

# Agenda

## **Ordinary Meeting**

**Thursday, 31 January 2019**

**commencing at 9:00am**

**Council Chambers, 1 Omrah Avenue, Caloundra**



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## TABLE OF CONTENTS

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ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING .....	5
2	WELCOME AND OPENING PRAYER .....	5
3	RECORD OF ATTENDANCE AND LEAVE OF ABSENCE .....	5
4	RECEIPT AND CONFIRMATION OF MINUTES .....	5
5	INFORMING OF PERSONAL INTERESTS.....	5
5.1	MATERIAL PERSONAL INTEREST .....	5
5.2	CONFLICT OF INTEREST / PERCEIVED CONFLICT OF INTEREST .....	5
6	MAYORAL MINUTE.....	5
7	PRESENTATIONS / COUNCILLOR REPORTS.....	7
8	REPORTS DIRECT TO COUNCIL .....	7
8.1.1	PROPOSED AMENDMENT TO SUBORDINATE LOCAL LAW NO. 1 (MISCELLANEOUS) 2019 .....	7
8.1.2	ADOPTION OF CONSOLIDATED LOCAL LAW NO. 5 (PARKING) 2011 AND SUBORDINATE LOCAL LAW NO. 5 (PARKING) .....	35
8.1.3	GOVERNANCE FRAMEWORK AND ASSOCIATED OBLIGATIONS - COUNCIL OFFICERS.....	41
8.2.1	DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE AT LOT 347 SP287466 AND LOT 201 SP287474, PETER CROSBY WAY, PALMVIEW .....	55
8.3.1	HORIZON FESTIVAL.....	189
8.4.1	NAMBOUR HERITAGE TRAMWAY PROJECT UPDATE .....	231
8.4.2	ICONIC AMENITIES BUILDING - ISAAC MOORE PARK - KENILWORTH .....	247
8.4.3	OPPORTUNITIES TO PHASE OUT SINGLE-USE PLASTICS .....	265
8.5.1	INFRASTRUCTURE CHARGES RESOLUTION AMENDMENTS.....	271
8.5.2	CALOUNDRA TRANSPORT CORRIDOR PLANNING .....	279
8.6.1	NOVEMBER 2018 FINANCIAL PERFORMANCE REPORT .....	287
8.6.2	SIGNIFICANT CONTRACTING PLANS.....	303

- 8.6.3 COMMERCIAL LEASE PROPOSAL - CALOUNDRA.....327
- 8.6.4 SUNSHINE COAST CITY HALL BUILDING - PROJECT UPDATE .....337
- 9 NOTIFIED MOTIONS .....339**
  - 9.1 NOTICES OF RESCISSION .....339**
  - 9.2 NOTICES OF MOTION.....339**
  - 9.3 FORESHADOWED NOTICES OF MOTION .....339**
- 10 TABLING OF PETITIONS .....339**
- 11 CONFIDENTIAL SESSION .....340**
  - 11.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - LAND ACQUISITION MAROOCHY RIVER .....340
- 12 NEXT MEETING.....340**
- 13 MEETING CLOSURE.....340**

**1 DECLARATION OF OPENING**

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

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

That the Minutes of the Ordinary Meeting held on 6 December 2018 be received and confirmed.

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

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

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

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

Pursuant to Section 175E of the *Local Government Act 2009*, a Councillor who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government, or any of its committees, must inform the meeting about the councillor's personal interest the matter.

The other Councillors must then decide

- (a) whether the Councillor has a real conflict of interest or perceived conflict of interest in the matter and
- (b) if they decide the Councillor has a real conflict of interest or perceived conflict of interest in the matter
  - (i) whether the Councillor must leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on, or
  - (ii) that the Councillor may participate in the meeting in relation to the matter, including by voting on the matter.

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



**8 REPORTS DIRECT TO COUNCIL****8.1 OFFICE OF THE CEO****8.1.1 PROPOSED AMENDMENT TO SUBORDINATE LOCAL LAW NO. 1 (MISCELLANEOUS) 2019**

<b>File No:</b>	<b>Council Meetings</b>	
<b>Author:</b>	<b>Manager Corporate Governance Office of the CEO</b>	
<b>Appendices:</b>	<b>App A - Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 .....</b>	<b>17</b>

**PURPOSE**

The purpose of this report is to seek a Council resolution proposing to make Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019.

**EXECUTIVE SUMMARY**

As part of the 5 year local law review, Corporate Governance have undertaken a series of stakeholder meetings to determine what amendments are required to ensure the local laws remain current and responsive to community and environmental needs.

The local law review has been separated into two stages to allow for priority changes to be presented to Council at this meeting. Stage two amendments are scheduled to be presented to Council at a later meeting during 2019 as those proposed amendments are still under consideration.

Stage one of the local law review proposes amendments to the following subordinate local laws:

- Subordinate Local Law No. 1 (Administration) 2016,
- Subordinate Local Law No. 2 (Animal Management) 2011 and
- Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011.

These amendments include:

- a new framework for the management of verge gardens in line with Council's recommendation at the February 2018 Ordinary Meeting
- provisions relating to permissible fires that are aligned with the Sunshine Coast Council Planning Scheme
- further clarity and flexibility with regards to short term placement of real estate signage
- increase of Public Liability for high risk activities for works on a road
- a number of newly established dog off leash areas (DOLA) across the region, and
- some minor changes to existing dog off leash areas.

Further details on the proposed changes are highlighted in **Table 2** of this report.

A Council resolution proposing to make the amendment subordinate local law is necessary to proceed with the local law making process.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled “Proposed Amendment to Subordinate Local Law No. 1 (Miscellaneous) 2019”
- (b) resolve to propose to make Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 (Appendix A)
- (c) resolve to undertake community consultation on the draft subordinate local law for thirty-one (31) days and
- (d) resolve that proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 has been reviewed in accordance with section 38 of the *Local Government Act 2009* and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions.

**FINANCE AND RESOURCING**

The cost of drafting Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 has been funded through existing budget allocations within the Corporate Governance Branch.

**Table 1** below outlines the finance and resourcing implications as a result of implementing the proposed local law amendments.

Local Law	Proposed change	Finance and resourcing implications
Subordinate Local Law No. 1 (Administration) 2016	Self-assessable criteria for low risk compliant plantings on Council verges. Reduction of public liability from \$20 million to \$2 million for verge garden plantings that require an approval.	The introduction of a self-assessable criteria for verge garden plantings will reduce the resource requirements currently required in assessing applications for approval. It is anticipated that due to the self-assessable guidelines, the number of applications will be minimal at approximately 10 per year. There are currently no fees associated with the applications required for permits that sit outside of the self-assessable guidelines, however if there is a significant increase in the number of applications a fee structure may be considered in the 2019 - 2020 budget.
	Inclusion of the existing DOLA at Lake Weyba Drive	As this is an existing DOLA the regulation is already included in the existing budget of Customer Response.



Local Law	Proposed change	Finance and resourcing implications
Subordinate Local Law No. 2 (Animal Management) 2011	The inclusion of five new dog off leash areas: <ul style="list-style-type: none"> <li>• Glasshouse Mountains</li> <li>• Pioneer Park, Landsborough</li> <li>• Federation Park, Palmwoods</li> <li>• Aroona Park,</li> <li>• Mooloolah Recreation Reserve</li> </ul>	Patrols of Dog Off-Leash Parks are scheduled in response to customer complaints, these patrols are undertaken by Response Services Officers in the course of their normal duties.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b>Service excellence</b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S23 - Local amenity and local laws - maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles.

## CONSULTATION

### Councillor Consultation

Councillors have been consulted throughout the local law making process regarding proposed amendments listed in **Table 2** below and Council (OM18/14) authorised the commencement of the local law making process to include the new framework for the management of verge gardens in February 2018.

### Internal Consultation

Extensive consultation with all internal stakeholders has been undertaken with regard to proposed amendments as outlined in **Table 2** below including:

- Manager Customer Response
- Coordinator Response Services
- Coordinator Healthy Places
- Coordinator Community Land Permits and Parking
- Coordinator Business and Technical
- Senior Technical Officer
- Coordinator Asset Strategy
- Road Corridor Technical Officer
- Coordinator Landscape Design Planning, Liveability & Natural Assets
- Principal Landscape Architect

### External Consultation

Extensive external consultation was undertaken prior to the 'Verge Garden' report being adopted on 22 February 2018 (OM18/14).

Prior to the Ordinary Meeting of Council on Thursday 22 February 2018 a number of resident associations and local garden groups were consulted with regarding verge garden proposed amendments. All relevant feedback was incorporated within the report to Council on Thursday 22 February 2018 (OM18/14). The following associations/groups were consulted as part of this process:

- Buderim community members
- Brightwater Community Association Group
- Twin Waters Residents Association
- Mooloolah Island Residents Association
- Sunshine Cove Residents Association
- Alexandra Headland Community Garden Group
- Buddina Community Garden Group.

### Community Engagement

Section 29 of the *Local Government Act 2009* provides that the local government may decide its own process for making a local law. Council may, at its discretion, determine the amount of (if any) public consultation it undertakes before adopting the amendment Subordinate Local Law by resolution. A consultation period of no less than 28 days is considered good governance when proposing to make a local law.

The local law making process community consultation period for the proposed changes will occur from 1 February 2019 until 3 March 2019 (31 days) and will include but not limited to:

- notification in Sunshine Coast Daily public notices
- information included on Council's website on 'Have your say' page
- targeted consultation with affected parties.

### PROPOSAL

The Corporate Governance Branch undertakes a major review of the Local Laws and Subordinate Local Laws every 5 years to ensure they remain current to the legislative environment and are responsive to the community and environmental needs.

The local law review has been separated into two stages to allow for priority changes to be presented to Council at this meeting and further, more complex amendments still under review, will be presented to Council at a later meeting.

Stage one of the local law review proposes amendments to the following subordinate local laws:

- Subordinate Local Law No. 1 (Administration) 2016,
- Subordinate Local Law No. 2 (Animal Management) 2011 and
- Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011.

These amendments include:

- a new framework for the management of verge gardens in line with Council's recommendation at the February 2018 Ordinary Meeting
- provisions relating to permissible fires that are aligned with the Sunshine Coast Council Planning Scheme
- further clarity and flexibility with regards to short term placement of real estate signage
- increase of Public Liability for high risk activities for works on a road, and
- a number of newly established dog off leash areas (DOLA) across the region.

Further details on the proposed changes are highlighted in **Table 2** of this report.

A Council resolution proposing to make the amendment subordinate local law is necessary to proceed with the local law making process.

**Proposed Local Law Amendment****Table 2**See **Appendix A** for full details of proposed change.

<b>Subordinate Local Law</b>	<b>Current Status</b>	<b>Proposed Change</b>	<b>Reason for change</b>
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 4 Alteration or improvement to local government controlled areas and roads.	An approval must be sought to alter a Council verge.  Public Liability for approvals is \$20 million.	Amend – according to Council Resolution OM/18.  Reduce \$20 million public liability requirement on approvals down to \$2 million and include a self-assessable criteria for compliant plantings.  Replace ‘nature strip’ with ‘road verge’.  See <b>Appendix A</b> for full details.	Approved by Council OM18/14
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 8 placement of moveable advertising devices	Only one real estate (residential) signage is permitted on a property.	Amend – Schedule 8 (Placement of Moveable Advertising Devices) to allow for an additional real estate sign (residential) with display parameters commencing 24 hours prior to, and concluding at the end of day of Open House.  See <b>Appendix A</b> for full details.	Allows greater flexibility for Real Estate (Residential) signage display times and increases signage to allow for one other sign for an open house showing.
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 8 placement of moveable advertising devices	Maximum of 5 directional signs only permitted on the day of the showing of a residential property being leased, open for inspection, being auctioned.	Allow for the directional signs to be placed 24 hours before the property being open for inspection and removed at the end of the day.	Allows greater flexibility for Real Estate (Residential) signage display times to allow them to be displayed 24 hours prior to showing and removed at the end of the day.
Subordinate Local Law No. 1 (Administration) 2016 – Schedule 18 Carrying out works on a road or interfering with a road or its operation.	Current Public Liability for high risk activities for works on a road is \$5 million.	Amend – Schedule 18 (Carrying out works on a road or interfering with a road or its operation) to increase Public Liability from \$5 million to \$20 million.	The current Public Liability is \$2 million for carrying out works on a road and all other high risk activities on public land requires \$20 million. This amendment aligns all high risk requirements on public land with a consistent approach.

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Subordinate Local Law No. 1 (Administration) 2016 - Schedule 18 Carrying out works on a road or interfering with a road or its operation.	Grid requirements currently within the local law allow for the placement of electrified grids on public land.	Removal of reference and requirements for electrified grids within the local law.	There are no identified electrical grids on public land and they are deemed a public safety hazard. This is the removal of a legacy requirement.
Subordinate Local Law No. 1 (Administration) 2016 - Schedule 18 Carrying out works on a road or interfering with a road or its operation.	No requirement for a grid to be certified by a Registered Professional Engineer of Queensland (RPEQ)	Inclusion of the requirement that on approval a gate and grid must be certified by the Registered Professional Engineer of Queensland (RPEQ).	To ensure that gates and grids installed on local government roads are compliant with Registered Professional Engineer of Queensland (RPEQ) requirements.
Subordinate Local Law No. 1 (Administration) 2016 - Schedule 18 Carrying out works on a road or interfering with a road or its operation.	Provisions in the local law relating to the installation of vehicular access (driveways)	Removal of provisions relating to the installation of vehicular access to premises.	Vehicular access (driveways) are approved under the planning scheme and operational works permits.
Subordinate Local Law No. 2 (Animal Management) 2011	Areas not identified in the Local Laws.	Amend – Schedule 6 (Dog off leash areas) to include maps for: <ul style="list-style-type: none"> <li>• Glasshouse Mountains District Park, dog off leash at all times Map SLL 2.6.41</li> <li>• Pioneer Park, Landsborough, dog off leash at all times Map SLL 2.6.42</li> <li>• Federation Park, Palmwoods, dog off leash at all times Map SLL 2.6.43</li> <li>• Aroona Park, dog off leash 4pm-8am Monday to Friday Map 2.6.44</li> <li>• Mooloolah Recreation Reserve, dog off leash at all times except during an approved temporary entertainment event issues under Local Law 1 (Administration) 2011 Map 2.6.45</li> </ul>	5 New Dog off leash areas

Subordinate Local Law	Current Status	Proposed Change	Reason for change
Subordinate Local Law No. 2 (Animal Management) 2011	Area not identified in the Local Law	Inclusion of the existing DOLA at Lake Weyba Drive, Lake Weyba. Map SLL 2.6.9	Include existing area into local laws
Subordinate Local Law No. 2 (Animal Management) 2011	No playground identified in this area.	Removal of a small section of the DOLA from Quota Hideaway Park, Mountain Creek Map SLL 2.6.22	Allows for the inclusion of a children's playground.
Subordinate Local Law No. 2 (Animal Management) 2011	Map SLL 2.5.13 shows Eleanor Shipley Park as a prohibited dog area	Slight amendment to the map for the Eleanor Shipley prohibited dog area Map SLL 2.5.13	Current map shows the prohibited dog area going into the dog off-leash area on the beach. Realign the boundaries between the prohibited dog area and the dog off-leash area to accurately reflect the two areas.
Subordinate Local Law No. 2 (Animal Management) 2011	Map SLL 2.6.35 is the dog off leash map for Moffat Beach	Slight amendment to the map for the Eleanor Shipley prohibited dog area for this map SLL 2.6.35	Current map shows the prohibited dog area going into the dog off-leash area on the beach. Realign the boundaries between the prohibited dog area and the dog off-leash area to accurately reflect the two areas.
Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011	The current local law prohibits fires in the 'urban area' and the 'urban area' is defined as Map 1 Local Law Urban Boundaries. This local law map currently aligns with the SEQ Regional Plan.	Amend Schedule 3 (Prohibited Fires) –  Remove reference to the urban area in schedule 3 and replace with fires prohibited in any part of the local government area excluding the rural and rural residential area.	This amendment prohibits fires from any part of the local government area other than in 'rural and rural residential areas' as defined in SCC Planning Scheme.
Subordinate Local Law No. 3 (Community Health and Environmental Management) 2011	Definitions don't align to current SCC planning scheme	Amend Schedule 4 (Definitions) – remove definition 'Urban area' and replace with definition for 'rural and rural residential area' to align to the Sunshine Coast Planning Scheme.	Alignment to SCC Planning Scheme definitions.

**Local Law Making Process**

The following table outlines the statutory requirements in accordance with Council's local law making process.

**Table 3 – Local Law Making Process**

<b>Statutory Requirement</b>	<b>Action taken</b>	<b>Date</b>	<b>Status</b>
<b>Propose to make local law amendments</b>	Report to Council to propose to make Amendment Local Law No. 1 (Miscellaneous) 2019	31 January 2019	Current
<b>Community Consultation</b>	Undertake Community Consultation including but not limited to: <ul style="list-style-type: none"> <li>notification in Sunshine Coast Daily public notices</li> <li>targeted consultation</li> <li>information included on Council's website on "Have Your Say" page</li> </ul>	1 February to 3 March 2019	Developed and Underway
<b>Council Website Updated</b>	All relevant information and documentation placed on and available through Council's website on "Have your say" page.	1 February 2019	Developed and Underway
<b>Report to Council to make the amendment local laws</b>	Prepare report to Council to make the local laws	24 April 2019	To be prepared
<b>Gazette Notice Publication</b>	Preparation of Government Gazette notice for publication in the Government.	3 May 2019	To be prepared
<b>Notice to Minister</b>	Preparation of notification to Minister	17 May 2019	To be prepared
<b>Consolidation of Local Laws</b>	Preparation and adoption of the consolidated local laws. This will be finalised following the local law making process for major review issues due to be presented for Council adoption in August 2019, currently underway.	17 October 2019	To be prepared

**Legal**

The amendment Subordinate Local Law No. 1 (Miscellaneous) 2019 has been considered in accordance with the following legislation:

- Section 29-32 of the *Local Government Act 2009* and section 15 of the *Local Government Regulation 2012*
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws

Advice from Legal Services regarding verge garden planting was included and forms part of the proposed framework and associated documents adopted at Council's Ordinary Meeting on 22 February 2018 (OM18/14).

**Policy**

There are no new policy implications in the in the proposed Amendment Subordinate Local Law No. 1 (Miscellaneous) 2019.

**Risk**

- There is an identified demand for the ability to plant road verge gardens for community participation and benefit. If the proposed framework is not endorsed there is a high risk that Council will receive an adverse community response and potential negative media coverage.
- Where a road verge planting permit is approved it is conditioned that \$2 million public liability insurance is required to be held by the resident at all times, covering the prescribed activity and location. This aims to reduce Council's expose of risk, however does not eliminate Council from a potential claim.
- Where individuals fail to comply with road verge gardens criteria / conditions, the Customer Response branch will manage the situation in accordance with the Local Laws. There may be adverse community reaction in some cases.

**Previous Council Resolution****22 February 2018 Ordinary Meeting (OM18/14)**

*That Council:*

- (a) receive and note the report titled "Verge Gardens" and*
- (b) proceed to commence the local law making process to amend Subordinate Local Law No. 1 (Administration) 2016, with the proposed framework and criteria for verge gardens.*

**Related Documentation**

- *Local Government Act 2009 and Regulation*
- *Sunshine Coast Regional Council Local Laws and Subordinate Local Laws 2011*
- *State Government Guidelines for Drafting Local Laws 2016*
- *Sunshine Coast Regional Council Corporate Plan 2018-2022*
- *Compliance and Enforcement Policy.*

**Critical Dates**

There are no critical dates relevant to this report, however the local law amendments are important and should be progressed as soon as possible.

**Implementation**

Following consideration of this report, actions relevant to the recommendation will be implemented and include commencement of community consultation from 1 February – 3 March 2019.





**8.1.2 ADOPTION OF CONSOLIDATED LOCAL LAW NO. 5 (PARKING) 2011  
AND SUBORDINATE LOCAL LAW NO. 5 (PARKING)**

<b>File No:</b>	<b>Council Meetings</b>
<b>Author:</b>	<b>Manager Corporate Governance Office of the CEO</b>
<b>Appendices:</b>	<b>App A - Consolidated version Sunshine Coast Regional Council Local Law No. 5 (Parking) 2011 ..... 5/143 App B - Consolidated version Sunshine Coast Regional Council Subordinate Local Law No. 5 (Parking) 2011 ..... 13/143</b>

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**PURPOSE**

The purpose of this report is to seek a Council resolution to adopt the consolidated versions of Council's *Local Law No. 5 (Parking) 2011* and *Subordinate Local Law No. 5 (Parking) 2011* that incorporates amendments made on 13 September 2018.

This report does not include any new material not previously considered or adopted by Council and formally gazette as part of the local law making process.

**EXECUTIVE SUMMARY**

The Sunshine Coast Council's first suite of local laws and subordinate local laws came into effect on 1 January 2012. Since that time a number of minor local law amendments have been adopted.

This report presents a consolidated version of Council's Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking) 2011 incorporating amendments adopted by Council at the Ordinary Meeting on 13 September 2018:

- declaration of new off-street regulated parking areas in the Mooloolaba precinct.

The remainder of the local laws and subordinate local laws do not require consolidation as there has been no recent amendments made to them.

Consolidating local laws provides stakeholders and the community with a comprehensive and readable suite of local laws. Without consolidation, readers are required to read the original local law and amendment local laws together to ascertain the current lawful position of a particular issue. The concept of a consolidated version of the local law is similar to the process of producing reprints of legislation.

This report does not seek to review any of the provisions currently with the local laws but merely to consolidate the recent amendments made by Council into one comprehensive local law.

**OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled "Adoption of Consolidated Local Law No. 5 (Parking) 2011 and Subordinate Local Law No. 5 (Parking)"
- (b) resolve to adopt consolidated version of:
  - (i) Local Law No. 5 (Parking) 2011, and
  - (ii) Subordinate Local Law No. 5 (Parking) 2011.

## FINANCE AND RESOURCING

The cost of drafting the consolidated local laws are funded through existing budget allocations within Corporate Governance.

This is a consolidation report only. No financial implications will arise from this report.

## CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b>Service excellence</b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S23 - Local amenity and local laws - maintaining and regulating local amenity through local laws, regulated parking, community land permits and management of animals, overgrown land and abandoned vehicles.

## CONSULTATION

### Councillor Consultation

Mayor M Jamieson and Division 4 Councillor J Connolly were consulted during the local law making process prior to the amendments being made to the local laws. This report does not include any new material not previously considered or adopted by Council and formally gazette as part of the local law making process.

Portfolio Councillor E Hungerford was also consulted.

### Internal Consultation

Internal consultation in relation to local law amendments and the consolidation of such has occurred with all appropriate stakeholders.

### External Consultation

The Economic Development Branch were approached by a number businesses and body corporate representatives in the Mooloolaba area requesting Council regulate their private car parking facilities with the intention to improve rotation and flow of customer parking in the area.

### Community Engagement

Community consultation was undertaken from 15 June to 15 July 2018 as part of the Local Law making process.

## PROPOSAL

Consolidating local laws provides stakeholders and the community with a comprehensive and readable suite of local laws. Without consolidation, readers are required to read the original local law and amendment local laws together to ascertain the current lawful position of a particular issue. The concept of a consolidated version of the local law is similar to the process of producing reprints of legislation or Acts of Parliament.

Consolidation of Council's local laws is purely administrative and only includes amendments to local laws that have previously been adopted by Council and formally gazette as part of the local law making process.

This report presents a consolidated version of Council's *Local Law No. 5 (Parking) 2011* and *Subordinate Local Law No. 5 (Parking) 2011* incorporating amendments adopted by Council at the Ordinary Meeting on 13 September 2018 declaring new off-street parking areas in the Mooloolaba precinct.

The following table outlines the amendments to be consolidated into *Local Law No. 5 (Parking)* and *Subordinate Local Law No. 5 (Parking)*. The below amendments to the local

law and subordinate local law were adopted by Council in September 2018, published in the Government Gazette and notified to the Minister in accordance with section 29A of the *Local Government Act 2009*.

Amendment Local Law and Subordinate Local Law Title	Amendment	Date adopted by Council	Gazettal Date
Amendment <i>Local Law No. 5 (Parking) 2011</i>	Amend Section 6 (Declaration of off-street regulated parking areas) to include footnote indicating that an area must be 'controlled by a local government' which includes land over which we can regulate parking under an arrangement with a person who owns, or has an interest, in the land allowing us to regulate parking on private property via an agreement.	13 September 2018	21 September 2018
Amendment <i>Subordinate Local Law No. 5 (Parking) 2011</i>	Amend Schedule 2 (Declaration of off-street regulated parking areas) and Omit Map SLL 5.2.10 and replace with new map SLL 5.2.10 indicating the new off-street regulated parking areas.	13 September 2018	21 September 2018
	Amend Schedule 2 (Declaration of off-street regulated parking areas) and insert new map SLL 5.2.59 indicating new off-street regulated parking areas.	13 September 2018	21 September 2018
	Amend Section 6 (Declaration of off-street regulated parking areas) insert footnote indicating that an area must be 'controlled by a local government' which includes land over which we can regulate parking under an	13 September 2018	21 September 2018

	arrangement with a person who owns, or has an interest, in the land allowing us to regulate parking on private property via an agreement.		
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As mentioned above, this consolidation only applies to *Local Law No. 5 (Parking) 2011* and *Subordinate Local Law No. 5 (Parking) 2011*. It is important to reiterate that this report does not seek to review any other provisions currently within the local laws but merely to consolidate the recent amendments as adopted by Council and as noted in the table above.

The newly consolidated version will be made available to the public through a link on Council's website and also on the State Government's local law database website.

### Legal

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

- Section 32 of the *Local Government Act 2009* and Regulation, and
- Sunshine Coast Council's suite of Local Laws and Subordinate Local Laws

Section 32 of the *Local Government Act 2009* provides that the local government may prepare and adopt a consolidated version of its local laws and subordinate local laws as they were originally made, with all the amendments made to the local laws and subordinate local laws since the local laws and subordinate local laws were originally made.

In accordance with section 32 of the *Local Government Act 2009*, the local government must provide a copy of the adopted consolidated versions to the Minister within 7 days.

### Policy

The consolidation of the local laws have been prepared in accordance with all relevant Council policies.

### Risk

Failing to consolidate local laws and subordinate local laws increases the risk of breaches and incorrect interpretation of local law provisions. It also makes the local laws difficult to read and understand by the community.

### Previous Council Resolution

#### Ordinary Meeting 13 September 2018 (OM18/156)

*That Council:*

- (a) *receive and note the report titled "Making of Amendment Local Law No. 2 (Parking) 2018 and Amendment Subordinate Local Law No. 1 (Parking) 2018"*
- (b) *resolve that Amendment Local Law No. 2 (Parking) 2018 and Amendment Subordinate Local Law No. 1 (Parking) 2018 has been reviewed in accordance with section 38 of the Local Government Act 2009 and that, taking into consideration the circumstances of the Sunshine Coast Regional Council area, the law does not contain any possible anti-competitive provisions noting that the local law and subordinate local law relates to the regulation of parking and does not relate to a commercial activity and*
- (c) *in accordance with Council's 'Process for Making Local Laws' adopted on 1 June 2010, pursuant to section 29 of the Local Government Act 2009, hereby resolve to make:*
  - (i) *Amendment Local Law No. 2 (Parking) 2018 (Appendix A)*
  - (ii) *Amendment Subordinate Local Law No. 1 (Parking) 2018 (Appendix B).*

**Related Documentation**

- *Local Government Act 2009 and Regulations*
- *Sunshine Coast Regional Council Local Law No. 5 (Parking) 2011*
- *Sunshine Coast Regional Council Subordinate Local Law No. 5 (Parking) 2011*
- State Government Guidelines for Making Local Laws and Subordinate Local Laws
- Corporate Plan and Operational Plans
- Sunshine Coast Parking Management Plan.

**Critical Dates**

It is important that the consolidation of local laws occurs as soon as practical after an amendment local law is adopted. This ensures that key stakeholders have a clear and articulate local law framework.

**Implementation**

In accordance with section 32 of the *Local Government Act 2009*, the Chief Executive Officer will provide an electronic copy of the consolidated local laws to the Minister of the Department of Local Government, Racing and Multicultural Affairs for inclusion on the department local laws database. Additional copies of the consolidated local laws will be provided on Council's website.



**8.1.3 GOVERNANCE FRAMEWORK AND ASSOCIATED OBLIGATIONS - COUNCIL OFFICERS**

**File No:** Council meetings

**Author:** Manager Corporate Governance  
Office of the CEO

**Attachments:** Att 1 - Governance Framework .....47  
Att 2 - Integrity Framework.....49  
Att 3 - Compliance Framework.....51  
Att 4 - Risk Management Framework .....53

**PURPOSE**

This report presents an update to Council on the proactive approaches taken with regard to governance and integrity matters for Council employees following recent changes to local government legislation.

**EXECUTIVE SUMMARY**

Council’s Governance Framework focuses on raising staff awareness in all governance areas to ensure that Council continues to build community confidence and the Corporate Plan goal of being ‘an outstanding organisation’ is achieved.

Emphasis has been placed on building awareness and developing proactive strategies and governance tools to assist employees in their everyday tasks, activities, obligations and decision making. Council is committed to building a strong positive attitude and culture around governance and compliance across the organisation through investment in ongoing governance training, policy development and review, audit and good decision making.

Following recent amendments to the Local Government Act 2009, Council has taken a proactive approach to both meeting the requirements of the legislation and increasing community confidence in Council’s integrity, accountability and transparency. Council adopted a new Code of Conduct, Investigations Policy, Standing Orders and Councillors Acceptable Request Guidelines at the December 2018 Ordinary Meeting.

Amendment and/or reinforcement in the following areas/policies has occurred:

1. **Declaration of Gifts** – Officer: Amendment to the Gifts and Benefits Policy and associated mandatory declaration form
2. **Corporate and Sponsor Benefits Ticket Allocation** – Officer: Policy and procedure developed and implemented
3. **Conflicts of Interest** – Officer: Re-development of the Conflicts of Interest Policy and associated form
4. **Register of Interests** – Officer: Reinforcement in alignment with the re-developed Conflict of Interest Policy
5. **Code of Conduct** – Officer: Mandatory ongoing code of conduct training for all staff to include policy and procedural amendments.

Council has taken the opportunity to remain current with the best systems, processes and practices for Council staff and has implemented the new amendments to the *Local Government Act* 2009 in a proactive and robust manner which is reflected in our policy standards, procedures and governance frameworks.

## OFFICER RECOMMENDATION

That Council receive and note the report titled “Governance Framework and Associated Obligations - Council Officers”.

## FINANCE AND RESOURCING

There are no financial or other resources required as a result of this report beyond that provided under the 2018/2019 Corporate Governance operational budget.

## CORPORATE PLAN

**Corporate Plan Goal:** *An outstanding organisation*  
**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

### Councillor Consultation

Consultation with portfolio Councillor T Hungerford and Deputy Mayor Councillor T Dwyer has occurred in regard to this report.

All Councillors have also been engaged in individual policy and system changes as relevant.

### Internal Consultation

The Internal Audit Committee received an updated report on governance matters at its meeting held 10 September 2018.

### External Consultation

Council has regularly engaged with the:

- Department of Local Government, Racing and Multicultural Affairs (DLGRMA)
- Local Government Association of Queensland (LGAQ)
- Local Government Managers Association (LGMA)
- Crime and Corruption Commission (CCC)
- Integrity Commissioner
- Queensland Audit Office (QAO)

in relation to recent reports, recommendations, training and for the provision of advice and clarification on legislative change matters.

### Community Engagement

No community consultation was required in relation to this report.

## PROPOSAL

This report presents an update on implementation of the Governance Framework (Attachment 1) as it relates to **Council employees** following recent amendments to the *Local Government Act 2009*.

Council has always maintained a robust governance framework that incorporates a range of control and accountability measures to ensure that Council Officers operate in a transparent and ethical manner.



Council's Governance Framework for Council Officers provides the structure through which Council's Vision and objectives are achieved. Council is committed to becoming Australia's most sustainable region, healthy, smart, creative. To achieve this, one of the strategic goals within the Corporate Plan 2018-2022 is 'An Outstanding Organisation'. Outstanding organisations have a clear purpose, great leadership and great people, consistently deliver value for money services to customers and have a genuine commitment to meeting the needs of customers and the community.

Council Officers continue to develop capabilities to meet the demands of growth and our changing operating environment, including organisational values that define the culture and behaviours that shape interactions with Council, Councillors, the community, partners and each other:

- **Respect for each other** – in our working relationships
- **Being our best** – by continuing to learn, grow, challenge and change
- **Working as one team** – across the organisation and with our community
- **High standards** – in our conduct, service and governance
- **Service excellence** – for our customers and each other

The Governance Framework for Council Officers encourages these behaviours and is supported by the Governance in Action Program. This program is delivered across the organisation as part of the ongoing commitment to raising awareness on governance, integrity, ethics, legislative compliance and code of conduct issues. This program seeks to create a culture of accountability, transparency and compliance and involves a range of activities including training, system and policy reviews, the development of toolkits, manuals and policies, reporting, auditing, compliance investigations and the provision of advice and legislative interpretation.

Governance training is provided to all Council employees on an ongoing basis. Topics, include: employee code of conduct; risk management; fraud and corruption control; delegations of authority; conflicts of interest; gifts and disclosures; right to information; good decision making; information privacy and authorised person responsibilities. Feedback from training continues to be positive with improved understanding and awareness being reflected in the manner and way in which Council undertakes its day-to-day business with its stakeholders and the community.

Council has taken a proactive and positive approach to implementing recent amendments to the *Local Government Act 2009* to ensure the framework continues to remain robust, aligned and current. In doing so a number of policy standards, procedures and processes have been reviewed, these include:

Activity	Action
1. Declaration of Gifts – Council Officers	<p>The Gifts and Benefits Organisational Policy has been amended to simplify and require Council Officers to ensure that all gifts, regardless of monetary value, must be disclosed. The general principle is that gifts and sponsored hospitality should not be accepted.</p> <p>If a gift is accepted, detailed justification for acceptance of the gift must be provided and, once accepted, the gift becomes the property of Council.</p> <p>There is an increased requirement on Council staff recipients to provide extensive details about the gift and the relationship with the giver. A compulsory form has been developed and must be submitted within 7 days for every gift or sponsored hospitality offered / received (regardless of value) to ensure comprehensive details are provided. The form must be approved by the relevant Group Executive and acknowledged</p>

Activity	Action
	<p>by Chief Executive Officer. This information is kept as part of our records.</p> <p>This declaration framework also forms part of employee Code of Conduct and Governance Awareness training.</p>
<p>2. Corporate and Sponsor Benefits Ticket Allocation – Council Officers</p>	<p>Developed in conjunction with the Gifts and Benefits Policy, the Corporate and Sponsor Benefits Ticket Allocation Policy sets out the requirements for the arrangements and allocation of corporate and sponsored benefits for Council Officers.</p> <p>This policy seeks to ensure the community receives the maximum benefit in return for Council’s advocacy activities and the sponsorship it provides. Tickets and invitations received by Council Officers must be utilised to optimise the advocacy and/or networking benefit with other levels of government and business.</p> <p>The Corporate Governance Branch will assess and allocate tickets for all events, and maintain a register of all corporate and sponsor benefits distributed across Council. Criteria for both internal and external applicants will be applied to ensure equitable distribution within Council and the community.</p> <p>Council employees must formally disclose all invitations and hospitality to events, contractual arrangements and sponsor benefits to Corporate Governance.</p>
<p>3. Conflicts of Interest – Council Officers</p>	<p>All employees have a duty to act in the public interest. To heighten officer awareness, the Conflicts of Interest policy and forms have been re-developed and circulated to all staff by the Chief Executive Officer.</p> <p>All employees are required to make disclosures about any actual, perceived or potential conflicts of interest that arise, or may arise, during the course of their employment.</p> <p>A Conflicts of Interest Register is maintained by the Office of the Chief Executive Officer. Record is also kept of how conflicts are managed.</p> <p>Either the CEO, Group Executive or Branch Manager (as appropriate) will examine each case and determine the best strategy to manage the outcomes of the conflict. Adapted from the Crime and Corruption Commission’s toolkit, strategies are:</p> <p>Register (record the interest on a form)</p> <ul style="list-style-type: none"> <li>• Restrict (the duties of the employee)</li> <li>• Recruit (another employee to undertake some of the duties)</li> <li>• Remove (the employee from the duties where there is conflict)</li> <li>• Relinquish (the employee gives up or transfers the private interest)</li> <li>• Resign (the employee resigns, transfers or retires).</li> </ul> <p>Recognising and dealing with possible conflicts of interest is also included in the regular code of conduct training program.</p>

Activity	Action
4. Register of Interests – Council Officers	<p>Senior executives and other nominated Council Officers (as well as their related persons) are required to maintain registers of interest under local government legislation.</p> <p>Those required to submit a register of interest must update those registers within 30 days of any relevant change to their particulars.</p> <p>Once the relevant form has been submitted, an assessment is made by the Chief Executive Officer about the disclosed interests and the duties of the employee. Any potential conflicts of interest will be managed in accordance with the Conflicts of Interest Policy.</p> <p>The Chief Executive Officer holds the registers of relevant officers and their related persons. The Mayor holds the register of the Chief Executive Officer and his related persons.</p>
5. Code of Conduct – Council Officers	<p>All Council employees are required to comply with the code of conduct in accordance with the <i>Local Government Act 2009</i>.</p> <p>Code of conduct training is mandatory for all staff. The training program is ongoing and is the subject of continuous review to ensure alignment with current governance and local governance standards.</p> <p>Between July 2015 and June 2018, 2,138 staff have attended Code of Conduct awareness sessions.</p>

These updates closely align to recent obligations also imposed on Councillors through amendments to the *Local Government Act 2009*.

Also for information, attached to this report is the:

- SCC Integrity Framework (Attachment 2)
- SCC Compliance Framework (Attachment 3)
- SCC Risk Management Framework (Attachment 4)

These frameworks add greater depth to the Governance Framework and work together to ensure that Council has the necessary systems and processes in place for Council Officers to be aware of and meet their required obligations and responsibilities.

Council is committed to its governance culture of accountability and transparency and ensuring that community confidence and certainty in the activities and operations of Council Officers is at its highest, this is particularly so given recent insights into unfavourable operations and practices within some Queensland Local Governments.

### Legal

It is imperative that all Council employees act in the public interest and comprehensively understand their obligations with regard to governance matters, specifically, code of conduct, conflicts of interest and the acceptance of gifts and hospitality benefits.

### Policy

Council's Governance Framework is supported by a number of Policy statements, some of these include:

- Conflicts of Interest Policy – August 2018
- Gifts and Benefits Policy – August 2018
- Corporate and Sponsor Benefits Ticket Allocation Policy – December 2018
- SCC Employee Code of Conduct

**Risk**

The activities undertaken as the subject of this report are intended to assist with the minimisation of risks across the organisation.

**Previous Council Resolution**

There is no previous Council resolution relevant to this report.

**Related Documentation**

SCC Gifts and Benefits Policy  
Employee Gifts and Sponsored Hospitality Benefit Declaration Form  
SCC Conflict of Interests Policy – Council Officer  
Employee Conflict of Interests Declaration Form  
Corporate and Sponsor Benefits Ticket Allocation Policy – Council Officer  
Employee Code of Conduct

**Critical Dates**

There are no dates relevant to the presentation of this report.

**Implementation**

The Corporate Governance Branch will continue to implement the Governance in Action program within the Governance Framework.



**8.2 CUSTOMER ENGAGEMENT AND PLANNING SERVICES****8.2.1 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE AT LOT 347 SP287466 AND LOT 201 SP287474, PETER CROSBY WAY, PALMVIEW**

<b>File No:</b>	<b>MCU17/0161</b>
<b>Author:</b>	<b>Principal Project Planner Customer Engagement &amp; Planning Services Group</b>
<b>Appendices:</b>	<b>App A - Conditions of Approval ..... 63 App B - Area Development Plan for Area B No. 1 ..... 63 App C - Area Development Plans for Area B ..... 111</b>
<b>Attachments:</b>	<b>Att 1 - Detailed Assessment Report ..... 127 Att 2 - Area B Reference Plans ..... 147 Att 3 - Area Development (Neighbourhood) Plan ..... 149 Att 4 - Urban Footprint Rationalisation Plan ..... 151 Att 5 - Preliminary On-street Parking Layout Plan ..... 155 Att 6 - SDA-0717-40931 Concurrence agency response ..... 157 Att 7 - Unitywater Decision Notice ..... 173</b>

Link to Development.i:

[https://maps.scc.qld.gov.au/sitereport/index.html?report=da\\_public&land\\_no=1514037](https://maps.scc.qld.gov.au/sitereport/index.html?report=da_public&land_no=1514037)

<b>SUMMARY SHEET</b>	
<b>APPLICATION DETAILS</b>	
<b>Applicant:</b>	LCA Palmview Pty Ltd ('Living Choice')
<b>Owner:</b>	LCA Palmview Pty Ltd
<b>Consultant:</b>	Innovative Planning Solutions Pty Ltd
<b>Proposal</b>	Preliminary approval for material change of use to which sections 242 and 899 of the <i>Sustainable Planning Act 2009</i> apply to vary the effect of the planning scheme for Area B of the Palmview Master Planned Area under the Palmview Structure Plan
<b>Properly Made Date:</b>	3 July 2017
<b>Information Request Date:</b>	31 July 2017
<b>Information Response Received Date:</b>	5 October 2018
<b>Decision Due Date</b>	8 February 2019
<b>Number of Submissions</b>	Not Applicable
<b>PROPERTY DETAILS</b>	
<b>Division:</b>	6
<b>Property Address:</b>	Peter Crosby Way, Palmview, QLD 4556
<b>RP Description:</b>	Lot 347 SP 287466 Lot 201 SP 287474
<b>Land Area:</b>	146ha and 48.8ha
<b>Existing Use of Land:</b>	Vacant, cattle grazing

<b>STATUTORY DETAILS – FOR USE WITH APPLICATIONS UNDER SUNSHINE COAST PLANNING SCHEME</b>	
<b>Planning Scheme:</b>	Sunshine Coast Planning Scheme (27 February 2017)
<b>SEQRP Designation:</b>	Regional Development Area
<b>Strategic Plan Designation:</b>	Urban Area
<b>Planning Area / Locality:</b>	Palmview Structure Plan Area
<b>Planning Precinct / Zone:</b>	Emerging Community Zone
<b>Assessment Type:</b>	Preliminary Approval

## PURPOSE

The purpose of this report is to seek Council's determination of an Application for Preliminary Approval for Material Change of Use that varies the effect of the Planning Scheme (Section 242 and Section 899 of the *Sustainable Planning Act 2009*) over Area B (the "Living Choice" landholdings) of the Palmview Master Planned Area under the Palmview Structure Plan.

The application is before Council due to it seeking a Preliminary Approval to vary the Planning Scheme and also the significant construction value of the proposed development contributing towards the Sunshine Coast region.

## EXECUTIVE SUMMARY

On 23 April 2015, Council finalised the re-negotiated agreement for the delivery of infrastructure for the Palmview Structure Plan Area with Unitywater and the Palmview landowners. The application for a Preliminary Approval is a requirement of the Palmview Infrastructure Agreement (hereon referred to as the 'Infrastructure Agreement') and is required to:

- give effect to the Planning Scheme specific to Area B of the Palmview Master Planned Area
- ensure the relevant obligations associated with the landholding, in accordance with the Infrastructure Agreement, are taken into account
- ensure integration of development and infrastructure across the three landholdings.

This is the third and final Area Development Approval for the Palmview Master Planned Area. The Area A (AVID) and Area C (McCafferty Family & PEET Ltd) Area Development Approvals were approved by Council on 31 October 2016 and 25 January 2018 respectively.

The assessment period timeframes for the application has been extended a number of times by the applicant. This was required to enable the sale of Area B to LCA Palmview Pty Ltd, also known as Living Choice who are now the applicant for the proposal.

The applicant was required to respond to Council by 2 November 2018. However, Council officers agreed to extend the decision making period until the 8 February 2019 to provide the applicant sufficient time to resolve a range of outstanding issues. The extended date also provides time for the recommendation to be decided by full Council at the 31 January 2019 Ordinary Meeting.

The proposal for an Area Development Approval over Area B of the Structure Plan Area has been assessed and is considered to be substantially consistent with the Palmview Structure Plan (hereon referred to as the 'Structure Plan') and the Infrastructure Agreement.

It is recommended that Council approve the application subject to:

- Conditions of Approval (Appendix A)
- Area Development Plan for Area B (No.1 ) 2017 (Appendix B)
- Area Development Plans for Area B (Appendix C).

## OFFICER RECOMMENDATION

That Council approve Application No. MCU17/0161 at Lot 347 SP 287466 and Lot 201 SP287474 and to grant a Preliminary Approval for a Material Change of Use to which Sections 242 and 899 of the *Sustainable Planning Act 2009*, apply to vary the effect of the Planning Scheme for Area B of the Palmview Master Planned Area under the Palmview Structure Plan (see Other Plans Map OPM P5), being the land the subject of this Preliminary Approval situated at Peter Crosby Way, Palmview in accordance with:

- (a) Conditions of Approval for Area B (Appendix A)
- (b) Area Development Plan for Area B (No.1 ) 2017 (Appendix B) and
- (c) Area Development Plans for Area B (Appendix C).

## FINANCE AND RESOURCING

The development of Area B must be undertaken in accordance with the Infrastructure Agreement.

This Preliminary Approval does not authorise assessable development and does not trigger Financial Contributions in accordance with the Infrastructure Agreement.

## CORPORATE PLAN

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

**Outcome:** 4.5 – Assets meet endorsed standards for sustainable service delivery

**Operational Activity:** S22 - Development services - planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals.

## CONSULTATION

### Divisional and Portfolio Councillor Consultation

The Divisional Councillor R Baberowski and the Planning Portfolio Councillors, Councillor C Dickson and Councillor J Connolly were briefed on the issues pertaining to the s242 Preliminary Approval.

Councillors have previously raised concerns regarding road widths, on-street parking and emergency and waste vehicle access in new master planned communities. Those concerns have been considered during the assessment of this application.

### Internal Consultation

The following internal Council specialists have been consulted and their assessment forms part of this report:

- Manager, Development Services
- Project Coordinator, Palmview / Kawana Team
- Project Coordinator Specialist Advice, Livability & Natural Assets
- Coordinator Open Space & Social Policy, Livability & Natural Assets
- Principal Engineer, Engineering and Environment Assessment Team
- Principal Development Engineer (Hydraulics), Engineering and Environment Assessment Team
- Senior Landscape Officer, Engineering and Environment Assessment Team
- Environment Officer, Engineering and Environment Assessment Team



- Urban Designer, Planning Assessment Team
- Principal Traffic Engineer, Engineering and Environment Assessment Team

### External Consultation

The application was referred to Unitywater, Department of Infrastructure Local Government and Planning and the Department of Transport and Main Roads.

Their comments and assessment form part of this report (refer to **Attachment 6** and **7**).

### Community Engagement

In accordance with Section 899 of the *Sustainable Planning Act 2009*, public notification does not apply to the 'Area Development Application' if it is substantially consistent with the Structure Plan. However, the community has been provided full access to all of the 'Area Development Application' documents and information on Council's website.

In addition, the subject site has undergone extensive community engagement as part of the Planning Scheme amendment to the Palmview Structure Plan, which included a period of public notification between September and October 2015.

## PROPOSAL

### Background

The Palmview Master Planned Area is located east of the Bruce Highway and immediately south of the Sippy Downs/Chancellor Park urban community. The area is comprised of three landowners with three separate development areas Area A (also referred to as "Harmony"), Area B (being undertaken by 'Living Choice') and Area C (owned by the McCafferty Family and being developed in part by PEET Ltd) (refer to **Figure 1**).

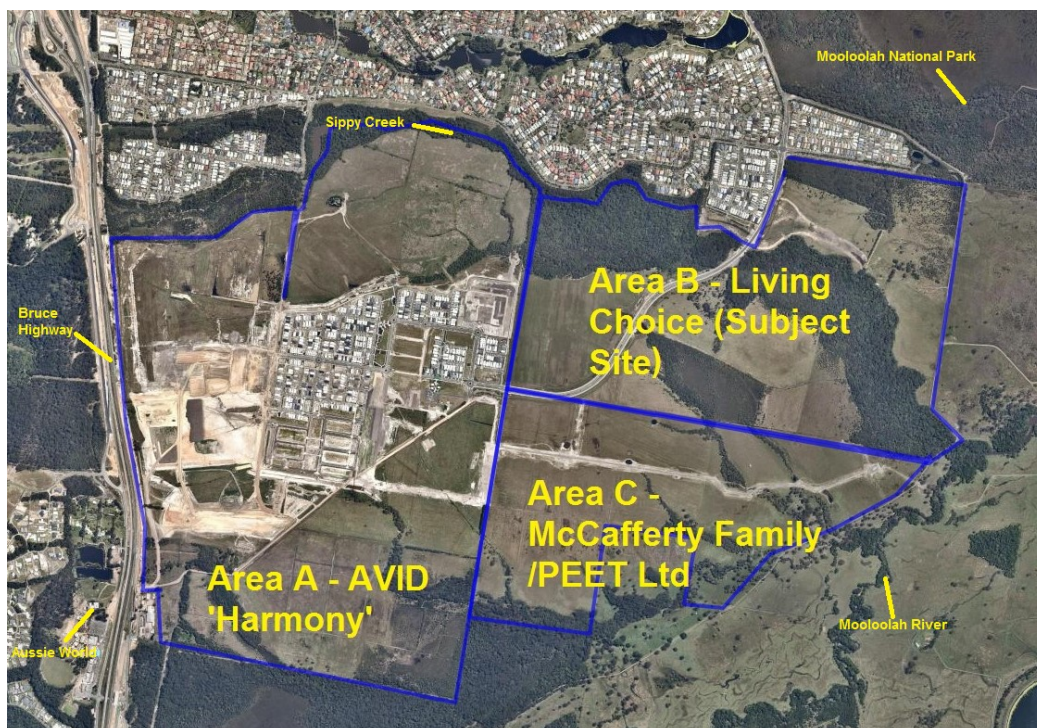


Figure 1 - Locality Plan

### Area Development Approval

The proposal seeks a Preliminary Approval, otherwise known as an Area Development Approval. Each of the Palmview landowners are required to apply for an Area Development Approval to demonstrate compliance with the Structure Plan and the Infrastructure Agreement (refer to **Appendix C, Attachments 2 and 3**).

The proposed land uses for Area B will accommodate up to 2,751 people in 1,190 dwellings and contains:-

- a Local Activity Centre (maximum 2,500sqm GFA)
- 10.5ha of Regional Recreational Park
- 2.2ha of local recreation parks
- 155.3ha of non-urban open space (of which 84.2ha is to be purchased by the other 2 landowners to meet their non-urban open space obligations)
- 4.7ha of land for a state school
- 4.5ha of land for a private school
- 3,000sqm of land for a local community facility.

### Variations Proposed

The application proposes variations to the Structure Plan maps and a series of neighbourhood planning concepts for consideration.

The Structure Plan variations are considered to be minor in nature and are therefore considered to be substantially consistent with the Structure Plan. The proposed variations to the Structure Plan maps are recommended to be included as part of the approval and are referred to as the 'Area Development Plans' (refer to **Appendix C, Attachment 2 and 3** of this report).

The assessment of the application has also identified a number of variations and neighbourhood planning concepts which were considered to be more than minor or where insufficient information has been provided to make an informed determination. These issues are summarised below and discussed in more detail in the Detailed Assessment Report (refer to **Attachment 1** of this report).

### Road Network and Lot Mix

Supporting information provided with the Area B Development Application identifies concept layouts for Area B comprising both detached front loaded and rear loaded dwellings. Small lots neighborhoods require a lot mix that includes rear access or lane ways in addition to traditional front loaded dwellings to ensure all of the essential infrastructure and services can be accommodated in the road reserve.

The adjoining Area A (also referred to as 'Harmony') includes rear laneways as part of its lot mix in addition to increased road widths for Access Streets and Access Places. An increase in road pavement width is one solution required to manage the issues associated with small lot neighbourhoods, including the provision of adequate on-street parking. Landowner B has proposed increased road widths for local access streets as part of their Area Development Application.

It is recommended that a condition be imposed requiring the minimum pavement width of Access Streets and Access Places to be 7.5m and 6m respectively which is consistent with the adjoining Area A and C Area Development Approvals. Furthermore, that rear laneways are to be provided as part of the development in accordance with Council's Reconfiguring a lot code for small residential lots.

It is also recommended that these requirements are conditioned to be incorporated as part of the subsequent Neighbourhood Planning and Local Area Development (Neighbourhood) Plan.

### Car Parking Management

The applicant has provided a preliminary on-street parking layout plan (**Attachment 5**) aimed at demonstrating how the on street parking demand would be satisfied for the submitted concept plans. However, the plan is based on a concept lot and street layout which has not been approved and therefore has not adequately demonstrated that overall parking requirements would be achieved. Nonetheless, the attached plan indicates a minimum of two parking bays for every three dwelling houses, the proposed 643 detached dwellings would be provided with 686 parking bays, which exceeds the required minimum of 429 parking bays. However, the preliminary on-street parking layout plan has not accounted for the proposed Medium Density area which requires an allocation of on-street parking to be identified.

In addition, Landowner B has proposed increased pavement width for local access streets, which allows greater opportunities for on-street parking. However, this does not necessarily solve the constraints for on-street parking produced by a greater density of narrow frontage lots.

It is recommended that a condition is imposed to the Area Development Approval requiring the submission of a detailed car parking analysis. A similar condition of approval was imposed on the Area C approval, specifically an On Street Carparking Management Analysis which demonstrates the proposed road carriageway will accommodate the required number of on street visitor spaces as part of the subsequent Local Area Development (Neighbourhood) Plans.

### Urban Footprint Rationalisation Plan

The Area B Development Application proposes variations to the urban footprint, which would adjust the boundary between the 'residential' and 'ecologically important areas' of land mapped within the Structure Plan. The Urban Footprint Rationalisation Plan (refer **Attachment 4**) proposes 9,733m<sup>2</sup> of non-urban open space to be transferred to urban development and 11,077m<sup>2</sup> of urban land proposed to be transferred to non-urban open space.

Overall, the proposal indicates a net gain of 1,344m<sup>2</sup> of non-urban open space. However, the proposal also brings urban development closer to land constrained by bushfire hazard. This reduction in the setback could result in further clearing works within 'ecologically important areas' to ensure any bushfire risk is managed and mitigated. This would be inconsistent with the intent of the Structure Plan.

It is recommended that the proposed Urban Footprint Rationalisation Plan is not approved as part of the Area B Development and instead is undertaken as part of subsequent Neighbourhood Planning when it can be considered as part of a detailed layout.

### Neighbourhood Planning

The Area B Development Application includes a concept layout which shows three residential neighbourhoods (**Attachment 3**). Overall, the proposed neighbourhood concept is generally consistent with the intent of the Structure Plan. The scale and extent of each neighbourhood will enable strong self-containment and walkable access to public transport, local recreation parks, community facilities and retail/commercial uses.

However, the proposed variations and concepts for Area B Neighbourhood Planning require further detailed design and assessment which has not been provided by the applicant. To enable the applicant to undertake further detailed design and assessment of the proposed neighbourhoods, it is recommended that a condition is imposed requiring the applicant to undertake "Local Area Development (Neighbourhood) Planning". This condition would identify the key supporting information required to assess the proposed Area B Neighbourhood Planning in accordance with the intent of the Structure Plan. A similar condition was applied to the Area A and C Development Approvals.

**Conclusion**

Subject to the recommended conditions, the applicant is considered to have satisfied the requirements to vary the Palmview Structure Plan in accordance with Sections 242 and 899 of the *Sustainable Planning Act 2009*.

**Legal**

The Palmview landowners are required to perform and fulfil development obligations for the proposed development of their areas in accordance with the Palmview Structure Plan Infrastructure Agreement 2010 (Consolidation No 2).

**Policy**

The applicable planning scheme for the application is Sunshine Coast Planning Scheme 2014 (27 February 2017). The proposed development is considered to be substantially consistent with the Strategic Framework, when read as a whole, and subject to the imposition of conditions on any approval.

**Risk**

Area B comprises 14.7% (maximum 957 dwellings) of the overall development of the Palmview Master Planned Area. Without approval of this Area Development Application there will be no master planning framework to enable lodgement and subsequent consideration of development applications across Area B.

**Previous Council Resolution****Special Meeting 23 November 2015 (SM15/27)**

*That Council:*

- (a) *having reviewed all properly made submissions about the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment - Palmview Structure Plan, Palmview Structure Plan Planning Scheme Policy and Consequential Amendments), decide to proceed with the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment - Palmview Structure Plan, Palmview Structure Plan Planning Scheme Policy and Consequential Amendments), with modifications in accordance with Council direction that are not significantly different to the public consultation version*
- (b) *delegate authority to the Chief Executive Officer to make all decisions to make the Sunshine Coast Planning Scheme 2014 (Major Amendment - Palmview Structure Plan, Palmview Structure Plan Planning Scheme Policy and Consequential Amendments), including authority to:*
  - (i) *provide a written notice to the Minister for Infrastructure, Local Government and Planning for consideration and advice, which includes the following:*
    - (1) *an electronic copy of the proposed planning scheme amendment that identifies the changes that have been made since the state interest review*
    - (2) *a summary of the matters raised in the properly made submissions and how the local government has dealt with those matters*
    - (3) *identification of any changes to the proposed planning scheme that relate to the SEQ Regional Plan or the State Planning Policy*
    - (4) *information about whether the local government considers the changes to the proposed planning scheme affect a state interest*
    - (5) *confirmation that the local government does not consider the proposed planning scheme amendment is significantly different from the version which has undertaken public consultation*

- (6) *any other information the Chief Executive Officer reasonably considers should be provided to the Minister*
- (ii) *after receiving advice from the Minister for Infrastructure, Local Government and Planning that the local government may adopt the Sunshine Coast Planning Scheme 2014 (Major Amendment - Palmview Structure Plan, Palmview Structure Plan Planning Scheme Policy and Consequential Amendments):*
  - (1) *comply with any conditions imposed by the Minister which must be undertaken prior to adoption*
  - (2) *place a notice in the government gazette, the local newspaper and on the local government website regarding the adoption of the planning scheme amendment and the planning scheme policy*
  - (3) *adopt the Sunshine Coast Planning Scheme 2014 (Major Amendment - Palmview Structure Plan, Palmview Structure Plan Planning Scheme Policy and Consequential Amendments) and*
  - (4) *advise each person in writing who made a properly made submission about the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment - Palmview Structure Plan, Palmview Structure Plan Planning Scheme Policy and Consequential Amendments), detailing how their submission has been dealt with*
- (iii) *provide to the Minister for Infrastructure, Local Government and Planning a copy of the notice and an electronic copy of the planning scheme amendment and the planning scheme policy and*
- (c) *delegate authority to the Chief Executive Officer to undertake all necessary action to negotiate, prepare and execute any changes to the Palmview Structure Plan Area Infrastructure Agreement (2010) arising from the Sunshine Coast Planning Scheme 2014 (Major Amendment - Palmview Structure Plan, Palmview Structure Plan Planning Scheme Policy and Consequential Amendments).*

### **Related Documentation**

Sunshine Coast Planning Scheme 2014

Palmview Structure Plan Infrastructure Agreement 2010 (Consolidation No 2)

### **Critical Dates**

The assessment period timeframes for the application has been extended a number of times by the applicant. The extension of the timeframes enabled the sale and transfer of ownership of Area B from the Crosby Family to LCA Palmview Pty Ltd, also known as Living Choice. Council was notified of the sale of Area B on 16 March 2018. Living Choice formally responded to the application on 5 October 2018.

A decision was originally due by Council on the 2 November 2018. To allow the applicant sufficient time to resolve a range of outstanding issues, Council officers extended the decision making period until the 8 February 2018. The extended date also provides time for the recommendation to be decided by full Council at the 31 January 2019 Ordinary Meeting. In accordance with Section 318 of the *Sustainable Planning Act 2009*, any further extension would require the written consent of the applicant.



## 8.3 ECONOMIC AND COMMUNITY DEVELOPMENT

### 8.3.1 HORIZON FESTIVAL

**File No:** Council meetings

**Author:** Coordinator Creative Arts & Events  
Economic & Community Development Group

**Appendices:** App A - Horizon Development Plan 2019-2023 ..... 199

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#### PURPOSE

The purpose of this report is to seek endorsement and funding for a further three year delivery of the Horizon Festival – 2020, 2021 and 2022.

#### EXECUTIVE SUMMARY

The Horizon Festival, a key deliverable in the Sunshine Coast Arts Plan 2018-2038, has provided significant benefits to the community, arts sector and economy on the Sunshine Coast, and is establishing the track record and potential to evolve into a signature multi-arts festival for the region.

In 2015, the Horizon Festival concept was developed after a “cultural festival” was identified as a strategic initiative to be seed funded within the Regional Arts Development Fund (RADF) and supported by the RADF Committee and Arts Queensland.

The inaugural festival, while small, was successfully delivered in 2016. A report to Council at its January 2017 Ordinary Meeting identified a three year budget (for the 2017, 2018 and 2019 festivals) which was endorsed by Council, enabling the festival to develop into an award winning festival of arts and culture for the region.

At the 2018 Australian Event Awards, the Horizon Festival was awarded the Best Achievement in Marketing, Communication or Sponsorship award.

During the same period, the region’s first ever arts plan was endorsed (August 2018) after extensive community engagement. The Horizon Festival supports and contributes to the achievement of many strategies within the Sunshine Coast Arts Plan 2018-2038, specifically:

- Goal 2 Arts audiences and creative opportunities flourish through investment and development.
- Goal 4 Art and creativity is embedded in the identity and experience of the Sunshine Coast.

The main objectives of Horizon are primarily focused on cultural development outcomes including showcasing emerging artists and cultural workers to new local and national audiences and enabling access to national and international cultural development opportunities.

However, the festival has also generated economic benefits, promotes social inclusion and wellbeing, brings communities together, fosters participation and enables residents to gain a wealth of experiences that would otherwise not be readily available or accessible.

Some key statistics achieved over the first three years of the festival (2016-18) include the following:

- 128,211 attendees
- 22.3% average visitors to the region
- 2,235 artists engaged
- 370 First Nations artists
- 330 artists with a disability
- 8,460 volunteer hours.

The first three years of the festival have demonstrated the value of having an arts and cultural event on the Sunshine Coast for both practitioners and consumers.

The Horizon Development Plan 2019-2023 (**Appendix A**) provides guidance and direction in decision-making for staff, stakeholders, sponsors and festival partners; it outlines the intent for the development of the 2019-2023 festivals in line with corporate priorities, and includes the curatorial framework, program development initiatives, marketing strategy and funding and resourcing priorities.

It is anticipated that the implementation of the development plan will achieve the following outcomes:

- Establish the festival as a premier arts event on the national calendar
- Provide pathways for local artists to develop content, skills and networks
- Provide residents and visitors with unique arts experiences that engage and inspire
- Showcase the Sunshine Coast as a sophisticated cultural destination alongside spectacular geography
- Provide strong social and community benefits for Sunshine Coast residents
- Increase the liveability and desirability of the region to positively influence destination choice of visitors, future residents and businesses
- Deliver direct economic impact and tourism benefits
- Leverage significant funding from other levels of government, the corporate sector and philanthropic avenues
- Investigate alternative structural and investment options that support the future development and resourcing of the festival.

To enable the timely planning and delivery of a festival of this complexity, including sponsorship negotiations and grant applications, this report requests another three year commitment to support the further development and delivery of the festival in 2020, 2021 and 2022.

## **OFFICER RECOMMENDATION**

**That Council:**

- (a) receive and note the report titled “Horizon Festival”**
- (b) endorse the Horizon Festival of art and culture as a Sunshine Coast Council supported event for the years 2020, 2021 and 2022**
- (c) refer an annual materials and services budget of \$332,000 (plus CPI) and an annual employee costs budget of \$333,878 (plus increment and CA increases) for a three-year period to the 2019/20 budget process for Council’s consideration and**
- (d) note the “Horizon Development Plan 2019-2023 (Appendix A) which will guide the delivery of the Horizon Festival operations.**



## FINANCE AND RESOURCING

In 2016, Council endorsed an annual budget of \$343,260 (plus CPI) for a three year period.

In 2017, via the quarterly budget review process, a further \$40,000 was endorsed to increase the operational budget to cover (unbudgeted for) increases in employee costs post July 1 2017 wage increases.

The Horizon budget, as endorsed in 2016, also anticipated the ability to attract grants and sponsorship in the vicinity \$152,740 (including a RADF grant of \$52,000) to fund the festival while limiting the cost to Council.

However, this has not been realised. While sponsorships and grant opportunities will continue to be actively sought, this report requests that this external funding target be removed as it is unachievable and that an increase to the Horizon budget provided by Council be endorsed for a further three year period, for the following reasons:

1. It is challenging to forward plan, negotiate and program a 10-day regional festival with an unsecured budget
2. It is difficult to secure cash sponsorships to relieve the budget, particularly when the program cannot be confirmed (refer to point 1 – potential sponsors cannot choose to sponsor a specific program or performance, in a timely manner, if they cannot see a program).
3. Council is competing against potential festival participants for external grants and funding which is detrimental to the festival program and reputation (Horizon instead intends to assist participants in submitting their own external grants which will be both beneficial for the festival program and Council's reputation)
4. The RADF funding component will be used to deliver currently unfunded Sunshine Coast Arts Plan 2018-2038 actions. This would mean that, as per the RADF funding arrangements with Arts Queensland which allows Councils to identify and fund "Council initiated projects" annually via the grant (and in line with Arts Queensland's criteria for RADF and such projects), Council would refer to the Arts Plan and identify one of the actions as the Council initiated project (as allowed under the agreement with Arts Queensland) *instead of* the Horizon Festival.

This report requests an increase of \$191,158 to the annual Horizon budget for the next three years. This includes the \$152,000 to fund the unrealised income projections (sponsorships and grants) plus \$39,158 to cover employee costs, which will enable the festival team to develop continuity and maintain valuable intellectual property held by these officers including the festival director.

Table 1 below outlines the current budget against the proposed recommendation.

Item	2018/19 FY	2019/20 ongoing for three financial years	Difference
Materials and services	\$180,000	\$332,000	+ \$152,000
Employee costs	\$294,720	\$333,878	+ \$39,158
<b>Total</b>	<b>\$474,720</b>	<b>\$665,878 (plus CPI)</b>	<b>\$191,158</b>

Table 1. Current and proposed financial outlay

The additional funding requested in this report will be used for programming and marketing objectives, as outlined in the Horizon Development Plan 2019-2023:

- Program funding will allow an increase in quality, diversity and geographic spread for the festival. Additionally, Horizon 2019 will be held alongside the Australian Performing Arts Centres (APAC) conference which provides a pivotal leverage opportunity to showcase the Sunshine Coast and its artists, venues and landscape to the eyes of

national and international arts sectors. This opportunity was pivotal in APAC choosing the Sunshine Coast for their conference.

- Marketing increase will allow for a response to consistent feedback received over the past three years that 'marketing and awareness' is the key area needing improvement. Increased marketing will also include a targeted out-of-region campaign to allow Horizon to increase the tourism benefits and economic impact of the festival, and subsequently the ability to obtain significant tourism funding in the future.

## **CORPORATE PLAN**

**Corporate Plan Goal:** *A strong community*

**Outcome:** 2.3 - A shared future where culture, heritage and diversity are valued and embraced

**Operational Activity:** 2.3.11 - Deliver the events program for the 2018 Horizon Festival.

## **CONSULTATION**

### **Councillor Consultation**

- Councillor R Baberowski – Portfolio Councillor for Transport, the Arts and Heritage

### **Internal Consultation**

- Councillors
- Major Events Board
- Regional Arts Development Committee
- Sunshine Coast Arts Advisory Board
- Coordinator Community Land Permits
- Coordinator Library Services
- Gallery Curator and Team Leader, Caloundra Regional Gallery
- General Manager, The Events Centre Caloundra
- Manager Arts, Heritage and Libraries
- Manager Communication
- Public Art Curator, Creative Arts
- Reconciliation Action Plan Officer
- Senior Environmental Visitor Centre Officer, Environmental Operations
- Strategic Policy Officer, Liveability and Natural Assets
- Team Leader, Creative Arts
- Venue Manager, Sunshine Coast Stadium
- Venue Manager, Venue 114 & Community Spaces

### **External Consultation**

- Kabi Kabi representatives
- Jinibara representative
- Director, Caloundra Film Festival
- Director, Peripheral Arts
- President, Sunshine Coast Creative Alliance
- The Old Ambulance Station

### **Community Engagement**

- Horizon attendees, participants and volunteers via feedback and surveys

## PROPOSAL

The Horizon Festival, a key deliverable in the Sunshine Coast Arts Plan 2018-2038, has provided significant benefits to the community, arts sector and economy on the Sunshine Coast, and is establishing a track record and potential to evolve into a signature multi-arts festival for the region.

In 2015, the Horizon Festival concept was developed after a “cultural festival” was identified as a strategic initiative to be seed funded within the Regional Arts Development Fund and supported by the RADF Committee and Arts Queensland.

The inaugural festival was delivered in 2016 and a report brought to Council at its January 2017 Ordinary Meeting, with budget for three years (2017-2019 festivals) being endorsed.

At the 2018 Australian Event Awards, the Horizon Festival was awarded the Best Achievement in Marketing, Communication or Sponsorship award. The award took into consideration the style of campaigns, strategies, innovation, partnerships, challenges overcome, environmental sustainability and corporate social responsibility achieved by the nominated events.

During the same period, the region’s first ever arts plan was endorsed (August 2018) after extensive community engagement. The Horizon Festival supports and contributes to the achievement of many strategies within the Sunshine Coast Arts Plan 2018-2038, specifically:

- Goal 2 Arts audiences and creative opportunities flourish through investment and development.
  - Strategy 2.1 Support and deliver a diverse and accessible program of arts experiences.
    - Action 2.1.1 Continue to develop Horizon as the region’s signature multi-arts festival
- Goal 4 Art and creativity is embedded in the identity and experience of the Sunshine Coast.
  - Strategy 4.6 Build on the reputation of the Sunshine Coast as a place where the arts flourish and inspire.
    - Action 4.6.2 Continue to market and position Horizon Festival at the Sunshine Coast as a premier arts and cultural experience and destination

Action 4.6.2 is further supported by the Major Events Strategy 2018-2027 which identifies ‘cultural connoisseurs’ – people with a real enthusiasm and investment in their passion for food and wine, culture, the arts and unique travel experiences – as one of the target audiences for regional events.

The main objectives of Horizon are primarily focused on cultural development outcomes including showcasing emerging artists and cultural workers to new local and national audiences and enabling access to national and international cultural development opportunities.

However, the festival has also generated economic benefits, promotes social inclusion and wellbeing, brings communities together, fosters participation and enables residents to gain a wealth of experiences that would otherwise not be readily available or accessible.

Some key statistics achieved over the first three years of the festival (2016-18) include:

- 128,211 attendees
- 22.3% average visitors to the region
- 2,235 artists engaged
- 370 First Nations artists

- 330 disabled artists
- 90% rating on 'Increase the appreciation of the value of arts, culture and heritage as part of community life in the region'
- 88% rating on 'Promote a sense of community pride'
- 87% rating on 'Satisfaction'
- \$908,225 media value
- 12,009,042 media reach
- 332,000 website views
- 8,460 volunteer hours.

The first three years of the festival have demonstrated the value of having an arts and cultural event on the Sunshine Coast for both practitioners and consumers.

For the ongoing development of the festival, the identification of strategic focus areas aligned to the Arts Plan and other endorsed directions of Council has been completed. A review and analysis of feedback received via consultation with artists and audiences, understanding and consideration of festival lifecycles, and anticipated sector and regional opportunities have also been considered.

This strategic approach is outlined in the Horizon Development Plan 2019-2023 (Appendix A). The plan will provide guidance and direction in decision-making for staff, stakeholders, sponsors and festival partners, and has considered:

- Alignment to Council endorsed strategies and plans (including the Sunshine Coast Arts Plan 2018-2038)
- Analysis of past-festival performance
- Benchmarking against similar local government arts festivals
- Community engagement of attendees, participants and volunteers
- Sector engagement with Arts Queensland, Tourism and Events Queensland, Sunshine Coast Arts Advisory Board and the Major Events Board
- Internal engagement with relevant stakeholders.

This next three years of the festival lifecycle will take advantage of upcoming sector and region opportunities such as:

- the Australian Performing Arts Conference and Performing Arts Exchange being held in Caloundra during Horizon 2019
- the new Maroochydore CBD coming online offering opportunities for a centralised hub and more urban and sophisticated program offerings (from 2019) and
- the expansion of the Sunshine Coast Airport offering increased tourism visitor opportunities (2020).

The plan outlines the intent for the development of the 2019 - 2023 festivals in line with corporate priorities, and includes the curatorial framework, program development initiatives, marketing strategy and funding and resourcing priorities, as identified below:

*Program development key priorities*

- i. Curatorial framework to ensure balanced, feasible and appropriate program
- ii. Development of key festival hubs to enhance visitor experience
- iii. Inclusion of one standout blockbuster 'ARTtraction' style event or installation

- iv. First Nations focus and cultural tourism opportunities
- v. Build and maintain key program partners
- vi. Local arts sector development including export readiness.

*Media and marketing key priorities*

- i. Increasing brand awareness marketing in the local area – including initiatives to keep the brand alive outside of the 10-day festival period
- ii. Increasing and focusing marketing ‘influence/behaviour change’ efforts on the out-of-region tourism markets through an arts experience destination campaign
- iii. Achieve targets as outlined in the Marketing and Communication Strategy 2019
- iv. Work with Horizon partners to extend marketing reach and provide mutually beneficial outcomes.

*Resourcing key priorities*

- i. Secure Council’s ongoing financial and resourcing support
- ii. Secure multi-year funding from the State Government and Federal Government
- iii. Increase corporate sector support via a dedicated Partnerships Officer
- iv. Investigate philanthropic investment
- v. Identify revenue streams for the festival
- vi. Develop a Volunteer strategy
- vii. Develop and maintain core festival team and appropriate festival director.

It is anticipated that, through implementation of the priorities outlined and through the investment and support of Council, the following outcomes can be achieved:

- Establish the festival as a premier arts event on the national calendar
- Provide pathways for local artists to develop content, skills and networks
- Provide residents and visitors with unique arts experiences that engage and inspire
- Showcase the Sunshine Coast as a sophisticated cultural destination alongside spectacular geography.
- Provide strong social and community benefits for Sunshine Coast residents
- Increase the liveability and desirability of the region to positively influence destination choice of visitors, future residents and businesses
- Deliver direct economic impact and tourism benefits
- Leverage significant funding from other levels of government, the corporate sector and philanthropic avenues
- Investigate alternative structural and investment options that support the future development and resourcing of the festival.

To enable the timely planning and delivery of a festival of this complexity, including sponsorship negotiations and grant applications, this report requests another three year commitment to support the further development of the festival for 2020, 2021 and 2022.

**Legal**

There are no legal implications in relation to this report.

**Policy***Sunshine Coast Arts Plan 2018-2038*

Specifically:

- Goal 2 Arts audiences and creative opportunities flourish through investment and development.
  - Strategy 2.1 Support and deliver a diverse and accessible program of arts experiences.
    - Action 2.1.1 Continue to develop Horizon as the region's signature multi-arts festival
- Goal 4 Art and creativity is embedded in the identity and experience of the Sunshine Coast.
  - Strategy 4.6 Build on the reputation of the Sunshine Coast as a place where the arts flourish and inspire.
    - Action 4.6.2 Continue to market and position Horizon Festival at the Sunshine Coast as a premier arts and cultural experience and destination

*Cultural Development Policy 2012*

Specifically (guiding principles):

- A resilient and robust creative industries sector
  - Assist groups and individuals to access funding that supports community cultural development, enables cultural expression and encourages community participation.
  - Develop initiatives and partnerships that support and build the capacity and resilience of the region's local creative and cultural industries and communities.
- Increased cultural tourism
  - Maintain and develop partnerships to promote the region's creative and cultural assets and events.
  - Promote and support cultural initiatives to grow local and visiting audiences through the use of traditional marketing tools and existing and future digital technologies.

*Events Policy 2010*

Specifically (key principles):

The following principles are essential for Council in deciding which events it will support within its fiscal capacity and corporate priorities:

- Stimulate the local economy through community and business partnerships and involvement
- Promote, support and encourage local entrepreneurship and innovation
- Contribute to placemaking and a sense of community
- Promote the vision of Council's Corporate Plan.

*Sunshine Coast Major Events Strategy 2018-2027*

Specifically:

- Goal 1 Maximise direct economic return to the region
- Goal 2 Showcase the Sunshine Coast as a destination and increase the region's appeal to potential visitors.

*Sunshine Coast Social Strategy 2015*

Specifically:

- 3.7 Continue to recognise and support opportunities which develop and grow the creative and cultural industries on the Sunshine Coast, positioning the region as a key destination for both the industries.

**Risk**

The early and multiyear commitment will have a positive benefit for the resourcing, planning, delivery and development of Horizon Festival and assist in the achievement of outcomes detailed in this report.

**Previous Council Resolution****Ordinary Meeting 25 January 2017 (OM17/7)**

*That Council:*

- receive and endorse the report titled "Horizon Sunshine Coast Festival of Arts and Culture"*
- endorse the Horizon Festival as a Sunshine Coast Council supported event for the years 2017, 2018 and 2019*
- subject to (b) refer \$205,956 to the 2016/17 financial year third quarter budget review to fund the 2017 Horizon Festival for Council's consideration and*
- subject to (b) refer an annual budget of \$343,260 (plus CPI) for a three year period to the 2017/18 budget process for Council's consideration.*

**Related Documentation**

- Horizon Development Plan 2019-2023
- Cultural Development Policy (2012)
- Events Policy 2010
- Sunshine Coast Major Events Strategy 2018-2027
- Sunshine Coast Social Strategy 2015
- Sunshine Coast Arts Plan 2018-2038

**Critical Dates**

The funding for the Horizon festival in relation to the budget consideration and the ongoing annual funding needs to be considered to enable the timely planning and delivery of a festival of this complexity, including sponsorship negotiations and grant applications.

**Implementation**

Planning for the 2020 Horizon festival and the sourcing of revenue streams will commence immediately if Council decides to endorse the recommendation.





**8.4 LIVEABILITY AND NATURAL ASSETS****8.4.1 NAMBOUR HERITAGE TRAMWAY PROJECT UPDATE****File No:** P-B3798**Author:** Coordinator Urban Projects  
Liveability & Natural Assets Group

**Attachments:** Att 1 - General Arrangement Tramway..... 243  
 Att 2 - Terminus Building Drawings ..... 245  
 Att 3 - Cost estimate by work packages ..... *Confidential 5/19*  
 Att 4 - Nambour Tramway 2015 Feasibility Analysis ..... 5/257  
 Att 5 - Nambour Tramway 2017 TNTCo Business Case .... 241/257

**PURPOSE**

This report provides a progress update on the Nambour Heritage Tramway project in accordance with Council Resolution OM17/95, specifically for a report to be referred back to Council in the event of a budget shortfall for Council's capital budget deliberations.

**EXECUTIVE SUMMARY**

The Nambour Heritage Tramway project has been before Council on several occasions in the past, most recently in June 2017 when Council resolved to advance the project with a series of specific resolution actions. All elements of the most recent Council resolution have been progressing over the last 18 months, with this report arising from latest project cost estimate exceeding allocated funding and a requirement to report back to Council should this eventuate.

The project is identified within Council's Nambour Activation Plan and is a collaborative effort of Council and community group, The Nambour Tramway Company Ltd (TNTCo). Several key packages of work make up the overall project:

- a) approvals/Legal: All necessary leases and funding agreements have been executed. An interface agreement between TNTCo and Department of Transport and Main Roads (DTMR) has been agreed in principle (subject to final signaling design). TNTCo has obtained accreditation from the Office of the National Rail Safety Regulator (ONRSR) that permits terminus construction and static commissioning of tram rolling stock but currently excludes construction and operation of tram rolling stock.
- b) terminus building: design completed and works ready to commence.
- c) tram rolling stock: open market tender advertised and closed 18 December 2018 (in probity / assessment phase).
- d) tramway (i.e. track, platforms, roadway modifications): concept design completed with next task scheduled detail design.

Some packages of work are approaching 'shovel ready', however the current funding summary shown in Table 1 below, indicates an estimated budget shortfall of \$2.97 million.

Table 1: Finance summary

Item	Value
Expenditure (to date)	\$0.42 million
Updated estimate to complete (including contingencies)	\$4.65 million
<i>Sub-total</i>	<i>\$5.07 million</i>
Approved funding (to date)	\$2.1 million
<b>Surplus / (deficit)</b>	<b>(\$2.97 million)</b>

Progression of the individual work packages has been placed on hold awaiting budget shortfall clarification. Various options and budgeting solutions have been considered to address the funding shortfall. In the absence of additional funding the full project intent cannot be delivered.

## OFFICER RECOMMENDATION

**That Council:**

- (a) receive and note the report titled “Nambour Heritage Tramway Project Update”
- (b) recognise the updated estimates for entire project indicate a \$2.97 million capital budget deficit which cannot be accommodated within the existing Council 10-year Capital Works Program without significant changes in established regional priorities or increases in program totals and
- (c) acknowledge that the current estimated budget shortfall prevents the Nambour Heritage Tramway full scope from being delivered and the project is unable to proceed.

## FINANCE AND RESOURCING

Total funding currently budgeted towards the project is \$2.1 million from multiple sources across previous, current and future financial years:

1. Council \$1.5 million
2. TNTCo \$0.1 million
3. Australian Government \$0.5 million

Costs to date incurred on the project development are approximately \$0.42 million leaving approximately \$1.68 million from current budget allocations to complete the project. The updated estimates to complete all the project work packages is \$4.65 million leaving a shortfall of approximately \$2.97 million. This shortfall is expected to exist within the 2019/20 financial year. If all funds are required to be sourced from Council it will effectively triple Council's commitment to date, which may have altered earlier examinations of feasibility and justifiable benefits.

Council's budget allocation for this project in the 10 year Capital Works Program was adopted within the Transportation Streetscape Major Centres program, however original budgeting was linked to the Transportation Public Transport Infrastructure program. The Streetscapes Major Centre program has an approximate total value of \$3.3 million annually. The Public Transport Infrastructure program has an approximate total value of \$0.56 million annually.

The current adopted 10 year Capital Works Program has nominated funding within the Streetscapes Major Centre program for Nambour CBD Activation Plan. Funding is scheduled

as \$0.3 million in 2020/21, \$0.95 million in 2021/22 and \$1.74 million in 2022/23 for a total of \$2.99 million over three financial years. The intent of these funds was to implement aspects of the Nambour Activation Plan other than the tramway.

Council budgeting options examined to address the shortfall for 2019/20:

- a) reprioritise Streetscape projects within current program total (i.e. transfer funding from other streetscape projects to Nambour Heritage Tramway)
- b) increase the Streetscape program total with bring forward of all future financial years for Nambour CBD Activation Plan
- c) allocate new additional funding to the program and project.

Implementing any of these options would be at the expense of other projects, programs or would exceed the funding parameters set down for 2019/20 development of Council's 10 year Capital Works Program.

Further options considered to address the latest cost estimates are outlined in the Proposal section of this report.

## **CORPORATE PLAN**

**Corporate Plan Goal:** *A strong community*

**Outcome:** 2.4 - People and places are connected

**Operational Activity:** 2.4.5 - Progress the Nambour Activation Plan 2015.

## **CONSULTATION**

### **Councillor Consultation**

Divisional Councillor G Rogerson

### **Internal Consultation**

- Transport Infrastructure Policy
- Transport and Infrastructure Management
- Project Delivery
- Design and Placemaking Services
- Contract and Supply Services
- Legal Services
- Communication
- Property Management
- Finance

### **External Consultation**

- Nambour Tramway Company Ltd
- Nambour Alliance
- Queensland Department of Transport and Main Roads
- Australian Government Department of Infrastructure and Regional Development

### **Community Engagement**

Extensive community engagement was undertaken during the development of the feasibility study which was presented to Council on 23 April 2015, and also as part of the development of the Nambour Activation Plan, which was adopted by Council on 15 October 2015.

The Tramfest events remain a highly effective and successful community engagement tool, as is The Friends of the Tram group who maintain a Facebook presence and issue monthly newsletters.

A draft community communication plan for project construction has been developed however its implementation has been on hold pending construction timeframes which is linked to addressing budget deficit. Like other Council streetscapes a process of communication with the community will need to occur in advance of the tramway works.

## PROPOSAL

The Nambour Heritage Tramway project is designed to re-activate the heritage listed tram line that was initially established to transport sugar cane through the centre of Nambour.

The project is a component of the Nambour Activation Plan 2015 which is a joint initiative between the Sunshine Coast Council and the Nambour Alliance Inc., the town's peak business and community representative body. This Plan, adopted by Council in October 2015 for implementation, aims to provide a framework to activate Nambour to enable local businesses and communities to energise their township and celebrate their place.

The TNTCo tram operating model, as currently proposed, is a single tram running from 28 Mill Street, along Howard Street with additional passenger egress/access at tram stops outside of 80-82 and 127 Howard Street. TNTCo propose a tram service running half hourly, at least six days a week, with up to 28 passengers for gold coin donations. The business model relies primarily on volunteer workforce for maintenance of the rolling stock and operation of the tramway scheme.

At the Ordinary Meeting of Council on 27 February 2014, Council passed a resolution to provide in-principle support to establish the Nambour Heritage Tramway, pending further advice regarding the financial and legacy implications of the operations. To address Council resolution OM14/18(d) a feasibility analysis was undertaken and reported to Council at the 23 April 2015 Ordinary Meeting. Within the analysis none of the scenarios tested returned a financially feasible result, and indicated investment required from Council to make the operation feasible would be considerable (\$97,000 to \$494,000 per annum). The analysis did indicate a positive Benefit Cost Ratio was likely (sensitive to assumptions) along with various intangible social benefits. This feasibility analysis is included as Attachment 4 of this report.

Outcomes at the 23 April 2015 Ordinary Meeting included seeking external funding support, clarifying responsibilities of both Council and TNTCo, proposing Council funds in future capital budgets deliberations and advance planning investigations for further reporting to Council. OM16/33 further nominated an updated business case to be submitted to Council, which was prepared by TNTCo and included in reporting to Council at the 15<sup>th</sup> June 2017 Ordinary Meeting. The TNTCo business case highlighted their forecast positive operational cashflow, including sink fund and future fund, however it did not include a specific cost benefit analysis. Also included was a capital cost estimate of \$2.1million that was offset with equivalent identified revenue. This business case is included as Attachment 5 of this report.

Outcomes from the 15<sup>th</sup> June 2017 Ordinary Meeting included advancing the project with multiple project tasks, which have been actioned accordingly, however in the event of a budget shortfall a further report to Council was required. Introducing additional capital expenditure without corresponding revenue sources has significant consequences to the TNTCo sinking fund within their business case but no impact on their other operational cashflows. If project scope and legacy operations remain unchanged there are no foreseeable adjustments to previously reported outcomes and benefits.

### Project Tasks

Several key packages of works make up the overall project to create the necessary infrastructure for the Nambour Heritage Tramway to function:

*Approvals/Legals*

Multiple documents have been negotiated and executed to advance the project in accordance with previous Council resolutions. This includes:

- a) Heads of Agreement between Council and TNTCo
- b) Funding Agreement between Council and Australian Government
- c) Funding Agreement between Council and TNTCo
- d) Lease of portion 28 Mill Street by TNTCo from Council.

A necessary interface agreement between TNTCo and the Department of Transport and Main Roads (DTMR) has been agreed in principle (subject to final signaling design). This is a requirement of DTMR for TNTCo to operate the tram in the State road corridor (Currie Street). There is potential for Council to develop a similar but more condensed agreement with TNTCo for them to operate the tram in the local road corridor.

TNTCo has obtained accreditation from the Office of the National Rail Safety Regulator (ONRSR) that permits terminus construction and static commissioning of tram rolling stock within 28 Mill Street. Their accreditation currently excludes construction (tram or track) as well as the operation of tram rolling stock. A variation to their accreditation to operate the rolling stock will be required once the tram has been manufactured and is insurable.

A variation to their accreditation to allow construction of tracks will need to occur prior to track works into the terminus building. Should the tram be constructed overseas, as advised by ONRSR, no further construction accreditation is required by TNTCo. However, if the tram is constructed in Australia then TNTCo will have to vary their existing accreditation further to include tram construction. While TNTCo have obtained accreditation for some of the required tasks, it remains a risk to the project that the accreditation variation applications to enable other functions are not supported by the regulator.

*Terminus building*

The project includes a terminus building to occupy the TNTCo leased portion of 28 Mill Street. The design has been completed and necessary building / plumbing applications submitted. Council has previously resolved for TNTCo to be a specialised supplier to construct the building. The terminus functionality includes:

- a) Tramway centre
- b) Visitor information centre
- c) Station platform (disabled compliant passenger access / egress)
- d) Workshop (tram maintenance)
- e) Tram storage
- f) Tracks
- g) Amenities

The Nambour Alliance successfully obtained \$0.5 million from the Australian Government's National Stronger Regions Fund towards construction of the terminus building and associated tracks. In accordance with previous Council resolutions this funding has been transferred from the Nambour Alliance to Council with a \$1 million 50/50 funding agreement executed by Council and the Australian Government. The funding agreement requires works to be 30% complete on the terminus building by 29 March 2019 and fully complete/operating by 31 October 2019 with grant completion reporting and acquittal by 31 January 2020.

*Tram rolling stock*

TNTCo engaged a suitably qualified and experienced consultant to develop functional specifications for the tram rolling stock. The tram functionality includes being battery powered and compatible with the existing heritage listed tracks. Key safety aspects relating to

operating on an active public road with vehicle and pedestrian traffic has been included. In accordance with previous resolutions, Council is undertaking the tram procurement but will transfer ownership, maintenance and operational responsibility to TNTCo. An open market tender using the TNTCo developed tram specification closed 18 December 2018 and at the time this report was drafted the tender was in the probity/assessment phase.

#### *Tramway*

Tramway aspects in the road corridor need to be constructed for the rolling stock to operate and the tram to function. This includes additional track into 28 Mill Street, stations/platforms at two locations, footpath modifications, traffic signal changes and roadway alterations including lighting and extensive line marking. The works are similar to tasks associated with a streetscape, being a mixture of civil and landscape outcomes. A concept design has been completed by suitably qualified external design consultancy with input from both Council and TNTCo. Further procurement is required to enable the detail design task to be completed in the first quarter of 2019. The estimated cost of the detail design is included within the overall estimate.

#### Funding Deficit

To address the current overall budget deficit several options have been explored:

#### ***Additional Revenue Sources:***

- a) State and Federal Government grants: within the timeframes of expected project delivery in 2019 there have not been any identified appropriate grant programs. Success of applications is also considered unlikely given the project has already attracted Australian Government funding which has not yet been acquitted.
- b) TNTCo: as a not for profit community group TNTCo have undertaken significant community fund raising to contribute towards the project. They remain committed to continuing these efforts however at the time of report writing additional funds had not been secured.
- c) other 3<sup>rd</sup> Parties: none identified.
- d) Council: other Streetscape projects would have to be reprioritised or all future year funding for the Nambour CBD Activation would need to be brought forward increasing both the streetscape program and overall total Capital Works Program, at a time when strict limits are required and being applied.

The Streetscape program owner is Design and Place Making Services Branch. Regional streetscaping priorities are determined through a needs-based assessment using objective criteria including:

- Existing asset condition
- Amenity / aesthetics
- Safety
- Legibility
- Equity and opportunities
- Economic sustainability
- Social cohesion and well-being
- Value for money
- Community capacity building and collaboration opportunities
- Environmental sustainability
- Achieving Council vision, strategy and policy outcomes

The Nambour Activation Plan highlights the following as improvements to be undertaken, albeit with only some being costed and partially budgeted:

- Strategic Projects:
  - Nambour splash water park (budgeted)
  - Connecting town centre to Nambour Showgrounds
  - Petrie Creek pedestrian and green spine
  - Nambour Heritage Tramway (partially budgeted)
- Placemaking Locations
  - Howard Street – The Tracks
  - Town Square and High Streets
  - Forecourt/Currie St – the little Brunswick St (partially budgeted)
  - C-Square – arts and entertainment mecca
  - Petrie Creek Parklands – town touching nature

Addressing the tram budget deficit with Nambour CBD Activation Plan allocated funds in Council's adopted 10 year Capital Works Program would consume all available budget over multiple financial years. This would leave no funds to further advance Placemaking locations as identified in the Nambour Activation Plan.

**Reduce scope:**

- a) Terminus building size reduced: not supported by TNTCo due to functionality requirements
- b) Landscaping treatments in tramway removed: not supportive of Placemaking / Streetscaping outcomes for the Nambour CBD
- c) Remove one or both tramway stations: not supported by TNTCo due to business model usage generation.

While aspects of the project could be undertaken in a staged manner to mitigate the financial impact each financial year, the overall cost to deliver would still require additional budget to achieve all the desired outcomes and project functionality. Furthermore, staging would likely increase the total costing due to multiple mobilisation and rework of staging connections, albeit over multiple financial years rather than just within 2019/20, and is therefore not recommended.

**Value engineering:**

- a) Terminus: building has already adopted low cost material choices
- b) Tram rolling stock: neither Council nor TNTCo are technical experts of tram manufacturing and accordingly have relied on commissioned external advice from industry expert in developing the functional specification. There may be some aspects of the tram that could be altered to reduce costs, but these would need to be considered and advised by technical expert(s) and potentially ONRSR and DTMR.

If reductions in costs or increased budget sources or a combination of both cannot be achieved, then the project is unable to proceed.

**Legal**

Multiple documents have been executed to date relevant to the Nambour Heritage Tramway project, including:

- heads of agreement, lease and funding agreement between Council and TNTCo
- funding agreement between Council and Australian Government

If additional funding is not secured and the project does not proceed the termination clauses/processes within each relevant document will be implemented.

**Policy**

The Nambour Heritage Tramway project is an outcome of the Nambour Activation Plan.

In early 2018 the Nambour Master Plan was prepared by Strategic Planning Branch. Subordinate to this document, the Nambour Activation Plan remains live and provides the framework to activate the streets and places of Nambour and enable local businesses and community to continue to energise their township, celebrate their place and promote the town as a thriving and extraordinary place to live, work and play. The Nambour Heritage Tramway is a nominated strategic project within the Nambour Activation Plan. Council's Corporate Plan includes an operational activity to progress the Nambour Activation Plan 2015.

Additional work is being done on the 'Reimagine Nambour' project which is intended to bring together government, community and business leaders to deliver a strategy that unites the town and its leaders around an action plan. Funding for the action plan has been provided through the Federal Government's Building Better Regions Fund and Sunshine Coast Council. The project action plan is currently under development and is expected in early 2019.

**Risk**

- Updated estimates indicate that to complete the overall project Council's contribution may be triple current budget
- Actual costs incurred greater than updated estimate. Detail design of the tramway not yet completed. The updated estimate in this report include contingency factors and allowances
- Loss of investment to date if project does not proceed
- Loss of Federal Government grant funding should terminus not be constructed. Loss of revenue, loss of infrastructure investment into Nambour and Sunshine Coast region, loss of reputation with Australian Government through not delivering in accordance with funding agreement
- Key task within the Nambour Activation Plan not being implemented. Outcomes intended of the Nambour Activation Plan not achieved
- Tramway / streetscape construction consultation with businesses / community has not yet occurred
- ONRSR accreditation variations for TNTCo to allow construction and operational tasks not yet obtained.

**Previous Council Resolution****Ordinary Meeting 15 June 2017 (OM17/95)**

*That Council:*

- receive and note the report titled "Nambour Heritage Tramway Project Update"*
- request the Chief Executive Officer to finalise the Heads of Agreement document in accordance with the position outlined in this report*
- receive and note The Nambour Tramway Company Ltd.'s Business Case*
- resolve pursuant to section 236(2) of the Local Government Regulation 2012 that an exception to dispose of an interest in land (agreement) in the property identified in Appendix A – Site plan part thereof Lot 2 RP224422, other than by tender or auction be applied, as the disposal is to community organisations as per section 236(1)(b)(ii) and resolve to enter into an appropriate Community agreement with The Nambour Tramway Company Ltd*



- (e) *adopt The Nambour Tramway Company Ltd as a specialised supplier pursuant to section s.235(b) of the Local Government Regulation 2012 as the development manager for the construction of the Western terminus as detailed in the Greenway Architect plans M13.003 (WD.01-WD.11), track and signal infrastructure within and leading up to the 28 Mill Street Nambour site, and request the Chief Executive Officer prepare an appropriate funding agreement to encompass the administration, supervision and acquittal of Council's, Nambour Alliance and the Federal Department of Infrastructure and Regional Development funding for the proposed capital works*
- (f) *note that The Nambour Tramway Company has raised in excess of \$650,000 funding towards the project via 'Tramfest' events, donations Department of Infrastructure and Regional Development, National Stronger Regions Fund grant of \$500,000*
- (g) *in recognition of the efforts stated in recommendation (f):*
  - (i) *commit to allocate a further \$500,000 towards the project in the 2017/18 financial year in accordance with Council resolution (OM15/52[f]) and to complete Council's original commitment to the project totalling \$1.5 million*
  - (ii) *commit to progress the procurement of the tram from project funds, to provide ownership and the full maintenance and operational costs and responsibilities to The Nambour Tramway Company Ltd by utilizing section 236(1)(b)(ii) of the Local Government Regulation 2012. Council will develop detailed specification and tender documentation in consultation with The Nambour Tramway Company*
  - (iii) *request the Chief Executive Officer to proceed with the preparation of the detailed designs and refined cost estimates for the project, prior to the commencement of the construction works*
  - (iv) *delegate authority to the Chief Executive Officer to authorise any applications to be submitted for any approvals required to enable the tram, ancillary buildings and operations to be considered by the relevant authorities and*
- (h) *in the event of a budget shortfall, a report will be prepared by Council updating the current financial position of the project and seeking Council's future commitment within the 2018/19 financial year Capital Budget deliberations and*
- (i) *subject to agreement of the funding agent, grants from The National Stronger Regions Fund and Queensland Tourism Demand Driver Infrastructure Grant Fund, that have been provided to any parties or grants under consideration, if successful, be transferred to Sunshine Coast Council.*

**Ordinary Meeting 25 February 2016 (OM16/33)**

*That Council:*

- (a) *receive and note the report titled "Nambour Heritage Tramway Project Update"*
- (b) *request the Chief Executive Officer to provide a project update to Council on the execution of the heads of agreement, project costing, business case, fund raising and grant funding status and*
- (c) *note the works will continue to progress on the design development and associated approvals.*

**Ordinary Meeting 15 October 2015 (OM15/174)**

*That Council:*

- (a) *receive and note the report titled "Nambour Activation Plan"*
- (b) *adopt the Nambour Activation Plan (Appendix A) and*
- (c) *refer a funding request to undertake a feasibility study for the establishment of a water splash park in association with the Nambour Aquatic Centre to the 2016/17 budget considerations.*

**Ordinary Meeting 23 April 2015 (OM15/52)**

*That Council:*

- (a) receive and note the report titled "Nambour Heritage Tramway Feasibility Assessment Report"*
- (b) note the Feasibility Analysis of the Nambour Heritage Tramway report*
- (c) note that an amount of at least \$2.1 million in funding may be needed to deliver the project*
- (d) support the Nambour Heritage Tramway project via joint funding and partnership arrangement with the Nambour Heritage Tramway Group (the Group), whereby the Group is responsible for the purchase of the tram, is the act as the Infrastructure Manager and Rail Transport Operator of the Tramway; with the Council responsible for land acquisition, buildings, tram tracks and signalling upgrading*
- (e) note that considerable work has been completed and that additional work is required between Council and the Group to complete overall project governance and funding, key project hold points for future decision by Council and joint partnership arrangements, before a final project funding arrangement, project start date, can be confirmed by Council*
- (f) request the Chief Executive Officer to include an allocation of \$500,000 in the 2015/16 draft Budget for future consideration by Council and further, that an additional amount of \$500,000 be included in each for the 2016/17 and 2017/18 draft Budgets for consideration by Council at the time. Further that these funds represent the maximum funding allocation by Council for this project and further that such funding is to be available for land acquisition, building and other associated capital works approved from time to time by the Chief Executive Officer*
- (g) pending funding as per (f) above, being included in the 2015/16 budget request the Chief Executive Officer to draft a Heads of Agreement document in consultation with the Group, to formally recognise the parties' roles and responsibilities including the governance, funding and key project hold points described above; confirmation of the \$600,000 project funds to come from the Group via a combination of fund raising and grants from other governments fully realisable by 30 June 2017 or such other earlier date; agreed assets and operations insurance coverage; recognition that Council supports the Group in any application for funding to other governments, provides support to the Group to obtain necessary accreditation and an Infrastructure Manager and Rail Transport Operator and continues to provide support and advice and*
- (h) pending funding as per (f) above, being included in the 2015/16 budget request the Chief Executive Officer to provide a project report to Council by 31 December 2015 on the status of key project hold points, project milestones, potential funding arrangements and the status of the Heads of Agreement document with the Group.*

**Ordinary Meeting 27 February 2014 (OM14/18)**

*That Council:*

- (a) receive and note the report titled "Nambour Heritage Tramway Issues Paper Report"*
- (b) receive the Nambour Heritage Tramway Issues Paper (Appendix A)*
- (c) give in principle support for the re-activation of the existing heritage listed tramway line, located in Howard, Currie and Mill Streets Nambour, to accommodate the future running of an electric tram and all associated historic rail vehicles*
- (d) request the Chief Executive Officer to have further due diligence assessment carried out considering:*
  - (i) detailed costings, including asset condition reports of existing infrastructure and rolling stock*

- (ii) *funding sources*
- (iii) *cost-benefit / financial viability analysis*
- (iv) *Council's legal and financial liability*
- (v) *extent of community capacity and capability to support the project in terms of volunteers, sponsorship and funding from all sources and potential legacy implications for Council*
- (e) *reallocate up to \$50,000 from the 2013/2014 Division 10 Councillor Emergent Capital Works and Minor Operational Works Policy funding allocations for the due diligence assessment of the project and*
- (f) *allocate further funds from the Division 10 Councillor funds in the 2014/2015 financial year should they be required to complete the due diligence assessment.*

**Ordinary Meeting 13 December 2012 (OM12/197)**

Notice of Motion – Nambour Tramway Development

*That Council request the Chief Executive Officer, in consultation with the Divisional Councillor, to bring to Council a report including an issues paper for the development of the Nambour Tramway utilising the existing heritage listed sugar cane locomotive line with such reports to cover the following:*

- *outline of the proposal*
- *proposed ownership and operations of rolling stock*
- *route alignment*
- *property tenure issues*
- *essential infrastructure required*
- *planning and approval issues*
- *key stakeholders and any agreements required*
- *community aspirations and limitations*
- *cost estimates for:*
  - *construction (Capital Costs)*
  - *operating costs*
  - *revenue potential and*
- *other items as relevant.*

**Related Documentation**

Attachment 1: General Arrangement Tramway

Attachment 2: Terminus Building Drawings

Confidential Attachment 3: Cost estimate by work packages [confidential as includes information currently within tender probity].

**Critical Dates**

The executed funding agreement between Council and the Australian Government for the terminus building includes a schedule for works to be 30% complete by 29 March 2019 and fully acquitted (i.e. constructed and operating) by 31 January 2020. For these requirements to be met construction of the terminus building needs to commence immediately following Council budgetary decision.

Other critical dates relate to Council funding and budget development / budget revisions within allocated financial years (2018/19 and 2019/20).

**Implementation**

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

- (a) utilise the termination clauses and processes within the executed documents and
- (b) create a restricted fund for the unspent Nambour Heritage Tramway Council allocated budget to be used for reprioritised Nambour Activation Plan tasks.

**8.4.2 ICONIC AMENITIES BUILDING - ISAAC MOORE PARK - KENILWORTH**

<b>File No:</b>	<b>Council meetings</b>
<b>Author:</b>	<b>Manager Project Delivery Liveability &amp; Natural Assets Group</b>
<b>Attachments:</b>	<b>Att 1 - Isaac Moore Park Amenities Building Plans .....251</b>

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**PURPOSE**

To provide an update on the progress of the project to design and construct an iconic amenities building at Isaac Moore Park, Kenilworth.

**EXECUTIVE SUMMARY**

Council has previously resolved to construct an iconic amenities building at Isaac Moore Park, Kenilworth. Subsequent to a public competition process, design modifications and competitive request for quote processes have been undertaken to achieve an optimal design and price for construction.

A preferred contractor has been selected and formal tender award is pending for the construction of the amenities building. It is intended that the construction will commence in March 2019 and be completed in the first half of the 2019/20 financial year.

**OFFICER RECOMMENDATION**

**That Council receive and note the report titled “Iconic Amenities Building - Isaac Moore Park - Kenilworth”.**

**FINANCE AND RESOURCING**

Funding for the construction cost of \$635,000 (inclusive of \$35,000 contingency) has been provided through a combination of Divisional Councillor Allocations (\$115,000 across 2018/19 and 2019/20 – additional to the \$150,000 previously allocated), Consolidated Revenue for Capital Works (\$470,000) and proposed reallocation of Nambour showground-related projects in Division 10 (\$50,000), which will be considered in Budget Review 2.

Efforts to secure grant program funding have not been successful to date.

**CORPORATE PLAN**

<b>Corporate Plan Goal:</b>	<b><i>An outstanding organisation</i></b>
<b>Outcome:</b>	We serve our community by providing this great service
<b>Operational Activity:</b>	S31 - Governance - providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

**CONSULTATION****Councillor Consultation**

- Portfolio Councillor G Rogerson (also Divisional Councillor) and Councillor P Cox

**Internal Consultation**

- Chief Executive Officer

## External Consultation

### Michael Lennie (Artist)

Feedback has been sought from Michael Lennie (public design competition winner) throughout tender phase while considering design adjustments and Mr Lennie is comfortable with the design (as attached).

## Community Engagement

No further community consultation has occurred during 2018. However, project newsletters and other public communication mediums will be used to communicate information related to the construction process and timing.

## PROPOSAL

Based on the revised building design achieved through workshops in late 2017, public tenders for construction of the Iconic Amenity Building at Isaac Moore Park Kenilworth were advertised in August 2018.

Unfortunately all submissions were well above Council's allocated budget, resulting in a process to review the architectural drawings with a focus on potential building material substitutions for design cost savings, without impacting the overall aesthetics of the building.

This process is now all but complete with final revised engineering drawings able to be issued for construction, see Att 1 – Detailed Design Plans. This was a process of working with potential builders, engineers and project managers, council designers and the architect to confirm the solution and associated costs.

The most significant material substitutions are as follows:

- First floor walls and roof to be timber framing as opposed to concrete
- Ramp structure and decking in hardwood as opposed to concrete, steel and composite decking
- Material change to aluminium handrails
- Majority of landscape components removed due to park surrounds location
- Water bore removed, water now being harvested from roof of building and nearby shelter.

By integrating the above changes, the cost to construct the structure has reduced substantially without impacting the overall aesthetics of the building. However costs have not been able to be reduced to fall within current budget parameters.

The Division 10 Councillor has subsequently agreed to further contribute divisional funding toward the project along with the addition of savings from other Division 10 Showground projects, as part of the Budget Review 2 process currently underway and defined in the table below.

Cost		Funding Sources	
Construction	\$635,000*	Divisional Cr Allocation	\$115,000**
		Consolidated revenue	\$470,000
		Project adjustment	\$ 50,000***
		Total	\$635,000

\* Includes \$35,000 contingency

\*\* \$50,000 in 2018/19; \$65,000 2019/20

\*\*\* Division 10 Showground projects savings (BR2 adjustments)

Note: Additional Divisional Councillor allocation of \$150,000 was previously allocated to cover costs associated with the design competition, consultants' fees, prize money, production of detailed design, design revisions and procurement.

Council is now in a position to award the construction of this project to the preferred contractor who has demonstrated a clear understanding of Council's vision for the delivery of the project. They included a detailed site specific methodology, which demonstrated that they had given considerable thought to the complexities of the project.

It is expected that following tender award, a period of time will be required for communication of necessary project information to the community alongside materials lead time supply by the contractor. Therefore site based construction would commence in March 2019 with anticipated completion by August 2019.

Any further significant exceptions to the construction costs and/or delivery plan will be advised to Councillors for information, should they occur.

### **Legal**

All relevant building approvals and permits will be obtained throughout the construction phase of this project.

### **Policy**

There are no corporate policy implications surrounding this project

### **Risk**

There is a high level of community expectation for the delivery of this project. Mitigation: ensure project management and funding are appropriately undertaken

### **Previous Council Resolution**

#### **Ordinary Meeting 9 November 2017 (OM17/216)**

*That Council:*

- (a) *receive and note the report titled "Isaac Moore Park Kenilworth Iconic Amenities Building"*
- (b) *proceed to the tender and construction phases of the project and*
- (c) *refer an amount of \$253,820 to the 2018/2019 budget (capital works program) for consideration.*

### **Related Documentation**

There is no related documentation relevant to this report.

### **Critical Dates**

The validity period for tenders related to the construction of this project expires end of January 2019 and therefore a contract needs to be awarded by that date for the project to continue under the current procurement arrangement

### **Implementation**

Following tender award, project newsletters and community information provision will occur during February 2019, preceding construction commencement in March 2019. Completion is expected by August 2019.





**8.4.3 OPPORTUNITIES TO PHASE OUT SINGLE-USE PLASTICS**

**File No:** Council meetings  
**Author:** Coordinator Sustainability  
Liveability & Natural Assets Group

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**PURPOSE**

The purpose of this report is to present opportunities to phase out single use plastics at Council managed facilities and Council run events for Council consideration.

**EXECUTIVE SUMMARY**

In recognition of the significant environmental impacts resulting from plastic waste, Council resolved through Notice of Motion (OM18/100) to investigate opportunities to phase out single use plastics at Council managed facilities and Council run events.

Single use plastics, or disposable plastics, are used only once before being thrown away, cannot be recycled through normal processes and remain in the environment long term. They are generally used for packaging or consuming food and drink and include plastic bottles, straws, disposable cups, plates and cutlery, food wrappers, cling wrap and balloons.

Council has and continues to proactively implement a range of initiatives and programs to reduce the use of single use plastics. These include regulations to ban the release of helium balloons, banning plastic bottles and introducing reusable cups at events, implementing programs to reduce plastic pollution, and engaging with the community to encourage reusable options.

In response to the Notice of Motion, an audit of single use plastics at a selection of Council managed facilities and Council run events was undertaken to identify:

- those actions already implemented to remove and minimise the use of single use plastics
- new opportunities that could be implemented to further reduce the use of single use plastics, and
- the current challenges and/or limitations associated with phasing out some single use plastic.

The sites selected were ten (10) Council managed facilities including major sporting complexes, Council administration buildings and depots, and cultural and community venues, and five (5) key Council run events including the Caloundra Music Festival, Mooloolaba New Year's Eve, Australia Day Awards, Citizenship Ceremonies and 'Spring into Spring' BBQs.

The investigation confirmed that significant steps have already been taken to remove and/or minimise the use of single use plastics at Council managed facilities and Council run events and that further opportunities have been identified to avoid, phase out or reduce single-use plastics into the future.

The results of the investigation can be applied to the remaining Council managed facilities and Council run events not in scope of the initial audit. Findings can also be used to influence the reduction of single use plastics at Council leased facilities, Council supported events, activities and events on Council managed land, local businesses and within the wider community.

**OFFICER RECOMMENDATION**

That Council:

- (a) receive and note the report titled "Opportunities to phase out single-use plastics" and
- (b) continue to take the opportunities identified to phase out single-use plastics at Council managed facilities and Council run events

**FINANCE AND RESOURCING**

There are no direct financial implications associated with this report. The transition from single use plastic products to alternative biodegradable products will be delivered through business as usual operations at individual sites. Any future costs associated with significant projects will be subject to specific budget requests.

**CORPORATE PLAN**

**Corporate Plan Goal:** *A healthy environment*  
**Outcome:** 3.4 - Transitioning to a sustainable and affordable way of living  
**Operational Activity:** 3.4.1 – Develop sustainable design guidelines.

**CONSULTATION****Councillor Consultation**

Councillor J McKay – Environment Portfolio Councillor has been briefed on this report

**Internal Consultation**

This report has been informed through extensive consultation with officers from:

- Sport and Community Venues Branch (Sports Venues and Development, Venue 114 and Community Spaces and Sunshine Coast Stadium)
- Arts Heritage and Libraries Branch (Creative Arts and Events)
- Community Planning and Development Branch (Community Connections)
- Environmental Operations (Coastal Constructed Water Bodies and Planning)
- Disaster Management

**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**

Single use plastics, or disposable plastics, are used only once before they are thrown away. They are generally used for packaging or consuming food and drink and include plastic bottles, straws, disposable cups, plates and cutlery, food wrappers, cling wrap and balloons.

Single use plastics and the issue around plastic pollution is recognized internationally and at all levels of government in Australia. In 2018, the Queensland Government commenced legislation to ban plastic bags and incentivise the return of eligible drink containers for a 10 cent refund as part of the container refund scheme. Many Councils across Australia including Adelaide, Darwin, Brisbane and Cairns are taking direct action to address this issue.

Council-wide Actions Implemented to reduce Single Use Plastics

Sunshine Coast Council has been on the sustainability journey for many years and has actively implemented a number of approaches to reduce single use plastics, these include:

- **Incentives** - offering a 50 cent discount on coffee purchased with a reusable cup
- **Regulation** - implementing Local Law No. 3 (Community Health and Environment Management) 2011 to regulate the intentional release of helium balloons
- **Removal or banning of a specific product** - stating in vendor terms and conditions that single use plastic items are not to be distributed - e.g. Caloundra Music Festival
- **Swap one product to alternative option** - swapping plastic items (straws, cutlery, plates, packaging, cups) to compostable or biodegradable alternatives - e.g. canteen at Maroochydore Multi Sport Complex
- **Community engagement** -
  - **Living Smart** - campaigns to encourage the use of reusable items. (e.g. #BYOSunshinecoast)
  - **Litter management campaign** - promoting 'Clean Sunshine Coast' taking action on plastic pollution and broader waste issues.
  - **Waste 2 Resource Education program** - working with schools and the community to inform about waste minimisation.
  - **Marine Debris program** - supporting the community with skills through plastic reduction programs including 'Clean Ups for Hatchlings'
  - **Waterways Clean Up** - removing plastic waste from the oceans and regional waterways

Audit of Council Managed Facilities and Council Run Events

In recognition of the significant environmental impacts resulting from plastic waste, Council resolved through Notice of Motion (OM18/100) to investigate opportunities to phase out single use plastics at Council managed facilities and Council run events.

The sites selected for the investigation were:

- Ten (10) Council managed facilities including major sporting complexes, Council administration buildings and depots, and cultural and community venues due to their high profile, high annual visitation numbers and Council's ability to have maximum influence:
  - Caloundra Indoor Stadium
  - Maroochydore Multi-sports Complex
  - Sunshine Coast Stadium
  - Venue 114
  - Caloundra Admin Building
  - 10 First Avenue, Maroochydore
  - Eddie de Vere and Fred Murray Buildings, Nambour
  - Caloundra Depot
  - Nambour Depot
  - Maroochydore Depot
- Five (5) key Council run events were selected due to their high community exposure and staff participation rates. These events provide opportunities to make significant changes and demonstrate Council's commitment to phase out single use plastics:

- Caloundra Music Festival
- Mooloolaba New Year's Eve
- Australia Day Awards
- Citizenship Ceremonies, and
- 'Spring into Spring' BBQs

An audit of single use plastics at the selected Council managed facilities and Council run events identified:

- actions already implemented to remove and minimise the use of single use plastics
- new opportunities that could be implemented to further reduce the use of single use plastics, and
- the current challenges and/or limitations associated with phasing out some single use plastic items such as confusion around the most suitable alternative product to use or there being no appropriate alternative product.

#### Actions Implemented at Council Managed Facilities and Council Run Events

The investigation confirmed that significant steps have already been taken to remove and/or minimise the use of single use plastics at Council managed facilities and Council run events.

Notable actions already taken include:

- Caloundra Music Festival has been active in implementing initiatives to reduce single use plastic since 2013 including encouraging patrons to bring reusable water bottles, supplying reusable cups, and incorporating conditions for vendors to supply compostable or biodegradable packaging and products
- Sunshine Coast Stadium:
  - Saved 11,477 single use plastic items (coffee cups, plates, hot chip and burger containers, plastic cups and plastic soft drink bottles) between June and September 2018 by changing to compostable and biodegradable packaging
  - Piloted swapping out plastic soft drink bottles to aluminium cans (where available)
- Venue 114:
  - Has focussed on delivering 'sustainable catering' including the introduction of compostable coffee cups and replaced plastic wrap (cling wrap) with foil or container
  - 50 cent discounts are provided on coffee purchases with a reusable cup
- Caloundra Indoor Stadium:
  - Installed a water refill station to encourage the use of reusable water bottles
  - 50 cent discounts are provided on coffee purchases with a reusable cup
- Maroochy Multi Sports Complex:
  - Plastic packaged lollies have been changed to paper packaging
  - Changed from single serve items (e.g. sauce packets) to using a bulk supply (e.g. large sauce bottle)
- Multiple Venues:
  - Changed single use plastic items such as cutlery, plates and coffee cups to a compostable alternative at Caloundra Indoor Stadium, Maroochy Multi Sports Complex and Sunshine Coast Stadium

- Plastic straws have been removed from Council managed sporting facilities and from Venue 114, paper straws are available on request
- Corporate Initiatives:
  - A 'Catering in the Workplace' guideline has been developed to support officers organising catering in the workplace
  - Piloted introduction of plastic free welcome kits for new employees at the corporate orientation session in August and November
  - Engaged staff through posters to encourage behaviour change towards reusable cups, bag and water bottle

#### Further Opportunities Identified at Council Managed Facilities and Council Run Events

The investigation also identified further opportunities to avoid, phase out or reduce single-use plastics at Council managed facilities and events into the future including:

- Council managed facilities to continue replacing plastic items with alternative (reusable, recyclable, compostable) products when reordering supplies where a suitable and viable alternative product exists
- Develop standardised conditions to include in vendor and event permits to phase out single use plastics
- Continue to support the managers of Council leased facilities to voluntarily swap out single use plastics in canteens and at special events such as carnivals
- Promote the recently developed 'Catering in the Workplace' guidelines
- Develop a resource list of alternative products and suppliers and distribute to Council venue and event managers
- Continue to partner with Unitywater to investigate further opportunities for the installation of water refill stations at agreed locations
- Prepare a 'Greening Events Guide' to support the planning and delivery of sustainable events on Council managed land
- Provide plastic free welcome kits (reusable bag, keep cup, water bottles) for new employees
- Continue to investigate effective treatment processes and local providers for compostable and biodegradable products
- Remove plastic disposable cup dispensers at water coolers (excluding public areas) at Council administration buildings and depots
- Continue to promote #BYOSunshineCoast campaign through Living Smart Program
- Continue to engage the broader community through Council's various programs including: Clean Sunshine Coast litter campaign, and marine debris and waterways programs

#### Additional Opportunities

In addition to the opportunities identified for Council Managed Facilities and Council Run Events, a range of opportunities exist to reduce single use plastics at Council leased facilities, Council supported events, and within local businesses and the wider community.

As an example, Council supports over 105 events annually through the major and community grants program. These events were not included in the scope of this investigation but lessons learnt from Council run events can influence the reduction of single use plastics at events held on all Council managed land.

### Current Limitations to Phasing Out Single Use Plastics

A range of challenges and limitations associated with phasing out some single use plastic items remain, key existing limitations include:

- Absence of suitable alternative products
- Absence of effective disposal / composting treatments for some replacement products
- Potential loss of revenue from the sale of bottled water

These identified limitations will require further investigations as alternative products and disposal mechanisms become available.

### **Legal**

There are no legal implications relevant to this report.

### **Policy**

The *Environment and Liveability Strategy 2017* recognises the need to reduce our waste generation to minimise greenhouse gas emissions, reduce resource consumption, improve efficient use of resources and adopt sustainable living practices.

The reduction of waste and actions to phase out single-use plastics is supported by Council's *Environment and Liveability Strategy 2017*, Council's Corporate Plan and the Waste Management Strategy. These policies provide direction for Council to achieve the vision as "*Australia's most sustainable region – healthy, smart, creative*".

### **Risk**

Not progressing the implementation of the identified opportunities to continue to phase out single-use plastics could potentially impact on Council's reputation, vision and healthy environment goal.

### **Previous Council Resolution**

#### **Ordinary Meeting 14 June 2018 (OM18/100)**

*That Council authorise the Chief Executive Officer to investigate the following:*

- *Sunshine Coast Council investigate opportunities to phase out single-use plastic items at Council managed facilities and Council run events, in recognition of the significant environmental impacts resulting from plastic waste.*

### **Related Documentation**

- Sunshine Coast Council Vision and Corporate Plan 2018-2022
- Sunshine Coast Environment and Liveability Strategy 2017
- Sunshine Coast Waste Management Strategy 2015-2025

### **Critical Dates**

There are no critical dates relevant to this report.

### **Implementation**

Environment and Sustainability Policy Branch will continue to support Council venue and event managers progress the implementation of the opportunities identified to further reduce single use plastics.

Results will be reported back to Council annually as a new inclusion in the Organisational Environmental Sustainability Benchmarking Report.

**8.5 BUILT INFRASTRUCTURE**

**8.5.1 INFRASTRUCTURE CHARGES RESOLUTION AMENDMENTS**

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**This item was withdrawn from the Agenda by the Chief Executive Officer.**

## 8.5.2 CALOUNDRA TRANSPORT CORRIDOR PLANNING

**File No:** F2018/97419

**Author:** Coordinator Transport Network  
Built Infrastructure Group

**Attachments:** Att 1 - Caloundra Access MOU Projects Map ....*Confidential 7/19*  
Att 2 - Corridor Options Investigated .....*Confidential 9/19*  
Att 3 - Three Shortlisted Options .....*Confidential 11/19*  
Att 4 - Multi-criteria Assessment & Estimated Property Cost  
.....*Confidential 13/19*  
Att 5 - Preferred Option - Alignment 1.....*Confidential 15/19*  
Att 6 - Land Requirements for Preferred Option*Confidential 17/19*

### PURPOSE

This report seeks Council's direction on progressing the planning and delivery of the Caloundra transport corridor planning, directed at improving access to the Caloundra Major Activity Centre.

### EXECUTIVE SUMMARY

This report seeks to progress planning and delivery of a Caloundra transport corridor upgrade to service growth identified and transport access challenges currently experienced in accessing Caloundra.

The proposed works are required to meet reasonable and sustainable desired standards of service. Without the proposed works, travel speeds and traffic congestion in Caloundra will continue to worsen. Public and active transport needs have been considered together with car use in planning for improved access into Caloundra and the proposed corridor will provide for improved active transport connectivity and more efficient public transport services and operations as well as improved vehicular access.

A total of eight alignments were analysed as part of an options analysis study. Following the strategic review of transport modelling, land use and transport planning, current transport projects, environmental and cultural heritage within the study area, it was recommended that three options be shortlisted for detailed assessment.

The detailed investigation identified a number of strengths, weaknesses, opportunities and threats with each of the three shortlisted alignments. Alignment 1 shown in confidential **Attachment 5** was selected as the preferred corridor as it consistently outperformed other options with respect to addressing the environmental, economic, social and engineering challenges of the transport corridor.

Land requirements of the transport corridor upgrade are shown in **Confidential Attachment 6**.

### OFFICER RECOMMENDATION

**That Council:**

- (a) receive and note the report titled "Caloundra Transport Corridor Planning" and
- (b) resolve to negotiate, finalise and execute the acquisition of the properties required for the delivery of the Caloundra Transport Corridor outcomes.

### FINANCE AND RESOURCING



All projects in this report are included in Council's Local Government Infrastructure Plan. Further, all projects planned to be delivered in the next 10 years are listed in Council's current Ten Year Capital Works Program and listed in the Caloundra CBD Access Improvements Memorandum of Understanding.

## **CORPORATE PLAN**

**Corporate Plan Goal:** *A healthy environment*

**Outcome:** 3.3 - Responsive, accessible and well managed assets and infrastructure

**Operational Activity:** 3.3.3 - Develop and manage contemporary regional and local transport models and undertake multi-modal network planning to support appropriate transport infrastructure investment decisions, support land use decisions and partner with the State for best regional transport outcomes.

## **CONSULTATION**

### **Councillor Consultation**

The Transport Portfolio Councillor, Councillor R Baberowski was briefed on the Options Analysis project.

### **Internal Consultation**

Councillors for Divisions 2 (Councillor T Dwyer) and 3 (Councillor P Cox) were also briefed as part of the Caloundra Centre Activation Project Control Group.

A number of workshops were held with representatives from various Council branches during the planning. They included:

- Office of Mayor and CEO
- Strategic Planning
- Open Space and Social Policy
- Transport Infrastructure Management
- Environment and Sustainability Policy
- Urban Growth Projects
- Business Development
- Design and Place making
- Transport & Infrastructure Planning
- Parks and Gardens
- Sport and Community Venues
- Environmental Operations.

### **External Consultation**

No external consultation was undertaken in this part of the planning process.

### **Community Engagement**

No community engagement was undertaken in this part of the planning process.

## **PROPOSAL**

### Background

Sunshine Coast Council has progressed with transport planning in Caloundra by undertaking a transport corridor options analysis. The project context and study area of the corridor options analysis is shown in confidential **Attachment 1 – Study Area**.

### Options Analysis

Council engaged specialist consultants to undertake an options analysis study incorporating a triple bottom line assessment of the environmental, economic and social opportunities and challenges of possible corridor upgrades in Caloundra.

The objectives of the options analysis were to:

- Prepare a detailed assessment framework to achieve robust recommendations.
- Ensure the social, environmental and economic impacts for all possible alignments are kept to a minimum.
- Present designs that aim to be cost effective, maintaining the new horizontal and vertical alignment as close as practical to the existing level retaining the existing infrastructure where relevant.
- Undertake an options analysis identifying the preferred alignment and concept designs for the corridor upgrade.
- Allow Council to progress with land acquisition on the preferred alignment.

A strategic review was completed on the eight alignment options shown in confidential **Attachment 2 – Corridor Options Investigated**. The review included the following elements:

- Environmental and cultural heritage assessment:
  - Completion of Council's environmental assessment screening form.
  - Review of environmental triggers.
  - Desktop audit for environmental and social constraints along routes.
  - Search of the State Government Aboriginal and Torres Strait Islander Cultural Heritage Database and Register for any sites of significance along the routes.
- Traffic engineering and civil design review:
  - Peer review of transport studies.
  - Review of Council's Planning Scheme 2031 Functional Road Hierarchy and the higher order requirements of sub-arterial and district collector roads.
  - Development of functional requirements for the route.
  - Review of Council's traffic modelling outputs.
  - Review of eight alignments and cross-sections.
  - Review of active transport and public transport networks.
  - Review of options to identify property resumptions, drainage requirements and major public utility plant conflicts.
- Options assessment:
  - Development of a high level multi-criteria assessment to shortlist options.
  - Identification of the assessment framework, evaluation criteria and scoring / weighting for the multi-criteria analysis.
  - Evaluation of the eight alignment options using the multi-criteria assessment and identification of the benefits / impacts of each option.
  - Internal workshop with Council staff to review multi-criteria assessment and shortlist to three options to progress to the next stage of analysis.

Following the completion of the above strategic review and assessment, three corridor options were shortlisted as shown in Confidential **Attachment 3 - Three Shortlisted Options**. Each alignment has its own set of engineering design, intersection control and cost challenges that were explored in more detail in the next stage of the study.

The three shortlisted alignments were further developed in detail and assessed through the following process:

- Preparation of detailed 2D concept designs and cross-section for each of the three options utilising aerial laser survey data and ensuring compliance with design standards.
- Confirmation of the location of existing services along the route of each option.
- Review of the drainage requirements for each option.
- Desktop geotechnical assessment along the route of each option.
- Review of sight lines along each route, especially at proposed intersections.
- SIDRA intersection performance analysis for each intersection along the shortlisted routes to review operational capacity.
- Review of user safety of shortlisted options (including, pedestrians, cycles, buses, private cars).
- Consideration of kerbside allocation along each route (that is, car parking, cycle lanes and so on).
- Recognition and integration of the Light Rail alignment concepts through Caloundra.
- Refinement of the concept designs and cross-section for each of the three options.
- Preparation of preliminary cost estimates for the three options.
- Refinement of the evaluation criteria and Strength, Weakness, Opportunity and Threat framework (including risk register) to assess the three options and recommend a preferred alignment.
- Internal workshop with Council staff to review concept designs of shortlisted options, undertake assessment and to agree on preferred alignment.

The detailed investigation identified a number of strengths, weaknesses, opportunities and threats with each of the three shortlisted alignments.

Throughout the detailed assessment, Alignment 1 consistently outperformed the other options with respect to addressing the environmental, economic, social and engineering challenges of the transport corridor as shown in confidential **Attachment 4 – Multi-criteria assessment**. The preferred corridor shown in confidential **Attachment 5 – Preferred Corridor - Alignment 1** provided the greatest opportunity for Council to deliver the transport corridor upgrade.

The preferred corridor concept design identified the land preservation requirements for the transport corridor as shown in confidential **Attachment 6 – Land Requirements**. Land acquisition is on the critical path for this corridor upgrade and it is recommended that Council progress with land purchases.

### Legal

There are currently no known legal issues related to this matter.

**Policy**

This report has been prepared with consideration to:

- The Caloundra Transport Corridors Planning Report
- The Caloundra Centre Master Plan that outlines a vision and strategies to support the revitalisation of Caloundra Centre.
- Sunshine Coast Planning Scheme particularly the framework for managing development in Caloundra.
- Local Government Infrastructure Plan which aims to integrate land use planning with trunk infrastructure requirements to meet growth in demand and the needs of development.
- Sunshine Coast Integrated Transport Strategy, of which key strategies for success are:
  - Integrated Transport and land use which serves the local and regional economy and promotes self-containment.
  - A safe, efficient and sustainable road and freight network that applies a one network approach to road management and upgrades that delivers improved safety, connectivity, capacity and efficiency for all road users
  - A road network with future corridor capacity will connect each centre, and communities between, to ensure permeability and resilience, providing for multi-modal transport solutions with and between activity centres and communities
- Sunshine Coast Active Transport Plan 2011-2031, outlining Council's plan to deliver the active transport component of the Sustainable Transport Strategy, including a number of relevant active transport actions 'creating pedestrian priority areas, wider footpaths, more priority for crossings, shortcuts, environmental improvements, design features in building applications and better connections across bridges.'
- Connecting SEQ 2031: An Integrated Regional Transport Plan for South East Queensland with the following relevant projects and policies:
  - CAMCOS passenger rail service, branching off the North Coast railway line at Beerwah and extending through Caloundra to Maroochydoore.
  - CoastConnect high quality bus corridor from Caloundra to Maroochydoore.
- *South East Queensland Regional Plan 2017*, outlining the land use and desired environmental outcomes for the region, particularly the importance of Caloundra as a designated Major Regional Activity Centre.
- Sunshine Coast Council's planning for Light Rail.

**Risk**

The transport corridor project discussed in this report will alleviate increasing traffic congestion on the existing accesses into the Caloundra Major Activity Centre. Failure to proceed with these works may result in continued loss of amenity, public dissatisfaction and significant traffic operational issues along the existing accesses, which are likely to impact the future economic viability and vibrancy of the Caloundra Major Activity Centre.

If Council does not progress with the land purchases required for this corridor, there is a risk of amenity and congestion issues occurring with additional traffic on a substandard local road network.

**Previous Council Resolution****8 November 2018 Ordinary Meeting (OM18/185)**

*That Council:*

- (a) *receive and note the report titled "Caloundra Transport Corridor Planning - Memorandum of Understanding"*
- (b) *endorse the proposed Memorandum of Understanding, as per Appendix A –Caloundra CBD Access Improvements Memorandum of Understanding*
- (c) *delegate authority to the Chief Executive Officer to sign the Memorandum of Understanding on behalf of Council and*
- (d) *delegate authority to the Chief Executive Officer to approve minor changes to the Memorandum of Understanding subject to changes aligning with the overall intent.*

**17 August 2017 Ordinary Meeting (OM17/159)**

*That Council:*

- (a) *delegate authority to the Chief Executive Officer to develop a Memorandum of Understanding with the Department of Transport and Main Roads addressing improved road accessibility to the Caloundra Major Activity Centre and report back to Council for endorsement prior to finalising in relation to the Caloundra Transport Corridor Planning and*
- (b) *endorse the Transport Priorities Map (Appendix A) as amended and progressively updated for advocacy purposes.*

**23 March 2017 Ordinary Meeting (OM17/48)**

*That Council:*

- (a) *endorse the Caloundra Centre Master Plan 2017 (Appendix A) subject to paragraph (c) (i) below*
- (b) *decide to make a proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) under the Sustainable Planning Act 2009 to give effect to the planning recommendations of the Caloundra Centre Master Plan 2017*
- (c) *delegate authority to the Chief Executive Officer to:*
  - (i) *make any final amendments to the Caloundra Centre Master Plan 2017 to reflect the directions provided by Council and address any editorial issues*
  - (ii) *respond to submissions in accordance with the directions provided by Council*
  - (iii) *carry out the statutory process to prepare and progress the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) under the Sustainable Planning Act 2009, noting that:-*
    - (a) *consultation will occur with the Deputy Mayor and Division Councillor (Councillor Dwyer) regarding the detailed drafting of, and public notification process for, the proposed planning scheme amendment*
    - (b) *following public notification of the proposed planning scheme amendment and receipt of any submissions, a further report will be presented for formal consideration of the Council*
  - (iv) *refer the relevant revised infrastructure elements of the Caloundra Centre Master Plan 2017 to the Local Government Infrastructure Plan review*
  - (v) *establish a Caloundra – City of Beaches project delivery team and develop a 2017/2018 budget submission and*

- (vi) *prepare a staged development and delivery plan, including funding opportunities/strategies for reporting to Council and to inform future budget works considerations.*

## **2 October 2003 General Meeting (03/293) (Caloundra City Council)**

*That:*

- (a) *Report No. 20030902.CY.01 from Policy Officer (Infrastructure Engineer) C Young, dated 2 September 2003, be received and noted;*
- (b) *it be noted that the network assessment on which the report referred to in (a) above has been developed based on the stated accepted criteria of deficiency methodologies specified in the Main Roads-Road Planning and Design Manual. This methodology is considered deficient for Caloundra City in that it relies only on unacceptable forecast traffic volumes and fails to take into account triple bottom line criteria (economic, environment and social implications);*
- (c) *representations be made to Department of Main Roads through the Local Government Association of Queensland to change the criteria of deficiency methodologies specified in the Main Roads - Road Planning and Design Manual to include triple bottom line criteria (economic, environment and social implications) in addition to forecast traffic volumes;*
- (d) *pending the review of the criteria of deficiency methodologies referred to in (c) above, the Caloundra City - Future Road Network Assessment Report be adopted with the following amendments:*
  - (i) *CBA Northern access route – change to 2000 - 2006;*
  - (ii) *Maltman Street South – change to 2006 -2011;*
  - (iii) *Nicklin Way Intersection Improvements - upgrade west of Point Cartwright Drive - change to 2000 - 2006;*
  - (iv) *Kawana Way arterial duplication -upgrade from Sunshine Motorway/ Mooloolaba interchange to Kawana Island Boulevard (4 lanes) - change to 2006 - 2011;*
  - (v) *Glasshouse Mountains Road - upgrade from Landsborough to Beerwah - change to 2000-2006;*
  - (vi) *Glasshouse Mountains Road - upgrade from Beerwah to Glass House Mountains - change to 2000-2006;*
  - (vii) *Glasshouse Mountains Road - upgrade from Beerburrum to Glass House Mountains - change to 2000-2006;*
- (e) *the Future Road Network Project Plan - future road network requirements for years 2006, 2011, 2016 and 2021 as amended be referred to City Assets Division for future program implementation, investigation and analysis as part of the Annual Financial Plan process;*
- (f) *the Future Road Network Project Plan, future road network requirements for year 2006 as amended, be referred for inclusion in Council's Advocacy Program;*
- (g) *Caloundra City - Future Road Network Assessment Report as amended be forwarded to SunRoc Moving Forward Committee for consideration in the development of the Sunshine Coast Integrated Local Transport Plan;*
- (h) *Caloundra City - Future Road Network Assessment Report as amended be utilised as background information in the future development of road infrastructure charges plan as part of the City Plan development;*
- (i) *proposed Roads of Regional Significance be referred to the Sunshine Coast and Cooloolo Councils Regional Road Group for information;*
- (j) *the Caloundra City - Future Road Network Assessment Report be circulated to all relevant Council Units for information.*

(k) *the following road network linkages are to be included into proposed 2003-2006 Road Network Project Plan:*

- (i) *Turner Street to Roberts Road, Beerwah - new route;*
- (ii) *Pine Camp Road to Peachester Road - new route.”*

#### **Related Documentation**

- Caloundra Transport Corridor Planning – Memorandum of Understanding, 2018.
- Caloundra Transport Corridors Planning Report, 2017.
- Caloundra Centre Master Plan, Sunshine Coast Council, 2017.

#### **Critical Dates**

The Department of Transport and Main Roads is progressing a business case for stage 1 of the transport corridor upgrade and therefore it is critical that the planning and delivery of the Council transport corridor is progressed in preparation for the additional traffic. The land acquisition is on the critical path for delivery of the transport upgrade. This project will assist in part to relieving the congestion that Caloundra currently experiences.

#### **Implementation**

It is proposed that Council, in endorsing this report, provides the Chief Executive Officer with the following directions:

1. Place property conditions and notations on those properties that are required in part or whole for the construction of the project identified in this report
2. Negotiate, finalise and execute the acquisition of the properties shown in confidential **Attachment 6 – Land Requirements**. Further reports will be presented to Council where compulsory acquisition is required and
3. Develop a project page on Council's website noting the progression of planning.

**8.6 BUSINESS PERFORMANCE****8.6.1 NOVEMBER 2018 FINANCIAL PERFORMANCE REPORT****File No:** Financial Reports**Author:** Coordinator Financial Services  
Business Performance Group**Attachments:** Att 1 - November 2018 Financial Performance Report ..... 295**PURPOSE**

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

**EXECUTIVE SUMMARY**

This monthly financial performance report provides Council with a summary of performance against budget as at 30 November 2018 in terms of the operating result and delivery of the capital program.

The operating result at 30 November 2018 shows a positive variance of \$1.2 million compared to the budgeted position. The variation is made up of higher than profiled operating revenue and lower than profiled operating expenses as shown in the table below. Further detail is provided in the proposal section of this report.

**Operating Performance****Table 1: Operating Result as at 30 November 2018**

	<b>Current Budget \$000</b>	<b>YTD Budget \$000</b>	<b>YTD Actuals \$000</b>	<b>YTD Variance \$000</b>	<b>YTD Variance %</b>
Total Operating Revenue	451,362	195,332	195,541	209	0.1%
Total Operating Expenses	435,354	174,897	173,865	(1,032)	-0.6%
<b>Operating Result</b>	<b>16,008</b>	<b>20,435</b>	<b>21,676</b>	<b>1,241</b>	<b>6.1%</b>

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

As at 30 November 2018, \$134.8 million (35.4%) of Council's \$381.1 million 2018/19 Capital Works Program was financially expended.

The core Council Capital Program has progressed 35.5% of budget, an actual spend of \$55.4 million.

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

**OFFICER RECOMMENDATION**

That Council receive and note the report titled "November 2018 Financial Performance Report".



## FINANCE AND RESOURCING

This report sets out the details of Council's financial performance and investments for the month of November 2018 and meets Council's legislative reporting requirements.

### CORPORATE PLAN

<b>Corporate Plan Goal:</b>	<b><i>An outstanding organisation</i></b>
<b>Outcome:</b>	5.6 - Information, systems and process underpin quality decisions and enhance customer experience
<b>Operational Activity:</b>	5.6.5 - Manage Councils budget in alignment with sustainability ratios to ensure a sustainable financial position is maintained.

### CONSULTATION

#### Portfolio Councillor Consultation

Consultation has been undertaken with the Portfolio Councillor, Councillor T Dwyer.

#### Internal Consultation

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

#### External Consultation

No external consultation is required for this report.

#### Community Engagement

No community engagement is required for this report.

### PROPOSAL

This monthly financial performance report provides Council with a summary of performance against budget as at 30 November 2018 in terms of the operating result and delivery of the capital program.

The operating result at 30 November 2018 shows a positive variance of \$1.2 million compared to the budgeted position.

#### Operating Revenue

Year to date revenues as at 30 November 2018 of \$195.5 million shows a positive variance of \$209,000.

**Table 2: Substantial Revenue variances as at 30 November 2018**

	YTD Budget \$000	YTD Actuals \$000	YTD Variance \$000	YTD Variance %
Other Revenue	3,984	4,787	804	20.2%
Fees and Charges	27,158	26,210	(948)	-3.5%

#### Other Revenue

A favourable variance of \$804,000 applies to Other Revenue with the largest portion due to recoverable works for external agencies with associated expenditure. Revenue generated in waste management from the sale of recyclables as well as higher than budget sponsorship and lease revenues are also causing a favourable variance.

### **Fees and Charges**

Fees and charges revenue of \$26.2 million is \$948,000 lower than the year to date budget. The variance predominantly relates to development services revenue and refuse tip fees, as a result of declining volumes.

### **Operating Expenses**

Year to date expenditure as at 30 November 2018 of \$173.9 million shows a variance under budget of \$1.0 million.

### **Employee Costs**

As at 30 November 2018 employee costs were above budget by \$754,000 or 1.3%. This unfavourable variance relates to utilisation of internal employees to deliver operating projects which is offset by underspends in materials and services.

### **Materials and Services**

Materials and services account for the majority of the expenditure variance as at 30 November 2018, having underspent budget by \$1.8 million.

\$116,000 of the favourable variance relates to the delivery of operating projects and is partially offset by higher employee costs and other expenses associated with resourcing projects. Total Project expenditure was 34% of full year budget as at 30 November 2018.

Built Infrastructure are reporting an underspend mainly attributable to Parks and Gardens and Transport Infrastructure Management as a result of timing issues associated with parks water and sewerage charges and traffic signals maintenance contracts.

Economic Development and Arts, Heritage & Libraries are also reporting underspends, partially offset by over runs in other areas, but predominantly relating to program delivery scheduled later in the year.

### **Capital Expenditure**

As at 30 November 2018, \$134.8 million (35.4%) of Council's \$381.1 million 2018/19 Capital Works Program was financially expended.

The Core Council Capital Program has progressed 35.5% of budget, an actual spend of \$55.4 million. The Actual YTD includes all works that have been goods receipted and accrued as at 30 November 2018.

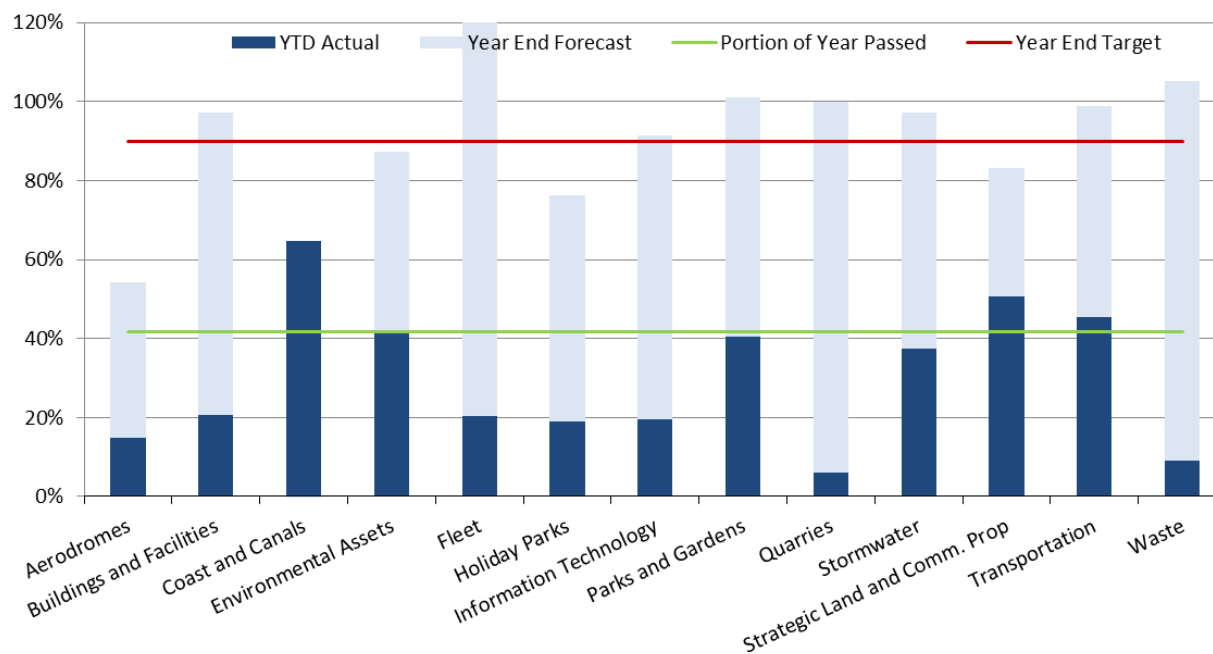
**Table 3: Capital Expenditure by Program at 30 November 2018**

	Current Budget \$000s	YTD Actual \$000s	% of FY Budget Spent	Forecast Year End Actual
Capital Works Program				
Aerodromes	40	6	15.0%	22
Buildings and Facilities	17,688	3,629	20.5%	17,197
Coast and Canals	2,229	1,442	64.7%	1,726
Environmental Assets	1,166	484	41.5%	1,017
Fleet	3,000	608	20.3%	4,160
Holiday Parks	1,875	354	18.9%	1,429
Information Technology	9,644	1,872	19.4%	8,813
Parks and Gardens	16,725	6,766	40.5%	16,879
Quarries	1,219	73	6.0%	1,217
Stormwater	10,535	3,954	37.5%	10,235
Strategic Land and Commercial Properties	13,181	6,675	50.6%	10,957

	Current Budget \$000s	YTD Actual \$000s	% of FY Budget Spent	Forecast Year End Actual
Capital Works Program				
Transportation	61,805	28,030	45.4%	61,167
Waste	16,738	1,507	9.0%	17,586
Total SCC Core Capital Program	155,846	55,398	35.5%	152,405
Corporate Major Projects	11,428	1,724	15.1%	2,150
Divisional Allocations	7,336	1,588	21.6%	2,717
Maroochydore City Centre	34,557	12,259	35.5%	35,510
Sunshine Coast IBN	20,610	2,967	14.4%	18,930
Sunshine Coast Airport Runway	151,345	60,819	40.2%	153,326
Total Other Capital Program	225,276	79,357	35.2%	212,633
<b>TOTAL</b>	<b>381,122</b>	<b>134,755</b>	<b>35.4%</b>	<b>365,038</b>

The following graph shows the Core Capital Programs progress to date and year end forecast. Currently the Core Capital Program is forecasting 98% delivery at year end.

**SCC Core % YTD spent compared to profiled budget by Program**



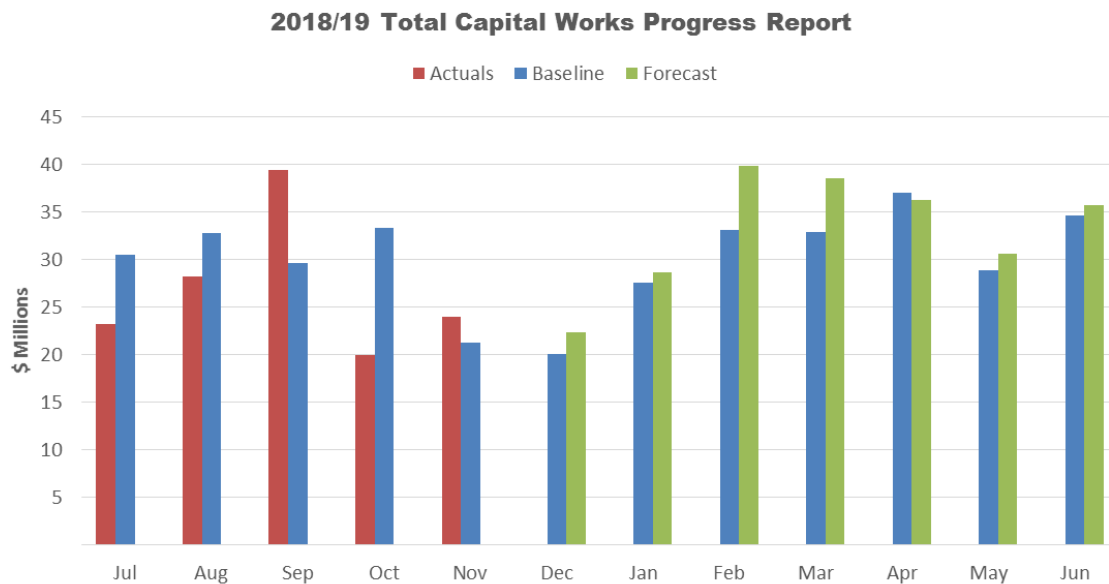
The following program updates are provided in relation to programs reporting lower expenditure to date:

- Buildings and Facilities – 32% of the program budget is assigned to The Events Centre redevelopment which has completed procurement phase and is scheduled for construction works to commence in January. \$2 million of renewal and upgrade works to Council’s aquatic centres will be scheduled for the winter months. The program is forecasting 96% completion at year end.
- Holiday Parks – The major expenditure for the year relates to the replacement of the amenities at the Cotton Tree Caravan Park. A contractor has been appointed with construction scheduled to commence February 2019. Other significant expenditure relates to land acquisitions for future sites which cannot be forecast at this stage.
- Information Technology – Expenditure to date on corporate systems implementations for customer relations management are reflective of the project continuing through the procurement phase. Council’s asset management and human resource implementation is expected to incur expenditure in the second half of the financial year as the projects

progress towards the implementation phase. The program is forecasting 91% completion at year end.

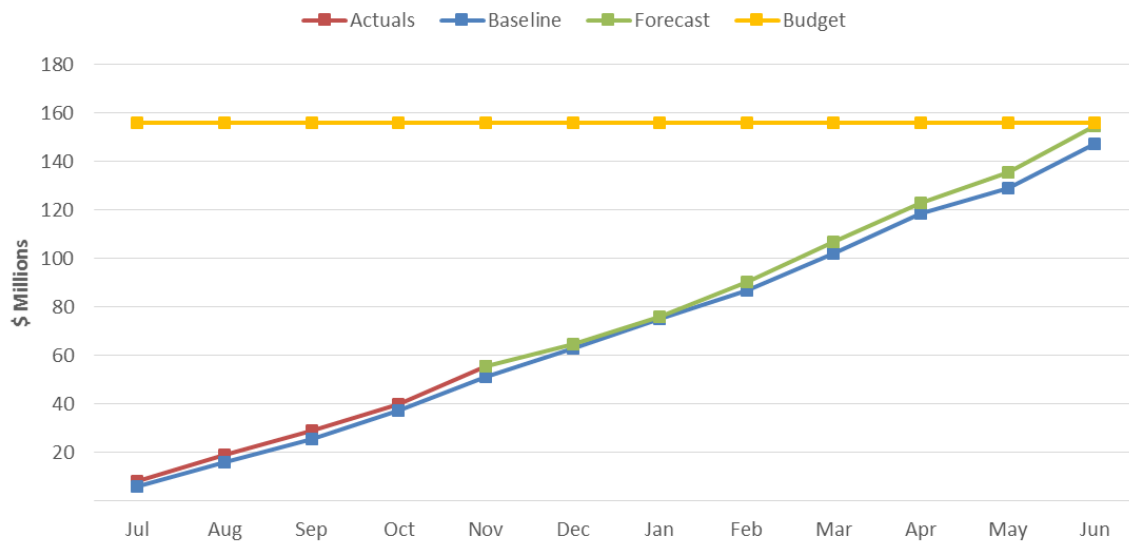
- Quarries – The 18/19 Quarry program was not ready, nor had detailed business cases been developed to support the projects. With the Quarry Services team transferred to CAM a full review of quarry operations has been underway to determine the need of the proposed projects in the program. There are a number of assets that are long overdue for renewal based on age and/or utilisation, however, with no business plan to work to it was prudent to put non-essential projects i.e. those not required for safety or legislative requirements, to be put on hold until a review was completed. A new Quarry Manager started in October and we anticipate budget deferrals at Budget Review 2.
- Waste – The contract for the AWCS collection centre was awarded in October with site preparations commencing in November and construction to begin early 2019. Construction of the Caloundra Landfill Cell 12 will commence in November 2018. Deferral of projects not ready for construction are expected in Budget Review 2.
- Stormwater Program – Council’s stormwater relining program is progressing. Significant projects at Buderim, Meridan Plains and Maroochydore are scheduled to be constructed outside of the wet months.
- Fleet – majority of purchases anticipated to be incurred in the next few months.

The following graph displays a baseline forecast for the Total Capital Works Program which was captured at the end of September, to include the impacts of Budget Review 1. The graph compares the actual to date and the most recent forecast for the remaining periods, against this baseline. The forecasts are prepared by project managers on each project to reflect their latest estimate of project expenditure up to June 2019. It indicates that the expenditure required in most of the remaining periods December through to June is higher than the original baseline.

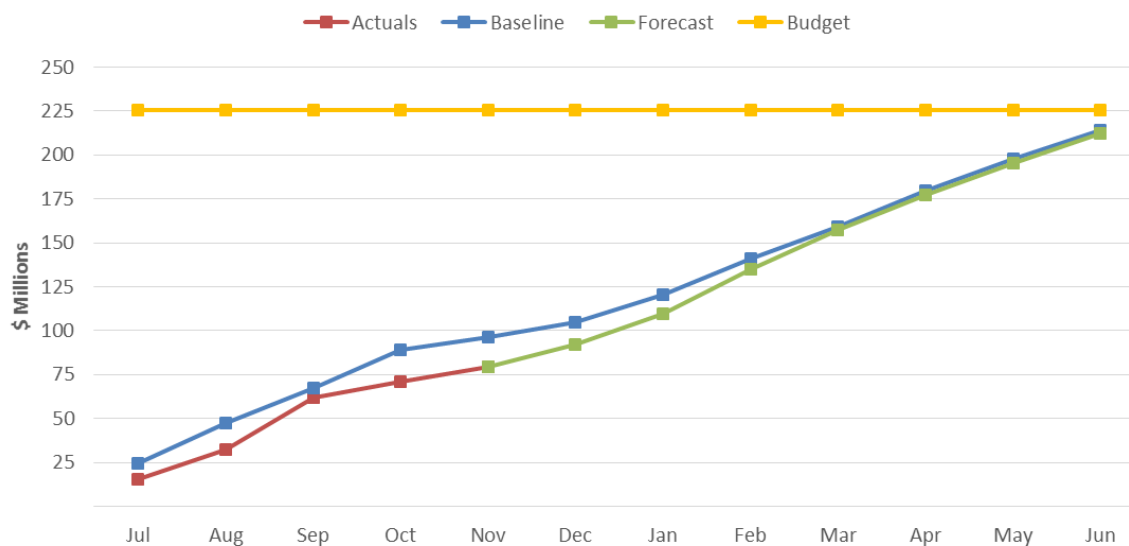


The following two graphs display the cumulative baseline, actual to date and latest forecast compared to the Current Budget provided for in the Core and Other Programs. The baseline reflects project managers estimated forecast following Budget Review 1. Whereas the forecast incorporates the latest information available to project managers in relation to project completion. This forecast will continue to be updated each month and reported against the baseline.

**2018/19 Core Capital Works Progress Report**



**2018/19 Other Capital Works Progress Report**



**Investment Performance**

- All investment parameters remain within the guidelines established by the Investment Policy.
- For the month ending 30 November 2018 Council had \$203 million cash (excluding Trust Fund) with an average interest rate of 2.77%, being 0.85% above benchmark. This is compared to the same period last year with \$269.9 million cash (excluding Trust Fund) with an average interest rate of 2.56%, being 0.91% above benchmark.
- The benchmark used to measure performance of cash funds is Bloomberg AusBond Bank Bill Index (BAUBIL) and the Bank Bill Swap Rate (BBSW) for term deposits.

**Legal**

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

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

**Policy**

Council's 2018/19 Investment Policy; 2018/19 Debt Policy.

**Risk**

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

**Previous Council Resolution****Ordinary Meeting 13 September 2018 (OM18/155)**

*That Council:*

- (a) receive and note the report titled "**Budget Review 1 2018/19**" and
- (b) adopt Appendix A as tabled, pursuant to section 170A of the *Local Government Act 2009* and sections 169 and 170 of the *Local Government Regulation 2012*, Council's amended budget for 2018/19 financial year incorporating:
  - i. the statement of income and expenditure
  - ii. the statement of financial position
  - iii. the statements of changes in equity
  - iv. the statement of cash flow
  - v. the relevant measures of financial sustainability
  - vi. the long term financial forecast
  - vii. the Debt Policy
- (c) note the following documentation applies as adopted 21 June 2018
  - i. the Revenue Policy
  - ii. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget
  - iii. the Revenue Statement
  - iv. the rates and charges to be levied for the 2018/19 financial year and other matters as adopted 21 June 2018.

**Special Meeting Budget 21 June 2018 (SM18/8)**

*That Council:*

- (a) adopt Appendix A as tabled, pursuant to section 170A of the *Local Government Act 2009* and sections 169 and 170 of the *Local Government Regulation 2012*, Council's budget for 2018/19 financial year incorporating:
  - i. the statement of income and expenditure
  - ii. the statement of financial position
  - iii. the statements of changes in equity

- iv. the statement of cash flow*
- v. the relevant measures of financial sustainability*
- vi. the long term financial forecast*
- vii. the Debt Policy*
- viii. the Revenue Policy*
- ix. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
- x. the Revenue Statement*
- xi. Council's 2018/19 Capital Works Program, endorse the indicative four-year program for the period 2020 to 2023, and note the five-year program for the period 2024 to 2028 and*
- xii. the rates and charges to be levied for the 2018/19 financial year and other matters as detailed below in clauses 3 to 11.*

**Related Documentation**

2018/19 Adopted Budget

**Critical Dates**

There are no critical dates for this report.

**Implementation**

There are no implementation details to include in this report.





## 8.6.2 SIGNIFICANT CONTRACTING PLANS

<b>File No:</b>	<b>Council meetings</b>
<b>Author:</b>	<b>Coordinator Procurement and Contract Performance Business Performance Group</b>
<b>Appendices:</b>	<b>App A - Significant Contracting Plan for ITT1822 .....311</b> <b>App B - Significant Contracting Plan for ITT1833 .....315</b> <b>App C - Significant Contracting Plan for ITT1845 .....319</b> <b>App D - Significant Contracting Plan for EOI182 .....323</b>

### PURPOSE

The purpose of this report is to present and have Council adopt the Significant Contracting Plans for:

- ITT1822 – Resource Recovery Centre Operations
- ITT1833 – Design and Construct – Sunshine Coast City Hall
- ITT1845 – Design and Construct Multi-storey Car Park – Brisbane Road
- EOI182 – Integrated Development of Brisbane Road Car Park site.

### EXECUTIVE SUMMARY

At the Ordinary Meeting of 17 May 2018, Council resolved to adopt the Strategic Contracting Procedures to empower Council to pursue improved contracting outcomes. The Strategic Contracting Procedures require Council to adopt a Significant Contracting Plan for each Significant Contract Council will enter into during the course of the financial year.

The abovementioned contracts have been identified as Significant Contracts. Appendices A – D to this report are the Significant Contracting Plans for these Significant Contracts, which comply with the requirements of the *Local Government Regulation 2012*.

Adoption of a Significant Contracting Plan is required prior to entering into a Significant Contract.

### OFFICER RECOMMENDATION

**That Council:**

- (a) receive and note the report titled “Significant Contracting Plans and
- (b) adopt the Significant Contracting Plans for:
  - i. ITT1822 – Resource Recovery Centre Operations (Appendix A)
  - ii. ITT1833 – Design and Construct - Sunshine Coast City Hall (Appendix B)
  - iii. ITT1845 – Design and Construct - Multi-storey Car Park – Brisbane Road (Appendix C)
  - iv. EOI182 – Integrated Development of Brisbane Road Car Park site (Appendix D)

### FINANCE AND RESOURCING

#### ITT1822 – Resource Recovery Centre Operations

Funding for this service provision exists in Waste Resource Management operational budget.

**ITT1833 – Design and Construct - Sunshine Coast City Hall**

Funding for this project exists in the Capital Works Budget, split across financial years 18/19, 19/20, 20/21, and 21/22.

**ITT1845 – Design and Construct - Multi-storey Car Park – Brisbane Road**

Funding for this project exists in the Capital Works Budget, split across financial years 18/19, 19/20 & 20/21.

**EOI182 – Integrated Development of Brisbane Road Car Park site**

Not applicable – This is a disposal/revenue contract.

**CORPORATE PLAN**

**Corporate Plan Goal:** *An outstanding organisation*

**Outcome:** We serve our community by providing this great service

**Operational Activity:** S29 - Financial and procurement services - financial and procurement management and governance, ensuring effective business management and legislative compliance, co-ordination and development of Council's budget process, administration of financial systems, sundry debtors, accounts payable, financial and asset accounting, treasury, procurement, contract and supply functions.

**CONSULTATION****Councillor Consultation****ITT1833 – Design and Construct – Sunshine Coast City Hall**

All Councillors during presentations at Council Meetings.

**ITT1845 – Design and Construct – Multi-storey Car Park – Brisbane Road**

Significant engagement on previous and current redevelopment options for the Brisbane Road Car Park has occurred with all Councilors including divisional and portfolios. The engagement has included multiple workshops, most recently in December 2018.

**EOI182 – Integrated Development of Brisbane Road Car Park site**

Significant engagement on previous and current redevelopment options for the Brisbane Road Car Park has occurred with all Councilors including divisional and portfolios. The engagement has included multiple workshops, most recently in December 2018.

**Internal Consultation**

Internal consultation has been conducted with relevant personnel from:

**ITT1822 – Resource Recovery Centre Operations**

Waste Resource Management

Office of the Mayor and CEO

**ITT1833 – Design and Construct - Sunshine Coast City Hall**

Project Control Group

Group Executive, Business Performance

Manager, Finance

Manager, Property Management

Manager, Digital and Information Services

Manager, People and Culture

Manager, Business Development

**ITT1845 – Design and Construct - Multi-storey Car Park – Brisbane Road**

Significant engagement across the organisation has occurred on previous and current redevelopment options for the Brisbane Road Car Park. This has included working groups and Project Control Group meetings.

**EOI182 – Integrated Development of Brisbane Road Car Park site**

Board of Management

Project Control Group

**External Consultation**

**ITT1822 – Resource Recovery Centre Operations**

Corrs Chambers Westgarth have been engaged to draft appropriate terms and conditions of contract.

**ITT1833 – Design and Construct - Sunshine Coast City Hall**

Paul Blair of Project Urban continues to provide project management services for this project.

**ITT1845 – Design and Construct – Multi-storey Car Park – Brisbane Road**

Previous and current redevelopment options of the Brisbane Road Car Park has included engagement with utility providers such as Unitywater, Energy Queensland and Telstra/NBN.

**EOI182 – Integrated Development of Brisbane Road Car Park site**

Councillor Connolly has engaged with a number of Mooloolaba's business and industry leaders on this development.

**Community Engagement**

No Community Engagement has been conducted in the preparation of these Significant Contracting Plans. Information Sessions will be held during the tender process for:

- ITT1822 – Resource Recovery Centre Operations
- ITT1833 – Design and Construct - Sunshine Coast City Hall
- ITT1845 – Design and Construct - Multi-storey Car Park – Brisbane Road
- EOI182 – Integrated Development of Brisbane Road Car Park site

Brisbane Road Car Park was identified in the Mooloolaba Placemaking Masterplan which was developed following significant consultation with the community prior to the Masterplan being adopted in December 2015.

**PROPOSAL**

The *Local Government Regulation 2012* requires a Significant Contracting Plan be prepared for each Significant Contract the Council will enter into during the course of the financial year. The Plan must be adopted before the Contract starts.

Significant Contracts are contracts that:

- have an anticipated value of \$5 million or more and/or
- are deemed Significant Contracts by the Procurement and Contract Performance Team following assessment under the Procurement Profiling Matrix, and Risk Assessment Calculator, which includes an assessment of the market relating to the contract.

The abovementioned contracts have been identified as Significant Contracts.

The *Local Government Regulation 2012* requires a Significant Contracting Plan to be a document which states:

- the objectives of the significant contract
- how the objectives are to be achieved
- how achievement of the objectives will be measured
- any alternative ways of achieving the objectives
- why the alternative ways were not adopted
- proposed contractual arrangements for the activity
- a risk analysis of the market in which the contract is to happen.

The objectives must be consistent with the 2018/19 Contracting Plan.

The Significant Contracting Plans in Appendices A – D to this report comply with the requirements of the *Local Government Regulation 2012*.

### **Legal**

There are no legal implications relevant to this report.

### **Policy**

Council's Procurement Policy has been complied with in the preparation of these Significant Contracting Plans.

### **Risk**

Entering into these Significant Contracts prior to adopting the Significant Contracting Plans would risk breaching the *Local Government Regulation 2012*.

### **Previous Council Resolution**

#### **Strategic Contracting Procedures:**

#### **Ordinary Meeting 17 May 2018 (OM18/62)**

*That Council:*

- (a) receive and note the report titled "**Strategic Contracting Procedures**" and
- (b) apply Chapter 6 Part 2 Strategic Contracting Procedures of the Local Government Regulation 2012 to its contracts, following adoption by Council of:
  - (i) a contracting plan and
  - (ii) a contracting manual, which will not be more than one year after the date of this resolution.

#### **ITT1833 – Design and Construct - Sunshine Coast City Hall:**

#### **Ordinary Meeting 11 October 2018 (OM18/173)**

*That Council*

- (a) receive and note the report titled "Sunshine Coast City Hall Building - High Level Project Plan" and
- (b) endorse the Sunshine Coast City Hall Building - High-Level Project Plan (Appendix A).

#### **Special Meeting 10 September 2018 (SM18/14)**

*That Council:*

- (a) *note the discussions held in confidential session in relation to City Hall*
- (b) *authorise the Chief Executive Officer to make public Attachment 1 to a report considered by Council on 14 September 2017, namely the Staff Relocation Impact Assessment prepared for Sunshine Coast Council by Lucid Economics dated August 2017, excluding appendices B and C on the basis that these appendices may disclose matters that relate to the commercial proprietary interests of Lucid Economics and*
- (c) *request for the Chief Executive Officer to offer for Lucid Economics to present to the Nambour and Caloundra Chambers.*

**Special Meeting 17 May 2018 (SM18/4)**

*That Council*

- (a) *receive and note the report titled "Maroochydore City Centre Update"*
- (b) *resolve that an application be made to the Minister for Local Government seeking an exemption under section 236 (1)(f) of the Local Government Regulation 2012 for the disposal of Council owned land by lease within Precincts 2, 3 & 6 of the declared Maroochydore Priority Development Area, to enable commercial direct dealings*
- (c) *resolve that a further application be made to the Minister for Local Government seeking an exemption under section 236 (1)(f) of the Local Government Regulation 2012 for the disposal of Council owned land by sale and/or lease within Precincts 4, 5 and 7 of the declared Maroochydore Priority Development Area, to enable commercial direct dealings*
- (d) *request that the Minister for Economic Development Queensland initiate the process for the proposed amendment to the Development Scheme for the declared Maroochydore Priority Development Area and delegate the relevant plan making functions in sections 58,59 and 61 of the Economic Development Act 2012 to Council in respect of the proposed amendment and*
- (e) *delegate to Chief Executive Officer to make any necessary amendments to the documentation outlined in (b), (c) and (d) above and to seek any other approvals which may be required, to enable the delivery of optimum outcomes agreed for the Maroochydore Priority Development Area.*

**Ordinary Meeting 12 October 2017 (OM17/202)**

*That Council note the discussions held in confidential session in relation to the Smart Move project update*

**Ordinary Meeting 14 September 2017 (OM17/181)**

*That Council resolves because of the specialised nature of the services that are sought from Woods Bagot it would be impractical or disadvantageous to invite quotes or tenders in relation to The Smart Move Project.*

**Special Meeting 17 August 2017 (SM17/42)**

*That Council note the discussions held in confidential session in relation to the Smart Move project update.*

**Special Meeting 23 February 2017 (SM17/4)**

*That Council receive and note the report titled "New Council Chambers/Budget Monitoring and Financial Risk status report"*

**ITT1845 – Design and Construct - Multi-storey Car Park – Brisbane Road; and  
EOI182 – Integrated Development of Brisbane Road Car Park site:****Ordinary Meeting 8 November 2018 (OM18/191)**

*That Council direct the Chief Executive Officer to:*

- *divide the existing lots of the site known as Brisbane Road Car Park, Mooloolaba, into two (2) parcels along the southern boundaries of Lot 66 on Registered Plan 52440 and Lots 92 and 93 on Registered Plan 73433*
- *proceed with the calling of tenders for the design and construction of a 700 bay/spaces Council owned multi deck car park on the northern parcel of the site known as Brisbane Road Car Park (Lots 64 – 66 on Registered Plan 52440, and Lots 92 and 93 on Registered Plan 73433) and*

*proceed with the calling of Expressions of Interest for the southern parcel of the lot known as the Brisbane Road Car Park (Lots 67 – 69 on Registered Plan 52440 and Lot 73 on Registered Plan 73433) in accordance with section 228 of the Local Government Regulation 2012, noting that the calling of expressions of interest would be in the public interest for the following reason:*

- *the process will allow Council to call for a variety of development proposals with a view to identifying the solution that best aligns with the interest of the public and Council.*

**Ordinary Meeting 8 November 2018 (OM18/190)**

*That Council rescind the previous Council Resolution (OM18/175) namely:*

*“That Council proceed with the calling of Expressions of Interest for the site known as Brisbane Road Car Park, Mooloolaba in accordance with section 228 of the Local Government Regulation 2012, noting that the calling for expressions of interest would be in the public interest for the following reason:*

- *the process will allow Council to call for and consider a variety of development proposals, including those that generally align to the existing Development Approval; with a view to identifying the solution that best aligns with the interests of the public and Council.”*

**Ordinary Meeting 11 October 2018 (OM18/175)**

*That Council proceed with the calling of Expressions of Interest for the site known as Brisbane Road Car Park, Mooloolaba in accordance with section 228 of the Local Government Regulation 2012, noting that the calling for expressions of interest would be in the public interest for the following reason:*

- *the process will allow Council to call for and consider a variety of development proposals, including those that generally align to the existing Development Approval; with a view to identifying the solution that best aligns with the interests of the public and Council.*

**Related Documentation**

Strategic Contracting Procedures.

**Critical Dates****ITT1822 – Resource Recovery Centre Operations**

Current contracts for these services expire on 6 July 2019

**ITT1833 – Design and Construct - Sunshine Coast City Hall**

The occupation of Sunshine Coast City Hall is planned for 1 July 2022

**ITT1845 – Design and Construct – Multi-storey Car Park – Brisbane Road**

Mooloolaba Central Multi-storey Car Park: targeting Design and Construct contract to be awarded by April 2019 with on-site works commencing by November 2019 and being completed prior to December 2020.

**EOI182 – Integrated Development of Brisbane Road Car Park site**

Project to be advanced as expediently as possible, noting that information on design and construction coming from ITT1845 will be critical to timing for development and delivery of this matter.

**Implementation**

Chief Executive Officer to conduct tenders/expressions of interest in a manner consistent with the approach outlined in the Strategic Contracting Plans in Appendices A – D to this report.





**8.6.3 COMMERCIAL LEASE PROPOSAL - CALOUNDRA**

<b>File No:</b>	<b>Eddie</b>
<b>Author:</b>	<b>Property Officer Business Performance Group</b>
<b>Attachments:</b>	<b>Att 1 - Finance and Resourcing .....<i>Confidential 19/19</i> Att 2 - Colour and Design Examples .....335</b>

**PURPOSE**

The purpose of this report is to seek Council's endorsement to progress the proposed commercial lease on community land in Happy Valley, Caloundra and endorse the funding required to provide the subject infrastructure.

**EXECUTIVE SUMMARY**

Council owns and controls a significant amount of land holdings, which comprise prominent parks, foreshore and tourist areas. Council is committed to ensuring that land set aside for the community is preserved for such community use in accordance with its obligations under the *Land Act 1994* and the *Local Government Act 2009* and relevant Local Laws. The preservation of community land for its primary purpose is paramount; however, it is recognised that in some circumstances, a secondary use such as commercial use of community land may enhance the use of community land and provide a benefit to the community.

This report proposes a commercial café lease in Happy Valley Caloundra, where Council installs a 20 foot shipping container café and then undertakes a tender process to secure the appropriate tenant to occupy the asset.

Currently, food and snack van operates from Happy Valley under a high-use/high-impact 3 year permit. The permit expires in June 2019. It is proposed to have the shipping container ready to be installed upon expiration of that permit.

While the proposed structure and lease arrangement will not provide Council with a large monetary benefit, it will provide many community benefits including enhancing the park experience for residents and visitors and providing a more secure and viable business opportunity for the successful lessee.

Council engaged hospitality experts Hiller to undertake a detailed design of the container café which ensured the internal layout would be suited to a wide range of potential operators while providing enough space and equipment to run a sustainable business. Careful consideration will also be taken in regard to how the container presents aesthetically.

The proposed site for establishment of the shipping container café is a reserve for recreation with Council as trustee, described as Lot 694 on SP255683. A trustee lease approved by the State will therefore need to be entered into. The *Local Government Regulation 2012* requires that disposal of land (including a lease) be offered by way of tender or auction. In this instance, a public tender would be the most appropriate method. Tenderers could be shortlisted by an initial Expression of Interest (EOI) process.

In order to provide the lessee with tenure security so that they can invest into their business, it is proposed to offer a 5-year lease with a 5 year option. It is intended that the eventual tenant will be responsible for the purchase of all service equipment associated with the café. This may include items such as fridges, fryers and grill plates.

This report seeks a budget of \$150,000 in Budget Review 2 to progress the construction of the proposed shipping container café so that it is established on site in August 2019.

## OFFICER RECOMMENDATION

### That Council:

- (a) receive and note the report titled "Commercial Lease Proposal - Caloundra" and
- (b) refer budget of \$150,000 for consideration in the 2018/19 Budget Review 2.

## FINANCE AND RESOURCING

The Strategic Property Team has been working with an external fit-out consultant on the design and costing of the proposed container café as well as a consulting engineering firm to provide services to the site. Due to nature of this project, and the fact that the construction component will be put to tender, the estimated costs associated with this project are contained within the confidential attachment.

In addition to the above, Savills Valuations were engaged to provide an estimated market rental for the proposal, please refer to the confidential attachment for further commentary.

A commercial lease at current market value will provide revenue to pay of the initial investment. All associated costs for repairs, maintenance and including all outgoings will be the responsibility of the proposed lessee.

## CORPORATE PLAN

**Corporate Plan Goal:** *A healthy environment*

**Outcome:** We serve our community by providing this great service

**Operational Activity:** S16 - Recreation parks, trails and facilities - providing design, maintenance and management of Council's public open space for active and passive recreation.

## CONSULTATION

### Councillor Consultation

Divisional 2 Councillor T Dwyer has been consulted regarding this proposal.

### Internal Consultation

- Coordinator Landscape Design Planning
- The Integrated Property Strategy Team

### External Consultation

- Hiller Hospitality prepared the design plans.
- Walsh Consulting Engineers responsible for engineering, design, documentation, and approvals.
- Savills Valuations provided an expected market rental assessment for the proposal.
- Department of Natural Resources, Mines and Energy (DNTME) in relation to tenure over community reserve.

### Community Engagement

No specific community engagement has been undertaken on the Happy Valley location itself. However, a regional community engagement program was undertaken as part of the high use/high impact commercial use of community land permit process.

The community engagement process in 2012 involved multiple stakeholder groups, including the Mayor, Councillors, Council officers, State Government agencies, tourism organisations, business operators, prospective business operators, community organisations and the

Sunshine Coast Community. As well as stakeholder forums, Council conducted online surveys seeking input from the community and visitors, and also conducted phone surveys at random to understand the general opinion of the public. The Happy Valley location discussed in this report was nominated during the registration of interest process. The community engagement program was then based on the location and types of activities registered.

Based on the analysis, the feedback received from the surveys was generally positive, with the community being mostly supportive of the proposed activities and location received during the Registration of Interest Process.

## PROPOSAL

Council owns and controls a significant amount of land holdings, which comprise prominent parks, foreshore and tourist areas. Much debate surrounds the degree to which it is acceptable to use public open space as a means of generating revenue. Some will argue that public open space should remain free from commercial interests of any sort. In practice, all Local government areas allow some commercial use of open space, mostly under an annual permit system that generates minimal revenue. There are also notable long-term leases in open space reserves which are considered of high public value, i.e. the Boat Shed Restaurant in Cotton Tree or Harry's Hut in Buderim.

Council's Community Land and Complementary Commercial Activity Policy acknowledges that the purpose of community land is primarily for community use. Council is committed to ensuring that land set aside for the community is preserved for such community use in accordance with its obligations under the *Land Act 1994* and the *Local Government Act 2009* and relevant Local Laws. The preservation of community land for its primary purpose is paramount; however, it is recognised that in some circumstances, a secondary use such as commercial use of community land may enhance the use of community land and provide a benefit to the community.

In addition, the Sunshine Coast Planning Scheme specifies within the Open Space Zone Code that a "Food and drink outlet (where located on Council owned or controlled land, conducted in association with an open space or sport and recreation use on the same site and having a gross leasable floor area not exceeding 100m<sup>2</sup>)." is a consistent use.

Happy Valley (Lot 694 on SP255683) is one of Caloundra's prime parks and beach spots, it has an expansive grassed area, BBQ shelters and a very popular playground (refer **Figure 1**).



**Figure 1 - Happy Valley**

Currently, a high-use/high-impact permit has been awarded for a refreshment van in the Happy Valley car park at Bulcock Beach. The permit allows the permit holder to operate seven days a week, 6.00am -7.00pm with an annual fee of \$95/m<sup>2</sup> of land occupied. The total annual revenue to Council from this permit is \$1,140. The permit expires in June 2019. There is opportunity to convert this permit into a commercial lease at the expiry of the permit.

A properly established cafe in this location would enhance the high usage park and provide a better amenity than the current refreshment van. The proposed location is adjacent to ample seating areas, public toilets and a popular playground and would give the park users the option to have a coffee whilst watching their children play, or for beach goers to have a quick refreshment. Its' also positioned far enough away from existing business that they are not in direct competition. See site plan in **Figure 2**.



*Figure 2 – Site Plan*

While the proposed lease arrangement will not provide Council with a large monetary benefit, it will provide many community benefits including:

- It will advance the region's ability to attract visitors/tourist for entertaining and socialising.
- Café/kiosk facilities would enhance the attraction of the Happy Valley open space area and provide quality facilities to enjoy, including providing safe waiting space for the less physically active.
- The proposal acknowledges and provides for the lifestyle and outdoor culture of the Sunshine Coast
- Provide a more secure and viable business opportunity for the successful tenderer (i.e. 5+5 year lease rather than a 3-year permit).
- Promotes a greater awareness of the Coast's natural assets.
- Provide amenities in the area and enhance the experience for residents and visitors.
- Provide surveillance to the park area.

- Wi-Fi can be added to the cafe structures.
- Opportunity for community noticeboards on the containers.
- Unlike the current permit system, operators will be charged a commercial rent, which makes it fairer for surrounding business.
- The structure is appropriately designed to suit the surroundings and provides a more aesthetically pleasing outlook than a coffee van.

Advice from the Department of Natural Resources, Mines and Energy has been that as long as the commercial use is limited to the container footprint (i.e. no exclusive use seating in the park) and the container is owned by Council, then the Department of Natural Resources, Mines and Energy will be in agreement considering this is in view of their policy.

A report was presented to the July 2017 Ordinary Meeting regarding initial investigations in establishing a shipping container cafe/kiosk at Happy Valley which Council would install and undertake a tender process to secure the appropriate tenant to occupy the asset. Council resolved to undertake further design and investigations into the viability of the proposal and report back.

Since the last report, Council engaged hospitality consultant and supplier, Hillier, to undertake a detailed design of the proposed Café. Hillier provided expert knowledge and input into the design. This ensured that the internal layout would be suited to a wide range of potential operators while providing enough space and equipment to run a sustainable business.

The container has been designed internally to suit the proposed location and offer a variety of food and drink items that will allow the future tenant to operate a sustainable business, as seen in **Figure 3**. The eventual tenant will ultimately decide on what offering they would like to have, as the container has been designed to be flexible in regards to the cooking equipment they wish to use. The current footprint of the container is approximately 16m<sup>2</sup> with an additional 10m<sup>2</sup> set aside for refuse. It is important to note that a key component of the container itself is that it is removable. The café has been designed so that it can be removed at any time but can still withstand extreme weather events.

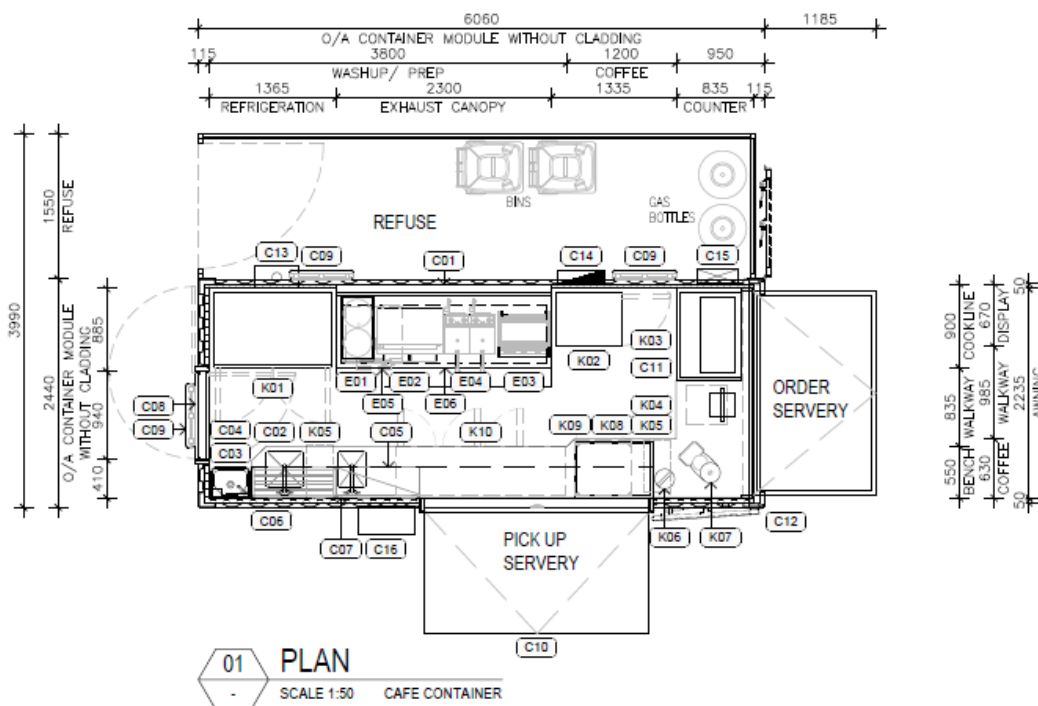


Figure 3 – Floor Plan

Careful consideration will also be taken in regard to how the container presents aesthetically. Currently, Council's design consultants are working closely with the Landscape Design and Planning Unit to ensure the structure presents well to Happy Valley Park and is in line with their design outcomes for the area. The desired outcome is that it does not look like an industrial shipping container. Some examples of possible outcomes are shown in **Attachment 2**.

The container will be connected to all required services such as water, sewer and power.

### **Procurement**

The proposed site for establishment of the shipping container café is a reserve for recreation with Council as trustee, described as Lot 694 on SP255683. A trustee lease approved by the State will therefore need to be entered into.

The *Local Government Regulation 2012* requires that disposal of land (including a lease) be offered by way of tender or auction. In this instance, a public tender would be the most appropriate method. Tenderers could be shortlisted by an initial Expression of Interest (EOI) process.

In order to provide the lessee with tenure security so that they can invest into their business, it is proposed to offer a 5-year lease with a 5 year option.

It is intended that the eventual tenant will be responsible for the purchase of all service equipment associated with the café. This may include items such as fridges, fryers and grill plates. Therefore, Council will not be responsible for the maintenance of these items. The container has been designed to fit standard size appliances.

### **Timing**

The existing permit for Happy Valley expires on 30 June 2019. It is intended that the construction of the kiosk structure and awarding of a lease to the successful tenderer will occur prior to the expiry of the existing permit. Once the permit expires, civil works will need to be undertaken to allow for connection of services. After this is complete, operation of the container café should commence early to mid-August.

It should be noted that Council will seek to enter into a lease with the winning tenderer before the container construction is commissioned. This will ensure that the anticipated return on investment is achieved.

### **Legal**

Council's internal Legal Offices will prepare the required trustee lease.

<b>Risk</b>	<b>Mitigation</b>
Existing permit holders are not awarded the new lease	Under the current 3-year permit process there is also no guarantee the existing permit holders will be awarded the new permit. Council need to ensure the tender process is open and transparent and ensure a reviewable decision process is in place.
Complaints from surrounding businesses	The proposed lessees will be charged a commercial lease rate which is considered fairer than the current permit system. It's noted due to the size of the shipping container they will have constraints in what can be offered. The location has been chosen to ensure they are not directly adjacent to existing businesses.

Complaints from the community regarding the new structures in the park.	The refreshment van has been successfully operating from this location for many years now, proving that the community supports the commercial activity. The increased revenue generate from the commercial lease will go towards maintenance and upgrades to the parks. This will be conveyed to the community.
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### Previous Council Resolution

#### Ordinary Meeting 20 July 2017 (OM17/139)

*That Council delegate the Chief Executive Officer to consider a budget of \$20,000 at the next Budget Review for the purposes of further investigations and design for the Happy Valley and Parkyn Parade Commercial Lease Proposals.*

### Related Documentation

- Council's Local Laws
- *Land Act 1994*
- *Local Government Act 2009*
- *Land Regulation 2009*
- Sunshine Coast Open Space Strategy 2011

### Critical Dates

The existing high-use permit for Happy Valley expires on 30 June 2019. For a shipping container to be installed on site as soon as possible after the expiration of this permit, the tender for the lease and construction of the shipping container will need to commence as soon as possible.

### Implementation

If endorsed, the Strategic Property team will progress the proposal including managing the construction of the container, tendering the lease and negotiating commercial lease terms with potential lessees. Once the lease is executed, ongoing management of the lease will be undertaken by the Property Management Branch. As the proposal is located on a Reserve, The Department of Natural Resources, Mines and Energy will require a Land Management Plan; Strategic Property will prepare this.





**8.6.4 SUNSHINE COAST CITY HALL BUILDING - PROJECT UPDATE**

**File No:** Council Meetings  
**Author:** Group Executive  
Business Performance Group

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To be provided.



**9 NOTIFIED MOTIONS****9.1 NOTICES OF RESCISSION****9.2 NOTICES OF MOTION****9.3 FORESHADOWED NOTICES OF MOTION****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 OFFICE OF THE CEO**

Nil

**11.2 CUSTOMER ENGAGEMENT AND PLANNING**

Nil

**11.3 LIVEABILITY AND NATURAL ASSETS**

Nil

**11.4 BUSINESS PERFORMANCE****11.4.1 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - LAND ACQUISITION  
MAROOCHY RIVER****File No: Council meetings****Author: Coordinator Strategic Property  
Business Performance Group**

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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.

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**11.5 BUILT INFRASTRUCTURE**

Nil

**11.6 ECONOMIC AND COMMUNITY DEVELOPMENT**

Nil

**12 NEXT MEETING**

The next Ordinary Meeting will be held on 28 February 2019 in the Council Chambers, Corner Currie and Bury Streets, Nambour.

**13 MEETING CLOSURE**