements the ongoing campaign. Since 1 July 2015 the following RADF promotions have been undertaken:

- media releases distributed across the region to announce the launch of the new program
- RADF promotional postcards distributed regionally
- Information distribution via all internal Council communication tools including Spotlight, Councillor Columns, website, News Site
- information distributed via a range of email databases included Sunshine Coast Library Service (77,000), Community Connections (8000), Regional Gallery (8000), Scene (Sunshine Coast Events Network) (800) and Sunshine Coast Creative Alliance (500)

Applications

A total of 24 applications were received during the June round, requesting a total of \$131,738 in funding. There were also two EOIs received, which did not proceed to full application.

Assessment

Council officers pre-assessed each application to determine eligibility.

The RADF Committee read each application prior to meeting to discuss applications, determine outcomes and allocate funds to successful applicants. The assessment meeting was attended by the RADF Committee and Council's RADF administrators. The meeting was chaired by Portfolio Councillor. The Portfolio Councillor did not participate in the deliberations or the recommendations.

In accordance with the RADF process, any declaration of a committee member's conflict of interest must be recorded and that committee member must not be involved in the related deliberations. There was one conflict of interest declared in this funding period, and the above process was followed.

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

- project supports locally determined arts and cultural priorities
- project supports local artists and arts and cultural activity
- provides opportunities for local communities to participate in arts and cultural activities
- supports artists to develop and practice their creative endeavours
- engages local communities
- builds the capacity of local artists
- builds existing partnerships and develops new partnerships and
- supports individual professional development opportunities.

Recommendations

A total of 17 applications are recommended for funding totalling \$50,078.

The recommended projects are diverse, of a high quality and will involve the employment of a broad range of artists and arts workers engaged in the valuable arts and cultural industry across the Sunshine Coast Local Government Area.

The total value of the funded projects is \$372,119. This investment represents more than \$7 return on every dollar contributed by Council and the State Government in this grant round.

Below is a summary of recommendations for the June 2016 RADF funding period.

Applications received	Funding requested	Applications recommended	Funding recommended	% Applications recommended
24	\$131,738	17	\$50,078	71%

A list of the number of applications that were received and the number of applications that were successful, by RADF funding category, are provided in the table below.

RADF Funding Category	Number of applications	Number of successful applications
Project funding	15	11
Seed funding	0	0
Individual funding	4	3
Concept development	2	0
Mentorships	3	3

Details of recommended funding outcomes are provided in Appendix A.

Attachment 1 provides details funding recommended in this funding period and the two previous funding rounds. Confidential Attachment 2 provides additional information relating to the assessment of applications and is provided to Council in confidence under Section 275 (h) of the *Local Government Act 2009*.

Legal

There are no legal implications relevant to this report.

Policy

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

Risk

Risk of legal liability is mitigated by having the successful funding applicants enter into agreements, which clearly set out the relationship between the parties and obligates them to hold levels of insurance and reporting requirements relevant to the funding agreement.

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

Related documentation includes individual funding agreements with successful recipients.

Relevant policy and strategy documents include:

- *Local Government Regulation (2012)*
- *Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*
- Sunshine Coast Council Regional Arts Development Fund Guidelines (2015)
- Sunshine Coast Social Strategy (2015)
- Cultural Development Policy (2012)
- Public Art Policy (2011)
- Community Events and Celebrations Strategy (2010).

Critical Dates

The next RADF assessment period will take place in September 2016.

Implementation

Following endorsement of this report, notification of outcomes will take place.

Funding will be distributed throughout August 2016 and September 2016, following receipt of invoice and signed conditions of agreement.

8.4.6 CONONDALE MEMORIAL RECREATION PARK DRAFT MASTER PLAN

File No:	180816
Authors:	Sport and Recreation Officer Community Services Department Team Leader Sports Planning and Development Community Services Department
Appendices:	App A - Conondale Memorial Recreation Park Draft Master Plan 2016-2031 (<i>Under Separate Cover</i>) Att Pg 69

PURPOSE

The purpose of this report is to seek council's endorsement of the *Conondale Memorial Recreation Park Draft Master Plan 2016 – 2031* (Appendix A) for the purposes of public notification and consultation.

EXECUTIVE SUMMARY

The purpose of the *Conondale Memorial Recreation Park Draft Master Plan 2016 – 2031* (draft Master Plan) is to provide a long term vision (15 year horizon) for the Conondale Memorial Recreation Park (the Park) consistent with community demand and the needs of clubs/ organisations within this locality and the wider region.

The key recommendations of the draft Master Plan include:

- the retention of the Sunshine Coast Motorcycle Club as a tenant of the site
- enhanced recreational opportunities (i.e. access, shelter, seating etc.) adjacent to Elaman Creek to support passive community use
- improved community access to the Park and creek area
- improved road access to the site
- inclusion of signage to acknowledge the site's historical significance and
- improved wayfinding throughout the site.

The intent of the draft Master Plan is to inform the future development of the Park over a period of up to 15 years to ensure community use and long term viability are maximised.

Through the process of developing the draft Master Plan, consideration has been given to on-site constraints and opportunities, policy positions and recommendations within key council plans or strategies, community needs, population projections and emerging sport and recreation trends and issues.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled "Conondale Memorial Recreation Park Draft Master Plan 2016-2031" and**
- endorse the "Conondale Memorial Recreation Park Draft Master Plan 2016 – 2031" (Appendix A) for public exhibition and comment.**

FINANCE AND RESOURCING

It is acknowledged that the cost of implementing the recommendations of the draft Master Plan will be beyond the capacity of council to fund in its own right. The adoption of the draft Master Plan provides relevant stakeholders, community groups and council and with strategic direction to implement improvements in a clear and focused way, and provides a foundation for grant applications and facility planning.

The indicative-only capital cost of short, medium and long term recommendations within the draft Master Plan is as follows:

Short term (within next 5 years)	\$1,520,080
Medium term (6 – 10 years)	\$176,000
Long term (11 – 15 years)	\$85,800
Total	\$1,782,160

Project funding was allocated in council's capital program for the development of the *Conondale Memorial Recreation Park Draft Master Plan 2016 - 2031*. Future allocations towards the implementation of the draft Master Plan will be considered through Council's 10 year Capital Works Program.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 2.1 - Safe and healthy communities

Operational Activity: 2.1.3.3 - Progress open space network planning including planning for recreational activities and options for difficult to locate sports

CONSULTATION

Portfolio Councillor Consultation

- Councillor McKay - Division 5 Councillor
- Councillor O'Pray - Portfolio Councillor for Tourism, Events and Sport
- Councillor Rogerson - Councillor Assisting on Tourism, Events and Sport

Internal Consultation

Significant internal consultation has occurred throughout the development of the Conondale Memorial Recreation Park Draft Master Plan with the following internal stakeholders:

- Community Facilities & Planning
- Legal Services
- Property Management
- Environment Operations
- Parks and Gardens
- Environment and Sustainability Policy and
- Transport Infrastructure Management

External Consultation

Consultation has occurred with the following list of stakeholders throughout the development of the draft Master Plan:

- The Honourable Andrew Powell MP
- Department of Transport and Main Roads (DTMR)
- Department of Natural Resources and Mines (DNRM)
- Sunshine Coast Motorcycle Club Incorporated
- Motorcycling Queensland
- Conondale State School and Parents and Citizens' Association
- Conondale Hall Committee Incorporated

- Mary River Catchment Coordinating Committee
- Barung Landcare
- Conondale Bush Racing Association
- Conondale Rural Fire Brigade
- Conondale Valley Association
- Conondale Pool Committee
- Maleny Trail Riders Incorporated
- Kenilworth First Response Incorporated
- Crystal Waters community representatives
- Past Conondale Memorial Recreation Park trustees and
- Conondale community members, including the adjacent property owners of the Park

Community Engagement

In order to capture broader community views and to allow the Conondale community opportunities to learn more about the intent of the master planning process, the following community engagement exercises have been undertaken:

- Community survey
- Letterbox mail out to over 650 local residents and businesses promoting the Master Plan and community survey opportunity
- 19 individual meetings with stakeholders and community members and
- Public review and feedback session ('Meet in the Park').

In addition to the feedback gained at the 'Meet in the Park' session, 27 people responded formally to the initial community survey. Common themes of the community survey and meetings undertaken to date include:

- strong support for increased community use for events
- community seeking access to the site, including creek areas for passive recreation use outside of event times
- the intensity of use at the Park for motorcycle activities and events should not increase
- improved traffic, access and car parking arrangements
- protection of environmental areas, including existing natural areas such as the Upper Mary River South catchment
- broad community support for the retention of the Sunshine Coast Motorcycle Club as a user of the site
- no one group should be responsible for the management of and access to the entire site
- the Park should be recognised as a war memorial and
- a small number of the community focussed on the return of a community trusteeship.

As the project progressed and preliminary plans were prepared, stakeholder and community group input was sought with initial plans and findings presented. Following this review period, plans were refined and consolidated into the *Conondale Memorial Recreation Park Draft Master Plan 2016 – 2031* as presented.

A further review and feedback session on the draft Master Plan is to be held at the Conondale Memorial Recreation Park on 17 September 2016 pending endorsement of the draft Master Plan.

PROPOSAL

The Conondale Memorial Recreation Park is located at 1156 Maleny-Kenilworth Road, Elaman Creek, approximately 4.8km from the Conondale township. The Park is a multi-purpose recreation site that supports a range of community and sporting activities. The local Conondale community have expressed a strong connection to the Park dating back to its gazettal in May 1928.

The Park was formerly held in trust by the Conondale Memorial Sports and Recreation Reserve Incorporated. On 2 September 2014, in accordance with section 51 of the *Land Act 1994*, the State Minister of the time made a decision to remove the former trustees of the site.

On 4 December 2014, the Department of Natural Resources and Mines (DNRM) sent formal correspondence to Sunshine Coast Council requesting council consider accepting trusteeship of the Park. On 18 December 2014, council officers accepted trusteeship of the Park under delegation.

Trustee lease number 706496389 remains registered on part of the land to the Sunshine Coast Motorcycle Club Incorporated (SCMC) until 24 February 2020. The Trustee lease allows the SCMC to hold a maximum of 12 motocross events per annum in order to preserve the amenity of the Park. From a strategic planning perspective, council notes and supports the value of the Park as a state level facility for motocross, trail bike riding, trials and enduro disciplines. The remaining parcel of the Park remains unencumbered as open space for broad community use.

At Council's Ordinary Meeting held 10 December 2015, council affirmed acceptance of trusteeship of the Conondale Memorial Recreation Park and allocated an amount of \$100,000 to enable the preparation of a master plan for the site. Otium Planning were subsequently engaged to undertake a master plan giving consideration to community, sport and recreation uses of the Park for local residents and the wider community.

The purpose of the Conondale Memorial Recreation Draft Master Plan (the Plan) is to determine:

- how the site will contribute long term (over a 15 year horizon) to sporting and community provision for the Conondale locality and wider region
- priority facility requirements based on current and future sporting and community needs (over a 15 year horizon) in terms of active participants, spectators and administrators
- appropriate Environmental Management Planning and actions including an ecological assessment of the environmental values of the site including flora, fauna and water, and
- the most appropriate levels and usage for the site and future requirements for facilities and infrastructure (over a 15 year horizon) consistent with community demand, the needs of clubs/ organisations within the surrounding area and the wider region.

The draft Master Plan considers:

- functionality, configuration, usage and capacity of the site
- current character of the landscape
- needs across various sports and recreation uses, including current and future tenants
- emerging trends and issues
- priorities, levels of service and resources
- catchment area and population demographic demands (present and future)
- events held at the site
- car parking and traffic movement/ management requirements
- community expectations and needs
- the current and known future realities of the economic, social, environmental and legislative context
- alignment with relevant council plans, policies and guidelines
- relevant planning constraints and opportunities, including environmental, flood immunity, land zonings, development approval requirements, proposed infrastructure improvements, surrounding site etc.
- other regional, district and local level facilities within the region and surrounding areas, and
- other users on surrounding land parcels.

The development of the draft Master Plan has involved an extensive review process to ensure alignment with community needs, population projections, statutory policies and regulations, whilst also recognising Council's key strategy positions.

Key recommendations of the draft Master Plan include:

- The retention of the Sunshine Coast Motorcycle Club as a tenant of the site
- Enhanced recreational opportunities (i.e. access, shelter, seating etc.) adjacent to Elaman Creek to support passive community use
- Improved community access to the Park and creek
- Improved road access to the site
- Inclusion of signage to acknowledge the site's historical significance, and
- Improved wayfinding throughout the site.

Legal

Proposed site upgrades and any new boundary alignments will need to be considered in line with current and future tenure agreements.

Policy

The *Sunshine Coast Open Space Strategy 2011* and the *Sunshine Coast Sport and Active Recreation Plan 2011-2026* form council's policy position on sport and active recreation for the region. Both documents have been reviewed and used to guide the recommendations of the draft Master Plan.

Sunshine Coast Open Space Strategy 2011

The Open Space Strategy supports the protection and acquisition of the Conondale Memorial Recreation Park as a State level facility for specific purpose sports, including motocross.

The Open Space Strategy also provides the following open space category definition for the Park:

- Type: Sport and recreation
- Category: Specific purpose sports.
- Definition: Council controlled or managed open space that provides for specific sports that have highly specialised requirements or are difficult to locate. Includes: golf courses, bowls clubs, water ski parks, motorsports facilities.

Sunshine Coast Sport and Active Recreation Plan 2011 - 2026

The adoption of the *Sunshine Coast Sport and Active Recreation Plan 2011-2026* provides recommendations including:

- Undertake a master plan for the Conondale Memorial Sport and Recreation Reserve (Green Park), Conondale.
- Progressively implement the Conondale Memorial Sport and Recreation Reserve Master Plan.
- Progressively implement the recommendations of the Difficult to Locate Sports Study 2009-2028 relevant to Locality 38 (Reeseville-Conondale-Kenilworth):
 - protect the existing use of Green Park as a Motorcycle (off road) Precinct through the Sunshine Coast Planning Scheme 2014.

Risk

- Failure to adequately plan for the Park's current and future uses will likely result in ongoing community disharmony.
- Failure to maintain an adequate level of service for sport and active recreation facilities may result in increased future costs and lead to community dissatisfaction.

- Master planning reduces the risk of ad-hoc development, which may be to the detriment of future service provision and uses.
- The raising of community expectations without adequate funding options available to implement recommendations could result in community dissatisfaction.

Previous Council Resolution

Open Space Strategy – Special Meeting 7 March, 2011

That Council:

- receive and note the report titled “Sunshine Coast Open Space Strategy 2011”*
- adopt the Sunshine Coast Open Space Strategy 2011 (Appendix A) to guide Council and the community in future open space planning, management and decision making, subject to consideration in annual budget processes*
- request the Chief Executive Officer to develop a detailed implementation and staging plan based on Councils’ long term financial model and other revenue sources, for future consideration by Council and*
- thank the 47 submitters for their contribution to the preparation of the Sunshine Coast Open Space Strategy 2011.*

Sport and Active Recreation Plan – Ordinary Meeting 16 June 2016

That Council:

- receive and note the report titled “Conondale Memorial Recreation Park Draft Master Plan” and*
- endorse the 2016 edition of the Sunshine Coast Sport and Active Recreation Plan 2011 – 2026 (Appendix A).*

Difficult to Locate Sports Study 2009-2028 – Special Meeting 29 October 2009

That Council:

- receive and note the report titled “Difficult-to-Locate Sports Study 2009-2028”*
- adopt the Draft Sunshine Coast Difficult-to-Locate Sports Study 2009-2028 (Appendix A as amended) as a working draft, noting that further work is required to identify feasibility and viability of meeting Difficult-to-Locate Sports needs not currently being provided for and*
- request the Chief Executive Officer to prepare an appropriate implementation plan for Council's consideration taking into account the objectives of the corporate plan and Council's ability to fund or obtain funding for a number of the actions contained in the working draft.*

Conondale Memorial Sports and Recreation Reserve – Ordinary Meeting 10 December 2015

That Council:

- receive and note the report titled "Conondale Memorial Recreation Park Draft Master Plan"*
- affirm its acceptance of Trusteeship of the Conondale Memorial Sports and Recreation Reserve*
- request the Chief Executive Officer prepare a Master Plan for the Conondale Memorial Sports and Recreation Reserve*
- request the Chief Executive Officer prepare the above Master Plan with a key principle of ensuring continued adherence with Council policy, namely the Difficult to Locate Sports Study 2009-2028, the Open Space Strategy 2011 and the Sunshine Coast Sport and Active Recreation Plan 2011-2026, all of which articulate the protection of the existing reserve as a Motorcycle (off road) Precinct*
- request the Chief Executive Officer prepare the above Master Plan with a key principle of ensuring continued and appropriate access for the community to the Reserve*

- (f) refer an amount of \$100,000 to Council's Budget Review 2 process to enable the preparation of a Master Plan for the Conondale Memorial Sports and Recreation Reserve
- (g) endorse a comprehensive stakeholder and community engagement program, inclusive of all parties and individuals who have expressed an interest in the future management of the Reserve, or who do so in the immediate future and
- (h) until such time that the above master planning activity has been completed and presented to Council for consideration, continue management of activities at the Reserve as per the status quo, with access to the Council Reserve to be in accordance with Council's local laws and event permit system, and the leased area managed in accordance with the lease currently held by the Sunshine Coast Motorcycle Club.

Related Documentation

- Land Act 1994
- Sunshine Coast Council Planning Scheme 2014
- Sunshine Coast Corporate Plan 2014-2019
- Sunshine Coast Open Space Strategy 2011
- Sunshine Coast Sport and Active Recreation Plan 2011-2026
- Sunshine Coast Social Infrastructure Strategy 2011
- Sunshine Coast Biodiversity Strategy 2010-2020
- Sunshine Coast Waterways and Coastal Management Strategy 2011-2021.

Critical Dates

DTMR have advised they are seeking a commitment from council to master plan the site, incorporating an access that is designed to the appropriate standards. DTMR have noted that the interim traffic management plan for use at the Park will not be accepted in the longer term.

With this commitment, DTMR have advised they will continue to accept the interim traffic management plans for access to the Park by the Sunshine Coast Motorcycle Club Incorporated and others in the shorter term.

The existing Sunshine Coast Motorcycle Club Incorporated lease over a portion of the Park remains valid until 24 February 2020.

Implementation

Public review and feedback will occur after endorsement of the draft Master Plan at Council's Ordinary Meeting. As per the Community Engagement Plan, the *Conondale Memorial Recreation Park Draft Master Plan 2016 – 2031* will be made available for public exhibition and comment for a period of 21 business days which will include a number of consultation methods including:

- media Release
- Council's webpage
- feedback forms (available on website or in hard copy)
- A community engagement session conducted at the Park on 17 September 2016 (pending endorsement of the Draft Master Plan), to be attended by council officers, the consultant and local Councillor and
- continued engagement with targeted stakeholders and sport and community groups.

Outside of the community engagement activities identified above, council officers will also engage relevant state agencies to obtain feedback on the draft Master Plan.

Feedback received by council within the specified consultation period, will be collated, reviewed and provided to relevant stakeholders for consideration prior to the development of the final Master Plan which be presented to Council for consideration and endorsement.

8.5 INFRASTRUCTURE SERVICES**8.5.1 ENVIRONMENT LEVY PARTNERSHIPS FUNDING PROGRAM
RECOMMENDATIONS 2016/2017**

File No:	Environmental Management
Author:	Coordinator Community Catchment Partnerships Infrastructure Services Department
Appendices:	App A - Environment Levy Partnerships Recommendations 2016 371

PURPOSE

The purpose of this report is for council to consider and endorse funding recommendations for the 2016 Environment Levy Partnership Funding Program.

EXECUTIVE SUMMARY

The Environment Levy Partnerships Funding Program allows council to better engage and work with the community to build effective partnerships to assist in the delivery of council's environmental strategies, including the Biodiversity Strategy 2010-2020 and Waterways Strategy 2011-2021.

The program funds operational expenses for incorporated community organisations for up to three years. The three year funding cycle is intended to create an environment of funding certainty and the opportunity for community organisations to engage in longer term planning and capacity building.

With a view to ensuring value for money from ratepayer investment, council officers work with successful partner organisations to develop strong relationships to build capacity towards good governance and sustainable practices. Interaction with successful community organisations will include monitoring partnership agreements, capturing return on investment and performance metrics as well as ensuring reporting requirements are met.

In this funding application round two applications were received. One application (Maleny District Green Hills Fund) was for \$8,450 for one year's duration. The other application (Hinterland Bushlinks Inc.) was for \$56,200 per annum for three years duration. These two organisations received Environment Levy Partnership funding in 2015/2016 for one year.

The assessment panel is recommending funding for both applications to an amount of \$45,450 with both organisations to receive funding for one year only. The purpose of recommending funding for only one year is to bring these two community organisations into alignment with the existing 17 community organisations whose three year partnership funding finishes in 2017. Appendix A outlines the recommended approvals, and notes for council's information the third and final year funding for the seventeen organisations who were previously awarded three year Environment Levy Partnerships funding in 2014, and the second year funding for the three organisations who were previously awarded a three year Environment Levy Partnerships funding in 2015.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Environment Levy Partnerships Funding Program Recommendations 2016/2017”
- (b) endorse the one year Environment Levy Partnership Funding recommendations (Appendix A) and
- (c) note the ongoing previously endorsed commitment to the organisations (Appendix A).

FINANCE AND RESOURCING

The Environment Levy Partnerships (ELP) Program is funded from council’s Environment Levy.

The 2016/2017 Environment Levy budget has allocated \$600,000 to ELP. This allocation will fund the proposed two new partnerships (\$45,450) for one year, year two of the three (three year) partnerships endorsed in 2015 (\$64,850), and the final year of the seventeen (three year) partnerships which were endorsed in 2014 (\$443,888).

The Environment Levy and associated policy is reviewed annually by council. The development of the program includes annual revisions based on priorities and emerging needs and available funding. The annual program is presented to council for consideration and adoption during annual budget preparations.

Recipients recommended for multiple-year Environment Levy Partnership funding receive their annual payments contingent on the satisfactory completion of a yearly progress report and subject to the adoption of council’s annual Environment Levy budget.

CORPORATE PLAN

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

CONSULTATION

Internal Consultation

Stage one assessment (pre-assessment of applicant and proposal) was undertaken by Community Services staff.

Stage two assessment, discussions with applicant community organisations, was undertaken by Community Catchment Partnerships staff within Environmental Operations.

The panel for stage three assessment comprised the following council staff:

- Team Leader (Grants), Community Connections, Community Services (Chair).
- Senior Conservation Partnerships Officer, Community Catchment Partnerships, Infrastructure Services.
- Coordinator, Community Catchment Partnerships, Infrastructure Services.
- Biodiversity Project Officer, Biodiversity & Waterways, Planning and Environment.
- Senior Biodiversity Project Officer, Biodiversity & Waterways, Planning and Environment.

- Conservation Partnerships Officer, Community Catchment Partnerships, Infrastructure Services
- Senior Project Officer (Grants), Community Connections, Community Services
- Admin Support Officer, Community Connections, Community Services

External Consultation

External consultation is not applicable to the Environment Levy Partnerships Funding Program.

Community Engagement

Council staff from Community Catchment Partnerships (Infrastructure Services) and Community Connections (Community Services) liaised with community organisations across the region, providing assistance with proposal development, preparation of the application content and the application process. A further level of liaison was undertaken by staff from Community Catchment Partnerships following receipt of Expressions of Interest submissions for the Environment Levy Partnerships.

PROPOSAL

Sunshine Coast Council has a strong history of partnering with the community through a range of operational and Environment Levy funded programs to achieve the environmental goals set out in its Corporate Plan and major strategies. The environmental benefits of community-based organisations extend beyond the quantifiable on-ground benefits. The Environment Levy Partnerships program also serves as a valuable mechanism for social capital development, strengthening community organisations and building community capacity to achieve functional and aspirational objectives.

The Environment Levy Partnerships program incorporates an initial Expression of Interest (EOI) stage within the application process. This allows council staff and the applicant organisations to develop mutually agreed outcomes that suit the needs and capacities of the applicant organisations and the operational needs and strategic objectives of council. Discussions with potential partners during the EOI period provide council with the opportunity to ensure that all partners are working together to ensure a cost effective landscape approach to the region's environmental management. The establishment of collaborative outcomes and deliverables combined with an understanding of each other's roles ensure that operational activities complement each other without duplication.

Expressions of Interest for the 2016 round of the Environment Levy Partnerships program opened on 3 May 2016 and remained open until 20 May 2016. Meetings with council staff and the representatives from the applicant organisations were undertaken up to the closing of applications on 20 June 2016.

The framework of the program ensures an equitable, accountable and transparent process for the creation of funding partnerships between council and community environmental organisations. It enables distribution and good governance of financial assistance to community groups in accordance with government guidelines and standards.

Council officers manage all elements of the funding program. These are:

- advertising and promoting the program to the community
- applicant support
- assessment of applications
- distribution of funding, and
- reporting on outcomes achieved.

Working relationships between staff within Infrastructure Services, Community Services and Planning and Environment departments are well established to implement all program elements.

To enable council to capture the community benefits of the Environment Levy Partnerships program, all recipient organisations are required to include in their acquittal paperwork the data relating to the number of volunteers, volunteer hours and other quantifiable aspects of the organisation's activities.

Promotion and support

Detailed information about the Environment Levy Partnerships program was posted on council's website and a fact sheet was prepared and distributed through council customer service centres and libraries. Promotional advertisements were also placed in local newspapers.

Community Catchment Partnerships officers also promoted the funding round directly to those organisations which had enquired and indicated an interest in the program and were eligible for funding.

Applications

A total of two applications from two organisations were received, requesting \$64,650 in funding for the 2016/17 financial year.

Assessment

Both general and environment specific criteria were endorsed by council at the 22 May 2014 Ordinary Meeting. Assessment of applications followed the criteria outlined in the Environment Levy Partnerships and Grants Program Guidelines.

Legal

Successful applicants will be required to fulfil their Conditions of Agreement that outlines the relationship between parties and obligates them to be incorporated bodies with adequate risk management plans, appropriate level of insurance, training reporting and financial controls.

Policy

The recommendations are in accordance with the Local Government Finance Standards, the adopted Community Grants Policy, Environment Levy Policy 2014 and the Environment Levy Partnerships and Grants Program Guidelines 2014.

Risk

The identified risk to council is that the organisation receiving partnership funding will not spend grant funds on the agreed activities. To address this, as part of the partnership funding application process, each organisation meets with the Senior Conservation Partnerships Officer during the expression of interest phase and both parties identify agreed outcomes for the funding year. During the annual acquittal process, organisations must provide documentary evidence of how their activities met the agreed outcomes. Metrics such as the number of volunteers, volunteer hours of work performed, events held, attendance at events, on ground outcomes, and an audited financial statement are provided by the organisation and assessed by the Senior Conservation Partnerships Officer before the following year's funding is approved.

Previous Council Resolution

Ordinary Meeting 22 May 2014

Item 8.2.3 Funding Programs For Community Partnerships 2014/15

Council Resolution (OM14/68)

That Council:

- (a) *‘receive and note the report titled “Funding Programs for Community Partnerships 2014/15”*
- (b) *note the revised Community Partnerships Funding Program guidelines (Appendix A) to provide one year 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 opening 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 21 August 2014

Item 8.5.1 Environment Levy Partnerships Funding Program Recommendations 2014/2015

Council Resolution (OM14/121)

That Council:

- (a) *receive and note the report titled “**Environment Levy Partnerships Funding Program recommendations 2014/2015**”*
- (b) *endorse the three year Environment Levy Partnership recommendations as outlined in Appendix A*
- (c) *note the ongoing previously endorsed commitment to organisations listed in Appendix B and*
- (d) *note that performance based agreements with measurable outcomes associated with funding allocations will be applied.*

Ordinary Meeting 11 December 2014

Item 8.1.1 Environment Levy 2013-2014 Annual Report

Council Resolution (OM14/170)

That Council:

- (a) *receive and note the report titled “**Environment Levy 2013-2014 Annual Report**” and*
- (b) *receive and note the Environment Levy 2013-2014 Annual Report (Appendix A) as amended.*

Ordinary Meeting 20 August 2015

Item 8.5.1 Environment Levy Partnerships Funding Program Recommendations 2015/2016

Council Resolution (OM15/138)

That Council:

- (a) *receive and note the report titled “**Environment Levy Partnerships Funding Program Recommendations 2015/2016**”*
- (b) *endorse the one to three year Environment Levy Partnership recommendations (Appendix A)*

- (c) *note the ongoing previously endorsed commitment to organisations listed in Attachment 1 and*
- (d) *note that performance based agreements with measurable outcomes associated with funding allocations will be applied.*

Related Documentation

- Sunshine Coast Corporate Plan 2014-2019
- Sunshine Coast Biodiversity Strategy 2010-2020
- Sunshine Coast Waterways and Coastal Management Strategy 2011-2021
- Sunshine Coast Local Government Area Pest Management Plan 2012-2016
- Community Grants Policy
- Environment Levy Policy 2014, and
- Environment Levy Partnerships and Grants Program Guidelines 2014.

Critical Dates

It is important to distribute funds as soon as possible within the 2016/2017 financial year to enable groups to continue/commence implementation of programs and services

Implementation

Upon council endorsement of this report, successful applicants will be contacted and offered partnership funding for a one (1) year period. Partner community organisations will have a clear and on-going line of communication with council's Environmental Operations and Community Services staff.

Conditions of Agreement will be confirmed, and these will include reporting and acquittal requirements, payment schedule (if applicable) and any conditions to be met prior to funding being awarded.

A list of successful partner organisations in the Environment Levy Partnerships will be posted on council's website.

As well as the provision of funding, council officers will work with successful partner organisations to develop strong relationships to build capacity towards good governance and sustainable practices. Interaction with successful community organisations will include monitoring partnership agreements and ensuring reporting requirements are met.

Funding will be distributed throughout August to September 2016, following receipt of invoices and signed Conditions of Agreement from successful applicants.

Outcomes of these partnerships will be promoted to the broader Sunshine Coast community. It is a condition of the funding agreement that each organisation acknowledge council's support either by way of signage (provided by council for grants over \$5,000) and in any media stories, collateral and on their website.

8.5.2 COASTAL PATHWAY LINEAR OPEN SPACE MASTER PLAN

File No:	24005
Author:	Landscape Architect / Urban Design Infrastructure Services Department
Appendices:	App A - Coastal Pathway Linear Open Space Master Plan Report (Under Separate Cover) Att Pg 137
Attachments:	Att 1 - Coastal Pathway Master Plan Maps (Under Separate Cover) Att Pg 165 Att 2 - Coastal Pathway Signage Style Guide (Under Separate Cover) Att Pg 289 Att 3 - Coastal Pathway Design Palette (Under Separate Cover) Att Pg 331

PURPOSE

The purpose of this report is to gain council support for the Draft Coastal Pathway Linear Open Space Master Plan to proceed to community consultation.

EXECUTIVE SUMMARY

The Coastal Pathway is a key recreational and transport infrastructure asset aligned with Sunshine Coast Council's vision to become '*Australia's most sustainable region*'. The Coastal Pathway is envisaged as a continuous shared, off-road, pathway for pedestrians and cyclists, spanning the breadth of the coastline and enabling access to, and enjoyment of, the Sunshine Coast's iconic scenery.

The Coastal Pathway has been an on-going project since the early 1990's. The 2003 *Coastal Pathway Strategic Plan* set the vision and strategic outcomes for the project which remain valid today. In December 2014, a Strategic Discussion Forum (SDF) was held to discuss the proposal to develop a detailed Coastal Pathway master plan to direct coordinated delivery of the project over the next decade and beyond.

The *Draft Coastal Pathway Linear Open Space Master Plan* adopts the vision and strategic outcomes developed in previous documents, building upon these a set of master planning principles directed at detailed design and implementation considerations. These principles cover

- pathway alignment
- separation from vehicles
- coastal identity
- environmental considerations
- connections to regional networks
- safety and comfort.

The master plan report is accompanied by 119 maps detailing a Coastal Pathway alignment capable of meeting the strategic outcomes, notably an off-road coastal experience.

The proposed funding source for the Coastal Pathway is a 10 year Capital Works program, the current allocation is a minimum \$1 million per year commencing 2017/2018. Funding will be directed towards the high priority sections and missing links, and the project delivery program will include a targeted approach to grant applications.

Support is sought to proceed to community consultation on the draft master plan report.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Coastal Pathway Linear Open Space Master Plan” and
- (b) endorse the Draft Coastal Pathway Master Plan (Appendix A) to proceed to community consultation.

FINANCE AND RESOURCING

The proposed funding source for the Coastal Pathway is a 10 year Capital Works program, the current allocation is a minimum \$1 million per year commencing 2017/2018. Funding will be directed towards the high priority sections and missing links, and the project delivery program will include a targeted approach to grant applications.

The Capital Works program for the 2016/2017 financial year includes funding for the finalisation of the Coastal Pathway master plan and the design of several missing sections. The total 2016/2017 allocation is \$590,000 and comprises of the following projects:

- Coastal Pathway – implementation Various (18506)
 - Coastal Pathway Master Plan consultation and finalisation - \$75,000
 - Design for various sections (Buddina, Minyama, Yaroomba, Tay and Maloja Avenue Caloundra, Dicky Beach, Point Arkwright) - \$175,000
- Coastal Pathway – implementation Bokarina (12931)
 - Design/consultation/approvals & grant applications - \$100,000
 - Weed removal within corridor - \$150,000
- Caloundra Headland, Kings Beach, (17096) design \$50,000
- Mooloolaba Spit Boardwalk, (14338) design \$40,000

Other funding sources for the Coastal Pathway include missing sections within and adjoining vacant development sites to be conditioned as part of the Development Application process.

Several sections of the Coastal Pathway may also be designed and implemented as a result of various precinct master plans and future streetscape projects.

The Coastal Pathway has previously received funding under the *State Government Cycle Network Local Government Grants Program*. Future grant funding will be sought as part of the delivery program.

In terms of maintenance, the Coastal Pathway will be included in Civil Asset Management’s existing path maintenance program.

CORPORATE PLAN

Corporate Plan Goal: *A strong community*

Outcome: 2.4 - People and places are connected

Operational Activity: 2.4.2.2 - Continuing to deliver the pedestrian network and coastal pathways

CONSULTATION

Portfolio Councillor Consultation

In December 2014, a Strategic Discussion Forum (SDF) was held to discuss the proposal to develop a detailed Coastal Pathway master plan. The Coastal Pathway has been an on-

going project since the early 1990's. The 2003 SunROC strategic plan set the vision and strategic outcomes for the project which remain valid today. A detailed master plan was identified as necessary to direct coordinated delivery of the project over the next decade and beyond. The SDF supported the proposal to proceed with preparation of the master plan.

In December 2015, one-to-one meetings were held with all Councillors to review and comment on draft maps of the coastal pathway alignment and master plan principles. Councillors for coastal divisions were provided with detailed path alignments and proposed prioritisation.

In February 2016, a second SDF was undertaken to present the draft master plan report and maps amended in accordance with feedback received from Councillors, council departments and external stakeholders. The SDF supported the proposal to proceed to an Ordinary Meeting to seek support for the draft master plan to go to community consultation.

Internal Consultation

Internal consultation with Council branches has included:

- Major Urban Developments
- Strategic Planning
- Transport and Infrastructure Policy
- Open Space and Social Policy
- Parks and Gardens
- Environmental Operations
- Coastal Construction, Water and Planning

External Consultation

External consultation has included;

- Queensland Department of National Parks, Sport and Racing concerning the proposed alignment of the Coastal Pathway through the Maroochy River Conservation Park.

Community Engagement

A draft Coastal Pathway Master Plan community engagement plan has been developed. Council will employ a number of different strategies to ensure key user groups and the wider community are informed of the opportunity to provide feedback on the draft master plan.

Strategies will include;

- media releases and liaison
- direct communication (email and mail, where required)
- displays in libraries
- social media (including paid advertising)
- council's spotlight communication tools

A survey, in both hard copy and online versions, will be used to collect feedback on the draft master plan. Respondents will be primarily encouraged to provide feedback online, however hard copies will be made available for those who prefer this method.

The feedback information will be collated and reported back to council.

PROPOSAL

The Coastal Pathway is a key recreational and transport infrastructure asset aligned with Sunshine Coast Council's vision to become '*Australia's most sustainable region*'. The Coastal Pathway is envisaged as a continuous shared, off-road, pathway for pedestrians and cyclists, spanning the breadth of the coastline and enabling access to, and enjoyment of, the Sunshine Coast's iconic scenery.

The vision for the Coastal Pathway is:

“A world-class scenic coastal pathway, connecting communities, and enriching and diversifying the recreational experience of the Sunshine Coast.

An iconic coastal pathway integrating beaches, coastal lookouts, parks, local destinations, services and business for the length of the Sunshine Coast”.

Whilst previous strategic planning and master planning studies have been undertaken for sections of the pathway, to date there has never been a master plan of sufficient detail to implement the Coastal Pathway within the whole Sunshine Coast Council area. The *Draft Coastal Pathway Linear Open Space Master Plan* addresses this gap and has been prepared to a level of detail sufficient to guide implementation of the project for the next 10 years, and potentially longer. The master plan adopts the vision and strategic outcomes developed in previous documents, building upon these a set of master planning principles directed at detailed design and implementation considerations. These principles cover

- pathway alignment
- separation from vehicles
- coastal identity
- environmental considerations
- connections to regional networks
- safety and comfort.

The master plan report is accompanied by 119 maps detailing a Coastal Pathway alignment capable of meeting the strategic outcomes, notably an off-road coastal experience. Existing pathways previously nominated as the Coastal Pathway have been assessed for their ability to meet the design standard. Where existing pathways do not meet the criteria of a coastal experience alternative proposed pathway alignments, that do meet the criteria, have been identified as ‘missing links’. A systematic approach to prioritisation of both existing and proposed pathways has been undertaken, with safety as the primary catalyst for the designation of high priority sections.

Over the past 13 years approximately 15 km of the 73 km long Coastal Pathway, from Bells Creek in the south to Coolum in the north, have been completed to the current design standard, that is, a 3 metre wide, off-road pathway providing a coastal experience. 36 km of off-road pathway has been completed in accordance with the required coastal alignment, although these sections are below the desired design standard in terms of width. Along the entire route approximately 22 km of new pathway, ‘missing links’, is required to meet the vision of a coastal off-road experience, of these 7 km require long term planning considerations.

The master plan includes a commitment to a ten year Capital Works Program of a minimum \$1 million pa starting in 2017/18. Coordination across other capital works projects and developer funded contributions to the Coastal Pathway has also commenced.

The detailed pathway mapping provides the basis for future investigations into opportunities to integrate with the wider network of pathways and cycleways, notably east-west connections. Whilst the original regional connection to Tewantin in Noosa remains in principle, coordination with Noosa Council is outside the scope of this master plan.

The Coastal Pathway has significant support from a wide range of the community. Previous community consultation has returned approximately 80% support for the project. Completed sections experience high daily use, especially adjoining urban and suburban areas where the Coastal Pathway has become an enjoyable part of people’s regular recreational routine, or a safe commuting option. The pathway is also used for fun runs and by local walking groups. Tourism operators are actively promoting the Coastal Pathway, and selling the attraction as part of the Sunshine Coast destination experience.

The Coastal Pathway master plan will guide the continued development of the project over the next ten years. Support is sought to proceed to community consultation on the draft master plan.

Legal

There are no legal implications relevant to this report.

Policy

The strategic policy framework supporting the Coastal Pathway master plan is outlined as follows:

Sunshine Coast Open Space Strategy 2012 - identifies the Coastal Pathway as a recreation trail:

Actions	Toolkit	Measure	Cost	Priority
Strategy 5.2: Ensure linkages and access to sensitive areas are appropriately planned.				
5.2.1 1. Complete the strategic plan for the Coastal Pathway	2. Advocacy	3. Coastal Pathway Plan adopted	4. Medium	5. Short

Sunshine Coast Active Transport Plan 2011-2031

‘Both the Active Transport Implementation Plan and the Coastal Pathway Strategic Plan will coordinate planning of the Coastal Pathway from different perspectives for routes where the transport and recreational functions coincide. A single council unit will be given responsibility for the design, construction and maintenance of the Coastal Pathway guided by standards specified in both Active Transport Implementation Plan and the Coastal Pathway Strategic Plan.’

Actions—	Timing	Cost	Responsible
Network			
Plan and implement improvements to the Coastal Pathway catering for the transport and recreation needs and level of service required at each location.	Ongoing	High	SCC/SPol/ITP/ TES

Sunshine Coast Planning Scheme 2014 Part 7 of the Planning Scheme (Local Plans) identifies the Coastal Pathway in the following Local Plan Areas:

- Caloundra Local Plan Area
- Coolum Local Plan Area
- Golden Beach / Pelican Waters Local Plan Area
- Kawana Waters Local Plan Area
- Maroochy North Shore Local Plan Area

Risk

One of the key risks to users of the Coastal Pathway is conflict with vehicles. The Coastal Pathway master plan aims to significantly reduce this risk by achieving an off-road shared pathway that is safe and comfortable for the community. With the exception of a few

sections, identified in the mapping as gaps to the Coastal Pathway, the existing pathway is predominantly off-road. Where feasible new path alignments have been identified which achieve the desirable separation of vehicles and pathway users, these sections have been mapped as missing links. Where a road or driveway crossing cannot be avoided, visual identification of a crossing point will be applied to alert drivers that they are crossing the Coastal Pathway.

The categorisation of both existing pathways and missing links as “high priority” is based on the identification of potential safety risks to users. The Capital Works Program reflects the targeted completion of high priority sections.

The Coastal Pathway master planning principles includes design standards that address potential risks, and the safety and comfort of users, including:

- A minimum path width to facilitate shared use
- sightlines to reduce the risk of user conflict
- CPTED considerations including passive and active surveillance
- intersection sightlines and design to avoid conflict
- road and driveway crossing treatments
- boat ramp crossing treatments.

The Coastal Pathway master plan also outlines the current community education programs directed towards safe use of shared pathways.

Previous Council Resolution

There are no previous Sunshine Coast council resolutions relevant to this report. However, since the project has been progressively planned and implemented for over a decade, previous studies have been completed and endorsed under Caloundra and Maroochy councils as follows:

- *Caloundra Coastal Pathway Master Plan* (document endorsed May 2003)
- *Maroochy Bikeways Plan Review* (2003)
- *Maroochy Recreation Trails Strategy* (2003)
- *Caloundra Coastal Walk Environmental Review* (Oct 2005)
- *Caloundra Recreation Trails Master Plan* (April 2006)
- *Caloundra Coastal Pathway Strategic Background Document* (Nov 2011)
- *Coastal Pathway Signage Style Guide* (document endorsed Jan 2012)

Related Documentation

Draft Coastal Pathway Linear Open Space Master Plan and mapping.

Critical Dates

There are no critical dates relevant to this report.

Implementation

Community consultation will commence in September/October 2016 subject to council endorsement to proceed.

Promotion of the Coastal Pathway will form part of the consultation process including a media campaign to raise awareness of the Coastal Pathway and the proposed master plan. Information will be disseminated to the community through Council’s website and via social media. Council is currently working towards inclusion of the existing sections of the Coastal Pathway in google maps to enable users to plan trips and navigate the route.

8.6 ECONOMIC DEVELOPMENT AND MAJOR PROJECTS**8.6.1 MAJOR AND REGIONAL EVENTS SPONSORSHIP APPLICATION**

File No: Statutory Meetings
Author: Senior Major Events Liaison Officer
Economic Development and Major Projects Department
Attachments: Att 1 - Major and Regional Events Sponsorship Application
(Under Separate Cover) – Confidential.....Conf Pg 27

PURPOSE

The purpose of this report is for Council to consider sponsorship of the 2017 and 2021 Super Trans-Tasman Series (international touch football).

EXECUTIVE SUMMARY

The sponsorship application for the 2017 and 2021 Super Trans-Tasman Series (international touch football) received from Touch Football Australia was reviewed and assessed by the Sunshine Coast Events Board (the Board) at its meeting on 21 June 2016. The Board has recommended that Council approve sponsorship of this series.

The role of the Council-appointed Sunshine Coast Events Board is to provide strategic advice to Council on issues and collaborative opportunities to support the region's investment in existing major events, identify other possible sources of sponsorship funding, secure new major events for the region, and oversee the implementation of the Council-endorsed Sunshine Coast Major and Regional Events Strategy.

Assessing event sponsorship applications and providing recommendations to Council is a vital activity within the Board's role. An overview of the series follows.

2017 & 2021 Super Trans-Tasman Series (international touch football)

The Super Trans-Tasman Series was first established in 1985 by Touch Football Australia and Touch Football New Zealand. The series has been conducted approximately every two years with hosting rights alternating between Australia and New Zealand.

The series is sanctioned by Federation of International Touch, Touch Football Australia and Touch New Zealand.

The series organisers, Touch Football Australia and Touch Football New Zealand, invited Japan to compete in the 2016 series in Auckland. This initiative proved a success and has prompted the organisers to invite other nations to compete in future series.

Touch Football Australia (TFA) proposes to stage the 2017 and 2021 series at the Sunshine Coast Stadium/Kawana Sports Precinct in May of each year. TFA indicate that the 2017 series could possibly attract up to 45 teams from across the world, creating a mini World Cup event. There will be teams from Australia, New Zealand, Japan, England and Papua New Guinea competing.

The format will feature the blue riband Men's, Women's and Mixed divisions along with Masters and Junior age divisions – nine divisions in total across both genders and mixed teams.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Major and Regional Events Sponsorship Application” and
- (b) approve the sponsorship in accordance with the recommendations of the Sunshine Coast Events Board.

FINANCE AND RESOURCING

Council’s Major and Regional Events sponsorship budget is presently sourced from funds collected through the annual Tourism and Major Events Levy.

CORPORATE PLAN

Corporate Plan Goal: *A new economy*

Outcome: 1.5 - A natural, major and regional event destination

Operational Activity: 1.5.1.1 – Manage Council’s major and regional events sponsorship commitments
1.5.1.2 – Support the activities of the Sunshine Coast Events Board
1.5.1.1 - Manage Council’s major and regional events sponsorship commitments

CONSULTATION

Portfolio Councillor Consultation

- Councillor Jason O’Pray – Portfolio Councillor for Tourism, Events and Sport and a member of the Sunshine Coast Events Board.

Internal Consultation

- Manager Economic Development
- Manager Community Facilities and Planning
- Coordinator Tourism and Major Events
- Venue Manager, Sunshine Coast Stadium
- Permits Officer Major Events, Community Services
- Senior Management Accountant.

External Consultation

- Sunshine Coast Events Board

Community Engagement

The opportunity for sponsorship support for major and regional events is advertised on Council’s website. In addition, Council officers work with event owners/promoters of existing events and those who enquire about opportunities for sponsorship. Touch Football Australia has staged previous events at the Sunshine Coast Stadium. Community engagement is conducted by the event owner/promoter and is a requirement of each event application and permit application and will continue if the sponsorship is approved.

PROPOSAL

The Sunshine Coast Council Major and Regional Events Strategy recognises the importance of events to the economic and social development of the region – in particular the tourism sector – through greater visitation and destination branding and reputation.

The sponsorship of major and regional events is also predicated on the basis that local businesses derive a benefit from the increase in consumer expenditure that occurs in association with both local and inbound visitor attendance at these events.

In seeking sponsorship commitments under Council's Major and Regional Events Sponsorship Program, an applicant must demonstrate that their event will generate economic benefits for the region and will attract media exposure and promotional opportunities for the Sunshine Coast from outside the region. The event must also attract participants, support personnel and spectators from outside the Sunshine Coast region. Sponsorship applications are reviewed and recommendations made to Council by the Sunshine Coast Events Board at its regular meetings.

The Sunshine Coast Events Board has reviewed and assessed the sponsorship applications outlined in the Executive Summary against agreed evaluation criteria which is based on Tourism and Events Queensland methodology, Council's Major and Regional Events Strategy, and elements of Council's Corporate Plan – including the following:

- Scale of the event
- Sponsorship request
- Television broadcast
- Economic benefits to the Sunshine Coast
- Marketing benefits
- Social benefits
- Environmental impact
- Youth involvement
- Budget
- Event management and planning
- Growth plans
- Legacy
- Local expenditure by the event promoter.

Legal

Any legal risks to Council associated with the sponsorship of these series will be managed through Council's contractual agreement with the recipient. The contractual agreement is drafted and settled by Council's Chief Legal Officer.

Policy

At the Ordinary Meeting of 20 June 2013, Council resolved (OM 13/114) to adopt the Sunshine Coast Major and Regional Events Strategy 2013-2017 and endorse the establishment of a Sunshine Coast Events Board as an advisory committee of Council.

Sponsorship of the events outlined in the Proposal section of this report is consistent with the objectives of the Sunshine Coast Major and Regional Events Strategy in that these event sponsorship applications represent an opportunity to:

- retain existing major events and protect them from being lost to the region
- maximise the value of existing major events and enable them to grow
- secure new major events and facilitate/develop opportunities in association with these events

- progress the establishment of the region as a national hub for triathlons to provide greater impetus to, and recognition of, the region's major triathlon events and comparable mass participation events and
- reinforce the reputation of the region as a leading destination for the staging of significant events in natural settings, showcasing its natural assets.

Risk

The lost opportunity of securing the Super Trans-Tasman Series for the region would result in:

- a decrease in economic benefit, tourism visitation and media exposure
- a loss of profile for the region as a major and regional events destination
- a loss of profile as a premier holiday destination and
- a loss of reputation as a major and regional events destination.

Previous Council Resolution

At its Ordinary Meeting of 20 June 2013, Council resolved (OM 13/114) to adopt the *Sunshine Coast Major and Regional Events Strategy 2013-2017* and endorse the establishment of the Sunshine Coast Events Board as an advisory committee of Council.

Council Resolution (OM13/114)

That Council:

- receive and note the report titled "Sunshine Coast Major and Regional Events Strategy"*
- adopt the Sunshine Coast Major and Regional Events Strategy 2013-2017 (Appendix A)*
- under Section 264 of the Local Government Regulation 2012 endorse the establishment of Sunshine Coast Events Board as an advisory committee of Council*
- adopt the Sunshine Coast Events Board Charter (Appendix B) for Sunshine Coast Events Board and authorise the Chief Executive Officer to amend as necessary, including amendments to 3.1 Membership (c) to 9 board members and (e) for a 2 year term, and with staggered rotation of the board members*
- appoint Cr O'Pray as the portfolio councillor for Tourism, Sport and Major Events as the Council representative on Sunshine Coast Events Board*
- delegate authority to the Chief Executive Officer to select and appoint members to Sunshine Coast Events Board in order to achieve the broad range of skills as determined by council in consultation with relevant portfolio councillors (being portfolio councillor for Tourism, Sport and Major Events; portfolio councillor for Community Policy and Programs and the Deputy Mayor)*
- vary the current Sponsorship Policy (Appendix C) authorising the Chief Executive Officer to enter into outgoing sponsorship agreements for major and regional events up to the value of \$50,000 (ex GST) following the recommendations received from Sunshine Coast Events Board*
- request the Chief Executive Officer to provide a further report to Council outlining alternative funding sources to boost the major event sponsorship tourism levy funding pool and*
- provide Mr P Franks, the Transfer Manager (Noosa) a copy of the Sunshine Coast Major and Regional Events Strategy for consideration and reference.*

Related Documentation

- Sunshine Coast Council Major and Regional Events Strategy 2013-2017
- Sunshine Coast Council Organisational Guideline – Sponsorship Provided by Council (outgoing)
- Sunshine Coast Council Strategic Policy – Events Policy

- Sunshine Coast Council Strategic Policy – Sponsorship.

Critical Dates

Council's determination at its meeting on 18 August is critical to provide a sponsorship commitment to Touch Football Australia so that it can implement marketing and operational plans and to enable it to conclude all contractual documentation before 18 September 2016.

Implementation

The Officer recommendation is that Council approve this sponsorship in accordance with the recommendations of the Sunshine Coast Events Board. If Council approves the sponsorship, actions will be undertaken as identified in Table 1.

Action	Responsible officer	Timeline
Sponsorship contract to be formally agreed and signed by both parties	Nick Stewart Major Events Liaison Officer Economic Development Branch	By 15 September 2016
Consultation with Communication Branch re public relations and promotional opportunities	Nick Stewart Major Events Liaison Officer Economic Development Branch	By 1 March 2017

Table 1. Implementation details

8.7 OFFICE OF THE MAYOR AND THE CEO

Nil

9 NOTIFIED MOTIONS

10 TABLING OF PETITIONS

Petitions only eligible for submission if:

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

11 CONFIDENTIAL SESSION**11.1 PLANNING AND ENVIRONMENT**

Nil

11.2 CORPORATE SERVICES**11.2.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - QUARTERLY
PROGRESS REPORT - QUARTER 4, 2015/2016**

File No: Statutory Meeting
Author: Manager Corporate Governance
Corporate Services Department

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

11.3 COMMUNITY SERVICES

Nil

11.4 INFRASTRUCTURE SERVICES

Nil

11.5 ECONOMIC DEVELOPMENT AND MAJOR PROJECTS**11.5.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MAROOCHYDORE
PROPERTY ACQUISITIONS**

File No: Statutory meetings
Author: Principal Property Officer
Economic Development and Major Projects Department

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

**11.5.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE -
TELECOMMUNICATIONS LEASES**

File No: Statutory Meetings
Authors: Principal Property Officer
Economic Development and Major Projects Department
Project and Development Officer
Economic Development and Major Projects Department

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

**11.5.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - MOOLOOLABA
PROPERTY ACQUISITION**

File No: Council meetings
Authors: Coordinator Property, Projects and Development
Economic Development and Major Projects Department
Principal Property Officer
Economic Development and Major Projects Department

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

11.6 OFFICE OF THE MAYOR AND THE CEO

Nil

12 NEXT MEETING

The next Ordinary Meeting will be held on 15 September 2016 in the Council Chambers, 1 Omrah Avenue, Caloundra.

13 MEETING CLOSURE